



NUMUWAETU NAWAHANA

"Telling the Indian People's News" Pyramid Lake Paiute Tribal Newspaper

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September, 2011—3rd Quarter

VANDALISM ON THE PYRAMID LAKE LANDS

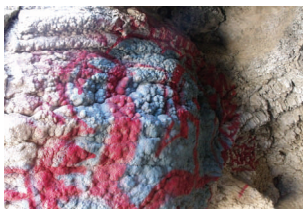


This past summer many areas on the Pyramid Lake Reservation have been vandalized. It is sad that some do not have consideration or respect for our land.

If you should see or know of anyone who has committed these acts against the Pyramid Lake Paiute Tribe's lands—public or private property, report any information you may have to the Tribal police. These acts go against the Pyramid Lake Tribal membership, these acts costs the Tribe dollars to repair or replace any tribal property, which may take away from other programs.

A few areas vandalized:

- The Pyramid/Stone Mother area, Indian Head and many other areas on Pyramid Lake were grossly defaced.
- The Pyramid Lake Jr/Sr High School van.
- The Wadsworth Community Water System Pumphouse under construction in the Depauli Ranch area was vandalized sometime over Labor Day weekend. The main concern about this is the proximity to homes in the area. Bullet holes were found in the walls of the pumphouse and equipment belonging to the contractor. If anyone knows anything about this please contact Tribal Police. This pumphouse is your property.
- The Old Wadsworth School was set on fire and destroyed. A historical landmark, many of our Tribal member went to school there.



Indian Head

(văn'dl-iz'əm) n.

Willful or malicious destruction of public or private [property](#).

The intentional and [malicious](#) destruction of or damage to the property of another. It includes behavior such as breaking windows, slashing tires, spray painting a wall with graffiti, and destroying a [computer](#) system through the use of a computer virus. Vandalism is a malicious act and may reflect personal ill will, although the perpetrators need not know their victim to commit vandalism. The [recklessness](#) of the act imputes both [intent](#) and [malice](#).

Because the destruction of public and private property poses a threat to society, modern statutes make vandalism a crime. The penalties upon conviction may be a fine, a jail sentence, an order to pay for repairs or replacement, or all three. In addition, a person who commits vandalism may be sued in a civil tort action for damages so that the damaged property can be repaired or replaced.

Read more:

<http://www.answers.com/topic/vandalism#ixzz1Y4GcebuC>

Related story:

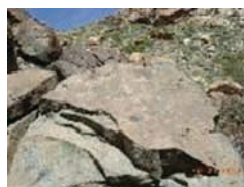
Man sentenced to prison, fined for defacing petroglyph panels

BY [DOUG MCMURDO](#) –LV REVIEW-JOURNAL

Posted: Aug. 22, 2011 | 2:40 p.m.

Updated: Aug. 23, 2011 | 2:36 a.m.

An Arizona man who pleaded guilty in May to shooting paintballs at sacred American Indian petroglyph panels at Lake Mead's Grapevine Canyon was sentenced Monday to 15 months in prison and ordered to pay roughly \$10,000 in restitution.



Old Wadsworth School



Pyramid Indian Head



Here is the **Tribes' (Tentative) Holiday Schedule** for the remainder of this year. Call the Tribal Offices or watch for Flyers to confirm Event Dates, Times and Locations.

OCTOBER

12 th	(Wed)	Pyramid Lake Health Fair	PLHS
26 th	(Wed)	Staff Awards Luncheon	TBA
27 th	(Thr)	Numaga Senior Fun Day & Halloween Party	Nixon Gym
28 th	(Fri)	Trick-or-treat	Nixon &

Sutcliffe

29 th	(Sat)	Trick-or-treat	Wadsworth
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NOVEMBER

11 th	(Fri-AM)	PL Veterans & Warriors Sunrise Ceremony	Nixon Gym
11 th	(Fri-PM)	PL Veterans & Warriors Social Pow-Wow	Nixon Gym
17 th	(Thr)	Numaga Thanksgiving Dinner	Nixon Gym
25 th -27 th	(Fri-Sun)	Youth Thanksgiving Basketball Tournament	Nixon Gym

DECEMBER

6 th – 9 th	(Tue-Fri)	Gathering of Native Americans Community Training	Nixon Gym
10 th	(Sat)	Community Coalition Pow-Wow	Nixon Gym
22 nd	(Thr)	Numaga Christmas Luncheon	Nixon Gym
24 th	(Sat)	Christmas Eve Program	Nixon Gym
26 th	(Mon)	Tribal Election Day & Dinner (Tentative)	Nixon Gym



Inside this issue:

Department News:

-Administration; TERO, Grants: Community Center	2
-Enrollment, Economic Development	3
-Consolidated Higher Education	4
-Library; Human Resources	5
-Environmental: Air Quality, Water Quality, Tribal Environmental Exchange Network, Non-Point Source Mgmt	6-7
-Tax Commission Annual Report; Language Classes	8-9
-Maintenance; PLHS; Victim Services; PLHC	10
-Transportation	11
Scholarship Info: NSDAR, ITCN-NWD	11
PL Junior Rodeo; NV Day Rodeo	12
Natchez School Info; Personals	13
Community Events: SVP, Tribal, PLVWO	14-15
Tribal Council Meeting Minutes (June-Aug 2011)	16-43



Department News

TRIBAL ADMINISTRATOR

The Tribal Council adopted Title 8, the Employment Rights Code to increase employment of Native Americans and to eradicate discrimination against Native Americans. When a contractor comes to the reservation, before work can start, a TERO compliance plan has to be done. This is where the contractor pays the fee (for contracts over \$50,000 a 2.5% fee), identifies his core crew and the positions where he can possibly hire from our Tribal Labor Force. Once the contractor has signed off on this plan, our office provides him with a listing of our Tribal Labor Force (names, phone numbers) under the specific skills specialized in. Under the hiring, the contractor interviews the worker, pays the worker and the worker has to abide by the contractor's rules of employment.

In an effort to enhance the skills of our labor force so they can complete effectively with other workers applying for the same positions, a series of trainings were completed this summer.

With TERO revenue collected, our office coordinated and provided for a safety instructor to federally certify Native Americans for OSHA 10 and OSHA 30. The office coordinated and provided for an instructor to certify Native Americans to work as Road Flaggers. The office also coordinated and provided for an American Heart instructor to train and certify Native Americans for First

Aid/CPR and Defib. There was a total of 104 Native Americans who successfully participated and completed these trainings. A special Youth OSHA session was conducted and a total of 36 youth completed this class. Another OSHA 10 training is scheduled for October 8 & 9, 2011 (SAT & SUN) starting at 8:30 am in the Nixon Tribal Chambers. Another First Aid/CPR/Defib class is scheduled for October 14, 2011 (FRI) from 8:30 am to 1 pm in the Tribal Chambers.

The office coordinated with Indian Health Service to provide training for Tribal members on Foodhandler Safety and hosted three different sessions on the reservation. Another session was held on Bloodborn Pathogens/Chemical Use. Thirty-eight individuals received their certifications.

The office also coordinated the Micro Enterprise (Start your own Business) training under the SBA. The group received orientation and set up a second meeting to conduct the development of a business plan. There is a lot of interest in this subject, so a second series of meetings has been scheduled to start on October 22, 2011 (SAT) from 9am to 12 pm in the Wadsworth Brown Building.



WADSWORTH COMMUNITY CENTER PROJECT



Inviting your comments on the Draft Environmental Assessment for the Wadsworth Community Center Project

A Draft Environmental Assessment has been completed for the Wadsworth Community Center Project and will be available for review and comment from October 14th to the 29th at the front desk in the Tribal Administrative Building. Forms will be available at the Tribal Offices or at the Nixon or Wadsworth Stores.

The Project

The proposed Wadsworth Community Center Project will utilize 6 acres of the 11 acre site in Wadsworth on the northwest side of 8th Street and Highway 447 and will be designed and built in phases. Based on the community survey in 2009, in which community members strongly advocated for a gymnasium/fitness center, large community room and a computer lab, the tribe is focusing on these elements for the first three phases that will be designed and built according to funding.

Phase I implements a grant received in 2007 from the U.S. HUD and is slated to be a 3,000 sq. ft. community center with a residential+ kitchen, two meeting rooms with bathrooms and storage area. Phase I uses a design build service. Construction will begin this winter and end in the spring of 2012. The community center will be stick-built utilizing standard construction materials and incorporating green building materials as much as possible into the plan.

The focus of Phase II is a 17,000 sq. ft. gymnasium, fitness center, locker rooms, lobby, bathrooms and concession area and office spaces for several tribal programs.


Phase III will be a 3,025 sq. ft. library, computer laboratory and classroom for online education.

The Master Plan developed by architect John Barada includes the possibility of three other phases which may be a Day Care Center, Senior Center or a Business Enterprise office, 115 parking spaces in five areas, a courtyard and outdoor amphitheater landscaping and three walking paths. The infrastructure will include extending existing streets and an access road.




PLPT TERO TRAINING SCHEDULED—2011 Free to Native Americans

To make sure there are enough training materials, please Pre-Register by calling the Tribal Administrator @ 775-574-1000 x125. Thank you.




OSHA 10
 Oct. 8 (Sat) 8:30 am–2 pm
 Oct. 9 (Sun) 12–4 pm
 (coffee/donuts)
 Nixon Tribal Chambers
 Instructor: Ron Applegate

**FIRST AID
CPR
DEFIB**



October 14—Fri
 8:30 am - 1:00 pm (coffee/donuts)
 Nixon Tribal Chambers
 Instructor: Noe Henry



MICRO-ENTERPRISE
 October 22 (Sat) 9:00 am – 12:00pm (lunch)
 Starting Your Own Business Workshop
 Wadsworth Brown Building
 Instructor: Colleen Camenisch, SBA

TRIBAL ENROLLMENT SERVICES

The Office of Tribal Enrollment is open Monday through Friday during normal work hours closing for lunch between 12:00 and 12:30pm. Please call ahead of time to ensure that staff is available to process your requests.

Enrollment Services forms now available online at the Pyramid Lake Paiute Tribe website:

- Card Replacement Request Form
- Document Request Form
- Enrolled Member Address Update Form
- Name Change Request Form
- Please be sure to sign and date the form before mailing or faxing to the Enrollment Office.

New Enrollment Software: The Enrollment Department has purchased new Enrollment software. The Tribal Council voted unanimously to approve the purchase of the Enrollment Software at the July 25th Council meeting. The new software from Progeny will soon be replacing the current TEAMS software and will save the Tribe \$2,700.00 a year in software maintenance fees.

I will be working with the Progeny IT Department to install the software and

duplicate the current ID cards now used by the Tribe. My goal is to keep disruption to the Enrollment Department to a minimum.

The Progeny software and a new HP computer to run the software were paid for by funds received from the Tax Fund Use Plan. The Enrollment Department wishes to thank the Tax Department Staff for their help thru the application process and the Pyramid Lake Paiute Tax Commission and Tribal Council for approving the Progeny software purchase.

New Members: We welcome the following new members of the Tribe from June, 2011 to present:

June, 2011

Alex Michael Ansotegui, Chase Eagle Hardin, Quintin Desmond Walker.

July, 2011

No Enrollment Committee Meeting in July

August 2011

Mark Anthony Chavez, Jasmyne Summer Rose Garcia Ruiz, Amber Sherea Hay, Marian Evarardo Mariscal

All of these applicants have met the requirements for eligibility under Ordinance III (*First Revision*) and are direct lineal descendants of a Base Enrollee.

Address Updates: All enrolled members are encouraged to keep their mailing addresses current with the Enrollment Office. Forms for change of address are also available on the Pyramid Lake Paiute Tribe website under the Enrollment Services section. Sorry addresses cannot be updated by a phone call. With the upcoming Tribal elections in December it is important to update your address.

Membership Statistics: As of this writing, we have 2,898 enrolled members of the Tribe, less 368 deceased. The total living membership is 2,530 as of this date. This number is subject to change monthly. Names of the deceased are kept on the roll for decedancy purposes.

If there are any questions or concerns regarding membership issues, please call Enrollment Officer, Joanne Shaw at the Enrollment Office at 775.574.1000, Ext. 115, or email: pl enrollment@plpt.nsn.us

Happy Holidays!

Pyramid Lake Enrollment Committee & Staff

MOVING FORWARD: An update on the Economic Development Plan

On March 18, 2011 the Tribal Council unanimously approved resolution PL-33-11 adopting the Pyramid Lake Economic Development Plan. On March 23, 2011 a copy of the approved plan was officially submitted to the Federal Government in accordance with Public Law 101-18. The approved plan includes two volumes; Volume #1 the Strategic Economic Development Plan and Volume #2 the Investment and Management Plan.

The purpose of the Strategic Economic Development Plan is to create long term profit-making opportunities, to create optimum employment opportunities, and to establish a high quality recreation area at Pyramid Lake for the Tribe and its Members. The plan is broken down into 7 key elements that are focused on accomplishing the purpose of the plan. The 7 elements are; Recreation & Fishing, Tribal Enterprises, Good Governance & Education, Industrial & Commercial Development, Agriculture & Ranching, and Tribal Entrepreneurship. Each element of the plan consists of generalized goals and policies that the Tribal Government can follow to create jobs and growth on the reservation.

The purpose of the Investment and



Management Plan is to establish in writing the policy matters concerning the use of the Pyramid Lake Economic Development Fund in order to maximize job creation

and revenue for the Tribe and its members. There are 4 sections to this plan; Option A, Option B, Option C and the Investment Policy. Each section of the plan establishes the policy matters for the Tribe to use the Pyramid Lake Economic Development Fund to create jobs and growth on the reservation. In the event that the legal and administrative issues involving PL-101-618 become settled, the option in this plan that best reflects the outcome of the legal and administrative issues surrounding the Truckee River Operating Agreement (TROA) will become the Tribe's plan for the use of the Pyramid Lake Economic Development Fund.

It is important to note that the approval of an Economic Development Plan by the Tribe does not mean that the Federal Government will allow the Tribe to access the Pyramid Lake Paiute Economic Development Fund. It is also important to note that the approval of the plan by the Tribal Council does not mean that payments to Tribal Members will start immediately. There are many lingering legal and administrative issues involving PL-101-

618 and the uses of the Pyramid Lake Economic Development Fund that still must be worked out. These issues include; the legality of the Tribe to be able to distribute certain funds from the Pyramid Lake Economic Development Fund for use by Tribal Members, and the implementation of the Truckee River Operating Agreement and Federal administrative reviews and legal issues concerning PL-101-618.

A copy of the both volumes of the approved Economic Development Plan can be accessed for free at <http://www.plpt.nsn.us/econdev/index.html>.

We have instituted an open door policy throughout the planning process of the Economic Development Plan and would appreciate any input from Tribal Members. If any Tribal Members have any questions or would like additional information about the Economic Development Plan please feel free to contact me or stop by my office which is located next door to the Enrollment Office in the Tribal Administration Building in Nixon.

Thank You,

Scott H. Carey
Tribal Planner
775-574-1000 ext 116
scarey@plpt.nsn.us



CONSOLIDATED HIGHER EDUCATION OFFICE

CHE Application
Deadline:
November 30, 2011

**PLPT Tax
Enrichment Application**
Deadline:
November 30, 2011

**BIA/PLPT Adult Vocational
Training Application**
Deadline:
November 30, 2011

**PLPT \$350.00
Tribal Scholarship**
Deadline: Open
*Students can only apply for this
scholarship ONE time a year. If you
have questions, please call!*

2012 Spring Higher Education Application Intake!
Well the 2011 Fall Application deadline date has come and gone and the 2012 Spring Application deadline date is rapidly approaching.

“No incomplete applications will be accepted. It is the student’s responsibility in turning in a complete application.”

“TRANSCRIPTS ARE NOT CLASS SCHEDULES; many have not submitted their required class schedules as requested by the CHE Coordinator/Higher Education Director...”

Semester Transcripts:

This is a reminder to all students attending College, Community College, University, or any Higher Education Training Institution. It is a requirement in the Pyramid Lake Paiute Tribes, Consolidated Higher Education Policies:

Section VI – Academic Probation & Suspension

(A) All students will be required to submit an Official Transcript upon each term/semester tri semester/quarter semester to the Consolidated Higher Education Program Office.

This is mandatory that **all** students must submit an Official Transcript. If you have not submitted an Official Transcript please do so immediately...

Also please be advised, UNOFFICIAL TRANSCRIPTS will not be accepted.

FAFSA; Free Application for Federal Student Aid:

Returning students and new students, now is the time to begin updating your FAFSA. It is a requirement in our Consolidated Higher Education Policies that you must file for other forms of financial aid;

PLPT Consolidated Higher Education Policies, Section II – Eligibility

(A) 2. An eligible student who demonstrates a need as determined by the college or university, Financial Aid Office based on each student’s certified financial aid requirements for (FAFSA Free Application for Federal Student Aid) Federal Assistance, Pell Grant.

You are required to file for FAFSA per our Consolidated Higher Education Program. If, after filing you do not have a need, then there are other policies that can help you in acquiring funding through our program. **BUT YOU MUST FILE FOR FAFSA IN A TIMELY MANNER...**

Section IV – Standards of grant applications and funding:

(A) Contingent upon the amount of funds made available by the Bureau of Indian Education, and the Pyramid Lake Paiute Tribe, eligible students will be funded according to the following guidelines.

1) Applicants will be funded based on each student’s certified financial aid requirements for Federal Financial Assistance, such as the PELL Grant, unless the applicant falls under Section II, (A) 3 and until funds are exhausted and who have submitted a COMPLETE APPLICATION PACKET by the REQUIRED DEADLINE DATE.

1)c. A Financial Needs Assessment completed

by the college or university financial aid officer determining /recommending a proposed amount for funding from the tribe.

Parents/Students-please beware of our Consolidated Higher Education Program policy on Academic Requirements.

Section V – Academic Requirements:

(A) The following requirements for the academic process will be used to determine the continuation of funding from the Consolidated Higher Education Program.

1) All undergraduate students must maintain a GPA of 2.0 or Higher.

Students, who do not meet the minimum of the GPA requirement for one term, will be funded on academic probation.

Notification of this action will be made to students by letter. If student’s progress is not up to the Consolidated Higher Education Program academic requirements after the probationary term, **the students Tribal funding will be suspended.**

All full time students must maintain the minimum of 12 college credits per semester.

If less than 12 credits are earned, the student will be placed on academic probation. In addition

Student will be required to pay back tuition for the number of credits dropped; this will be deducted from the following semester’s scholarship award.

Students can make up the required credits the following semester in addition to the minimum 12 credit requirement.

**FAMILY
EDUCATIONAL RIGHTS
AND PRIVACY ACT
OF 1974**

**Information’s to Parents and students:****What the FERPA Means for You and Your College Student?**

The Family Educational Rights and Privacy Act of 1974 (sometimes referred to as the Buckley Amendment) was designed to protect the privacy of educational records and to establish the rights of students to inspect and review their educational records. It also provided control over the release of educational record information. The original intent of this legislation was to keep elementary and high school records private and to give parents access to their child’s school records.

Once a student turns eighteen, or attends school beyond secondary school, the rights of access to the student’s records transfer to the student. This means that all academic information regarding your college student goes directly to the student

unless the student has given specific, written permission to release that information to someone else. The exception to this law occurs if parents document in writing that the student is still claimed as a dependent for income tax purposes. The college may require you to submit your most recent tax forms in order to support this claim.

What does FERPA mean for you as a college parent?

Generally FERPA rules mean that student academic information such as grades or academic standing (GPA, academic transcript, academic warning, academic probation, or discipline records) will be given to the student and not to the parents. College students are considered responsible adults who may determine who will receive information about them. College representatives are prohibited from discussing information about the student’s academic record with parents. Most colleges have a waiver form which students can sign allowing records to be released to parents or college representatives, such as faculty members, to discuss records with parents. Your student may, or may not, wish to sign this release.

Does this mean that you have no way to find out your student’s grades?

Because FERPA legislation prevents parents from finding out student grades and academic standing directly from the school, the best way to find out how your student is doing is to ask him. The sharing of student academic information with parents becomes a family issue rather than an institutional issue. It is a decision that families should discuss and make together. Perhaps one of the benefits of the FERPA rule is that it provides an additional opportunity for parents to communicate with their college student about their expectations and the student’s responsibilities. Rather than seeing this legislation as a barrier to good college parenting, parents might see this as an important opportunity for meaningful dialogue with a student.

If your college student signs a waiver, does this mean that grades will automatically be sent to you?

If a student signs a FERPA waiver, it allows the college to release academic information if that information is requested. This means that a parent will still need to request grades, they will not automatically be sent to parents.

Do FERPA rules prevent college employees from seeing my student’s records?

There are some individuals who will have access to your student’s records for professional reasons. School officials with legitimate educational interest, such as the [student’s academic advisor](#), may have access to records, as

(Continued on page 5)

(Continued from page 4)

well as officials from another school where the student intends to enroll or state or local educational authorities for the purposes of auditing or evaluating an educational program or federal law related to the program. Directory information is less restricted. This includes information such as name, address, phone number, varsity sport played, e-mail, major, dates of attendance, degrees received, or enrollment status.

Are there any exceptions to the restrictions limiting the release of student information?

There is a health and safety exception to FERPA regulations. If a student is considered a threat to himself or to others, or there is a need to protect the health and safety of the student for

some reason, information may be shared with parents. A school may also disclose to parents any violation of the use or possession of drugs or alcohol by students under twenty-one. An important note here is that the law allows, but does not require, such information to be released to parents. School policies may vary widely regarding parental notification policies.

In sum . . .

College parents often feel frustrated by FERPA regulations. They feel that they need, and should have, access to student information. As college parents, we need to remember that college students are working toward increased independence and responsibility. Allowing them to determine who receives their academic information is a part of that growing

independence. Some students handle this responsibility wisely and some may struggle with it. As with many aspects of the college experience, increased communication between college parents and college students will make the experience go smoothly for everyone

The PYRAMID LAKE PAIUTE TRIBE, Consolidated Higher Education Program is open Monday through Friday, 8AM through 4:30 PM. If you have any questions, PLEASE CALL (775) 574-0300 and I'll get back to you.

Anthony Sampson
PLPT Consolidated
Higher Education
Program Coordinator/Director
asampson@plpt.nsn.us



LIBRARY

J. Sampson, Librarian

Collaborations

The Pyramid Lake Tribal Library has been working with outside establishments to convert our library over to an up-to-date and user friendly Integrated Library System (ILS). This new ILS has many usual features ranging from cataloging, patron profiling, and most important an easier and accessible web-based system. These changes have yet to be established. However, we are looking forward to the useful software and the benefit it will provide the Tribal Library once it is up and running.



Nixon Head Start Program

Last year the Nixon Head Start had arranged field trips to the library for a story-hour. Due to the success of these readings, they will once again be visiting the library for the remainder of the school year. We hope to promote reading to younger students so they can excel in scholastics. Snacks are afforded to the students! We hope to see the class in early October!

Furthermore, the Nixon Headstart readings have been an outstanding interdepartmental relations project. Not only are we able to get the students to visit library, but our Higher Education Coordinator volunteers his to come in and visit with the students. During these visitations he reads to the children, and even tells stories.



The consistency and dedication from both Head Start and Higher Education has been incredible. In regards to this, I am very grateful for all the help they have been in keeping these readings a yearly process. Seeing our youth in the library has been a privilege.

In this time, I would also like to thank the parents involved with the Head Start program for allowing their children to attend these field trips. Maintaining interest in your child's scholastic growth, not only shows that you care about their education, but also their future. So, again thank you.

Finally, I look forward to meeting this year's class!

The Library

Apply for a library card and check out any materials! We currently have four computers up and running for public use. They are up to date and run efficiently on our network. So come down to the library!

Also, our current computer systems are running Windows 7. They are also programmed to run Microsoft Office 2010. When visiting our library if you need help on the mentioned software functionality, please feel free to ask for any assistance. We are capable and willing to assist in any way possible.

Librarian Note

The Pyramid Lake Tribal library did receive multiple anonymous book donations. I would like to send my sincerest gratitude to this/these nameless individual(s) for their selfless contribution. We appreciate the gesture very much, and will put materials to good use.



Library Schedule

The Pyramid Lake Tribal Library has changed its functioning hours. The monthly schedule is located on the front of our door, and the weekly hours are listed below. Also, upon request a monthly schedule is available to any person interested.

*Weekly hours are as following-

Wednesdays	3:00pm-5:00pm
Thursdays:	5:00pm-8:00pm
Fridays:	5:00pm-8:00pm
Saturdays:	2:00pm-8:00pm

Location:

Nixon Modular's, Next to the old gym
Modular 2, Room 202

Contact Us

If you have any questions regarding the library, you can reach us by library phone, tribal main office (leave a message), or through e-mail.

Tribal Library: 775-574-0301
Main Tribal Office: 775-574-1000
Library E-mail: jsampson@plpt.nsn.us

Human Resources

Billie Jean Guerrero
Human Resources Manager

Lesley Hawley
Human Resources Assistant

Angelique Helton
Investigative Assistant

Welcome New Employees:

Sylvia Davis
Court Clerk

Christopher Tall Bull
Accounting Clerk

Thomas Skinner
Fiber Network Project Manager

Taylor Williams
Certified Nurse Assistant

Joseph Mazzucotelli
Sumunumu Program Director

Thomas Yellow Cloud
Tribal Ranger

Cheyenna Wood
Child Care Provider

Cynthia Ocegueda
Health Director

John McDow
Juvenile Probation/Diversion Officer

Taleah Reymus
Certified Native American Counselor

Stan John
Maintenance Worker II

Sheri Hunter
Tribal Comptroller

Sumoo Allotey
Information Services Assistant

Olin Anderson
Water Quality Standards Specialist

Jennie Burns
Secretary II (Clinic)

Layne Erdman
Chief of Police

ENVIRONMENTAL

From the Director

The Environmental Department has been busy with several activities within our programs. This year we continued our Open Dump/Satellite Dump Cleanup project through the USEPA. This program is mainly carried out by Cody Smith, our Solid Waste Operator, and our PUD Program provides assistance through vehicle use, 30 yard bins and transport to landfills. Last fiscal year (ending in August 2011) we cleaned up 17 satellite dumps totaling 127 tons of solid waste. We removed the large tire mountain by the Shooting Range in Nixon, off of South Hollywood, which had several thousands of tires. In the 2010 fiscal year we cleaned up 75 smaller open dumps, however this year we removed a smaller amount of dumps in number, but addressed larger dumps in tonnage of materials present at each dump. Many thanks and a big pat on the back for Cody Smith, Tamar Tsonetakoy, DaNelle Smith, and Clayton Servilican, our Solid Waste Program Staff for a job well done.

Speaking of Public Utilities, I would like to encourage everyone and say thank you for continuing to make your quarterly payments for your water and solid waste services. We are happy to provide a low-cost service to the community that will provide safe and sanitary conditions on the reservation as well as clean drinking water. Our generated revenues still do not cover the cost of doing business and we may be considering fee increases. This action will be posted for 30 days. Our enforcement of non-payment is going to be more strictly enforced next year, including charging a late fee. We are going to follow our Billing policies and procedures and if you would like a copy to know what they are and how they might affect you as a customer, please feel free to give us a call and we would be happy to send one or email us at PUD@plpt.nsn.us

Sutcliffe will begin a water treatment plant hopefully by the beginning of next year 2012. We had a slight funding emergency, but thanks to the USDA Rural Development we will be able to fund our shortfall and continue construction.

PUD Staff	
John Mosley, Environmental Director	
jmosley@plpt.nsn.us	574-0101 x13
Kathleen Wright-Bryan, Environmental Asst.	
kwright-bryan@plpt.nsn.us	574-0101 x16
Eric Ingraham, Water Operator II	
eingraham@plpt.nsn.us	574-0101 x14
Randy Quintero, Water Operator I	
rquintero@plpt.nsn.us	287-1030
Tamar Tsonetokoy, Solid Waste Operator	
	224-2261
Clayton Servilican, Solid Waste Operator	
	848-9216
DaNelle Smith, Solid Waste Operator	
Cody Smith, Solid Waste Operator	

Notice of Intent to File Application

The Pyramid Lake Paiute Tribe has filed a loan/grant application with the USDA-Rural Development utilities programs for the purpose of financing a water treatment plant project to meet the present and future needs of the water treatment to remove Arsenic, Iron, and Manganese from the Sutcliffe water system. The Sutcliffe community is located in the west-central part of the reservation north of the Pyramid Lake Highway where the project will serve about 55 tribal home residences and a two tribal businesses (Township 24 North, Range 21 East, Sections 14, 15, 22, and 23) in Washoe County, Nevada.

The total cost of the project is approximately \$1,493,479 and the projected loan amount is approximately \$150,000. This matter will be scheduled for public discussion and comments at the Community meeting on September 30th or at the PUD Board meeting on November 1st, 2011.

Questions concerning the project can be directed to John Mosley, Environmental Director, at 775-574-0101 x13.

WATER QUALITY PROGRAM

Water Quality Monitoring

The Pyramid Lake Paiute Tribe (PLPT) Water Quality monitoring program began in 1981 with Pyramid Lake monitoring. The program expanded in 1998 to include streams and sites along the lower Truckee River. A water quality laboratory was completed in the spring of 2002, located next to the PLF administration building in Sutcliffe, Nevada, to facilitate testing and analysis of all samples gathered within the exterior boundaries of the reservation.

Water samples are collected monthly at Pyramid Lake, along the Truckee River and non-point source pollution sites. These samples are analyzed for Dissolved Reactive Phosphorus, Total Phosphorus, Nitrates + Nitrites, and Ammonia-Nitrogen, and Total Kjeldahl Nitrogen using protocols outlined in the PLPT Surface Water Sampling Quality Assurance Project Plan.

Annually assessments are conducted along the Truckee River, perennial streams, and wetlands throughout the reservation. During these assessments water quality and macroinvertebrate samples are collected along with visual habitat assessments. These annual assessments help the Water Quality Program assess the conditions of the water resources of the Tribe.

Non-Point Source Management

Point and non-point sources of pollution are issues that the PLPT face every day. Tertiary treated effluent from the Truckee Meadows Water Reclamation Facility, urban storm runoff, agricultural return flows, septic tanks, mining activities (present and historic) all will impact

(Continued on page 7)

Where the Air Quality Data Goes by Donna Lamb

We collect air quality and meteorological data at Wadsworth. There are measurements every hour for the particulate monitor and measurement every 5 minutes for each of the 13 meteorological instruments. That amounts to 14 instruments multiplied by 12

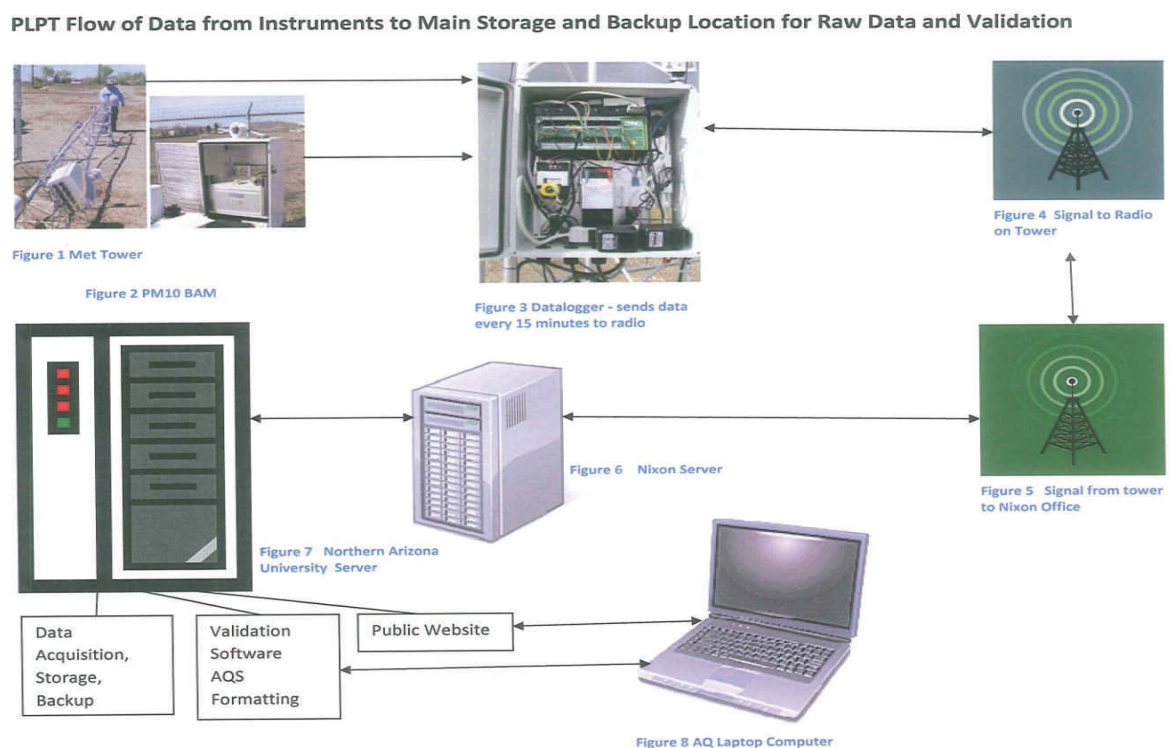
measurements per hour equals 168 data points per hour. Multiply this by the hours in a day and you get 2016 pieces of data per day. And that is every single day. Yikes. If all this data was not handled electronically, I would have a pyramid of paper on my desk and no way to figure out if it

was any good, let alone get into my office.

So, we figured out a way to do this all electronically. Where do all the Pyramid Lake data go? What happens to it?

The instruments on the tower and the air quality monitor (figure 1) sent their information to the data logger which asks for data every 5 minutes (figure 2). Figure 7 is a computer at Northern Arizona University (NAU) that "calls" our Nixon Server (figure 6), which sends a signal through the radio antennas on top of the Nixon Office (Figure 5) which calls the antenna on top of the meteorological tower (figure 4) which asks the datalogger "have you got any data for me?" The data logger says "yes, here it comes" and sends all the data it has through the radio, the Nixon server, to the NAU computer. This happens every 15 minutes.

The computer at NAU plays a really important in our data management. There is a grant from EPA that has a contractor who runs an exchange network for 15 tribes. This is called TRES for Tribal Environmental eXchange network. The goal of that network is to make it easier for tribes to access their data, share it among themselves, share it with the public, and make it available to EPA.



(Continued from page 6)

surface waters on the Lower Truckee River and Pyramid Lake. The Water Quality Program is currently revising the Non-Point Source Assessment and Management Plan which will enable our program to compete for additional funding for on the ground projects to improve water quality on the reservation. A public announcement will be made for your input to the Management Plan – we hope you might enjoy this opportunity to help keep your waters clean.

Remember, water flows downhill and everything you do around home might eventually flow to the river or the lake. This is the nature of a “watershed.” Grants have been applied for so that the PLPT may have a full watershed plan for the Reservation and also for nearby areas. We are concerned about how rain, snow and irrigation water flows from towns, fields, canyons, streams and gulleys to our precious lake water. More opportunities to be involved in your watershed will come about through that plan, if the funding to prepare it is available for our partner, the Desert Research Institute.

Wetlands Program

The Pyramid Lake Paiute Tribe Wetland Protection Program is continuing toward the goal of protecting and restoring wetlands for their economic, cultural, environmental and human health benefits. Recently we developed a Wetland Program Plan which has been approved by EPA. This plan enhances protection of wetland resources within the reservation boundaries by continuing to develop the monitoring and assessment, regulatory, and restoration and protection elements of the program.

Wetlands provide great benefits to all forms of wildlife, as well as help water quality by being a natural filter. Several wetlands have been created or restored along the Truckee River in recent years, and more restoration projects are in the works. The Tribe hopes to partner with other agencies and professionals to restore fish habitat wetlands in the areas near Wadsworth and Nixon. Recently, amazing projects have been done further upstream between Wadsworth and Sparks, and we plant to see that kind of work continue downstream, on the Reservation.

Water Quality and Water Quality Standards Coordination

In 2001 the PLPT adopted a Water Quality Control Plan (WQCP). The WQCP addresses issues such as

exists within the PLIR. The WQCP was reviewed by EPA and revisions were prepared. The revised WQCP was approved by Tribal Council in 2008 and submitted to EPA for approval. Final approval of the WQCP was on December 19, 2008. The Water Quality Control Plan includes narrative and numeric WQS for Pyramid Lake, the lower Truckee River, and all surface waters within the Pyramid Lake Paiute Indian Reservation.

The Water Quality Program staff provides information to decision makers within the Tribe on water quality issues and continued coordination with other Tribal programs as well as outside entities is ongoing. Working with others and sharing information is key for the protection of water quality.

Long Term Goals

Water pollution compounded by upstream diversions and subsequent low flows has affected the recovery efforts of two Pyramid Lake fish species important to the Tribe’s culture and traditional way of life. The Lahontan Cutthroat Trout and Cui-ui are listed as threatened and endangered, respectively, by the US Fish and Wildlife Service. The established Water Quality Standards and long term Water Quality and Bioassessment monitoring will help assure that Tribal surface waters are protected from further negative impacts.

The long-term goals of the Tribe are for the restoration of the river habitat to support the fisheries and maintain healthy populations on all trophic levels. Restoration of the fisheries means restoration of the key cultural resource that the Pyramid Lake Paiute Tribe uses to identify itself, now, historically, and forever.

WQ Program Staff

Fannie Ely, Water Quality Manager
fely@plpt.nsn.us 574-0101 x34

Olin Anderson, WQ Standards Specialist
oanderson@plpt.nsn.us 574-0101 x24

Richard Frazier, Database Specialist
rfrazier@plpt.nsn.us 574-0101 x10

Bonita Natonabah, Water Quality Technician
bnatonabah@plpt.nsn.us 574-0101 x25

Brandon Brady-Martinez, Water Quality Intern
 574-0101 x25

Vacant, Environmental Specialist

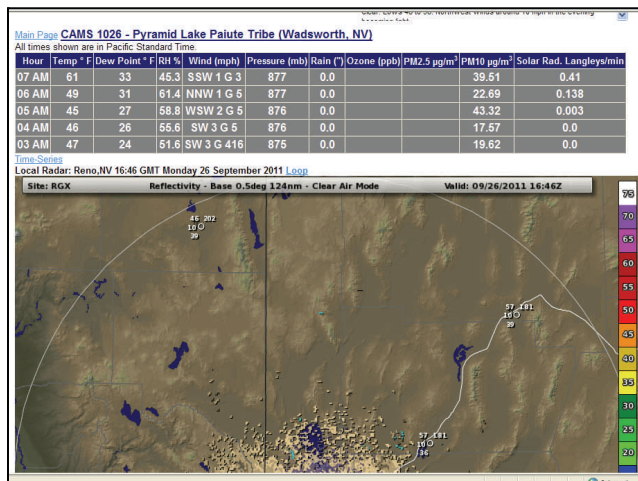
PLPT Water Quality Monitoring
 Program Website: www.plpt-waterquality.net

beneficial uses, antidegradation, water quality criteria, scientific justification, and implementation plans in accordance with the Tribe’s Water Quality Ordinance. For the purposes of water pollution control, the PLPT maintains jurisdiction over all waters that flow into and



The network maintains a public website where we all can look at the latest data. This turns out to be important for me because I can rapidly check the status of the site from the laptop (Figure 8) or from a smart phone. It includes a pretty cool forecast and radar picture as well and looks like this (see figure to below).

TREX also does the tedious, but critical work of storing the data, doing initial checks on its validity, backing up the data so it won’t be lost, providing reports on system status, and providing the critical software for the tribe to do the final validation of the data and prepare a report to submit the data to the EPA Air Quality System (AQS) Database where all state and tribal data that has been properly checked is available to everyone.



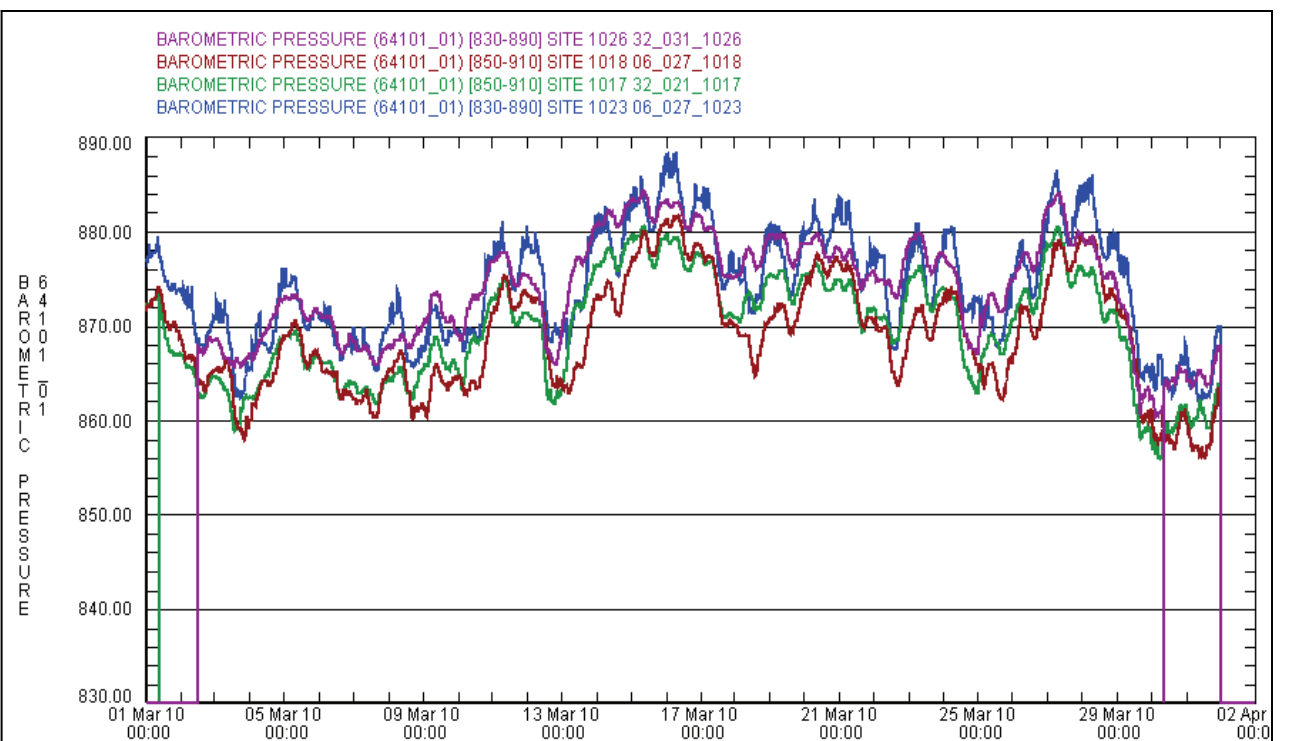
With the laptop (figure 8) the data can be checked directly on the data logger, as soon as it is available on the NAU computer, key reports on system status, the public web site, and the validation of the data and submission to AQS.

The data validation program provides graphs for easy comparison. Here is an example of a comparison barometric pressure at four sites in the TREX network: Wadsworth, Walker River, Bishop, and Lone Pine.

When all the data is validated and hour averages are calculated (by the system), an AQS report is

prepared, sent to the laptop, and submitted to the AQS system (in North Carolina).

In summary, what starts out as data from our equipment in Wadsworth, become an electronic signal that goes through Nixon to Northern Arizona University, is checked by the Air Quality Specialist in Nixon, validated comparing the data to other tribes data (Walker River, especially), a report is generated including the corrected data and sent to Nixon, where it is finally transferred to the EPA computer in North Carolina for official use in determining if there are health effects.



Pyramid Lake Paiute Tribe 2010 Tax Commission Annual Report

May 1, 2011

Volume 1, Issue 1



“Dedicated to serve the Community & Businesses by administering the Tax Code of the Pyramid Lake Paiute Tribe with integrity, efficiency and consistency, as well as providing a structured Tax Fund Use Plan.” Adopted March 4, 2008

Pyramid Lake Tax Dept

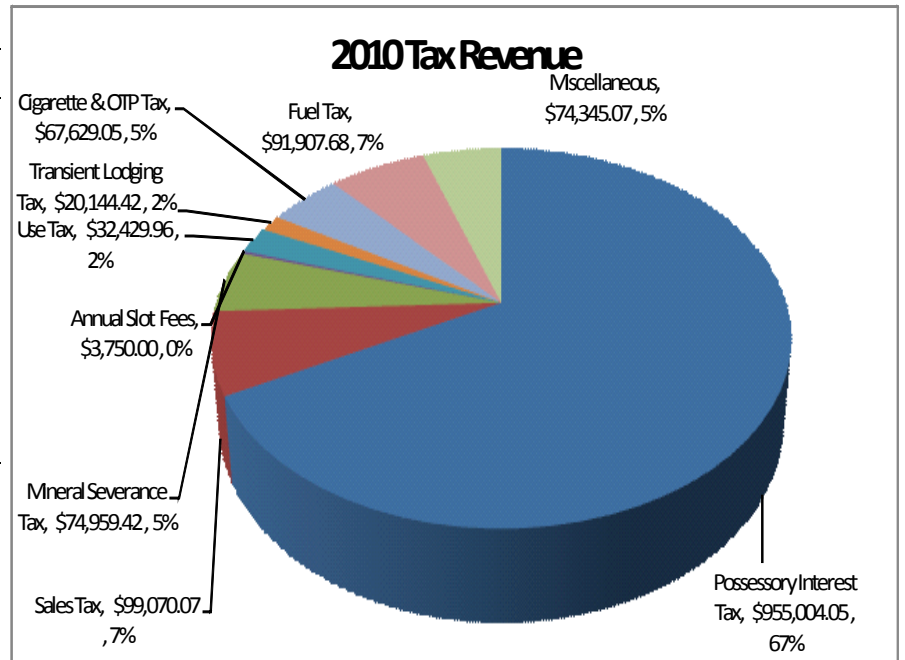
This Annual Report is published to inform Taxpayers and Tribal Membership about Tax Revenue that is generated for the Pyramid Lake Paiute Tribe.

The Tax Department collects Tax Revenue and allocates it the following year to Tribal Programs. The programs use Tax dollars to support the tribal membership along with visitors on the Pyramid Lake Paiute Indian Reservation.

2010 Tax Revenue

Type of Tax	Amount	%
Possessory Interest Tax	\$ 955,004.05	67.29%
Sales Tax	\$ 99,070.07	6.98%
Mineral Severance Tax	\$ 74,959.42	5.28%
Annual Slot Fees	\$ 3,750.00	0.26%
Use Tax	\$ 32,429.96	2.29%
Transient Lodging Tax	\$ 20,144.42	1.42%
Cigarette & OTP Tax	\$ 67,629.05	4.77%
Fuel Tax	\$ 91,907.68	6.48%
Miscellaneous	\$ 74,345.07	5.23%
Total	\$ 1,419,239.72	100%

Tax Revenue funds many Tribal programs, without these taxes programs could be short funded or eliminated.



2010 Annual Report Content



- 2010 Tax Revenue
- 2010 Revenue Chart
- DMV Exempt Forms
- Notary Public
- Tax Fund Use Plan
- Program Reports
- License Plate
- Pyramid Lake Housing

DMV Tax Exempt Forms

The Tax Department processes Privilege Tax Exempt Forms for NV Tribal members residing on the Pyramid Lake Paiute Reservation.

If you are a NV Tribal member other than Pyramid Lake, please bring in your enrollment card for verification.

When obtaining the exempt form you must have the following information:

- Vehicle Year
- Vehicle Make
- Vehicle Model
- Vehicle License Plate No.
- Registered Owners Name
- Registered Owners Physical Address
- Tribal Member Enrollment No.
- Vehicle Identification No.
- Government Service Tax

DMV issues a card without the complete VIN no; please have your registration available.

Please make sure the address on your registration is the same as your current residence on the reservation, DMV may deny if different.

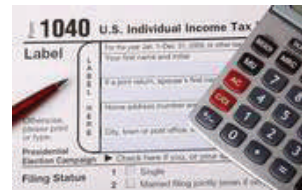


In 2010, 967 tax exempt forms were issued to qualified tribal members.

2010 Income Tax Season

The 2010 Tax Season began on February 1st, 2010 and ended on April 15th, 2010.

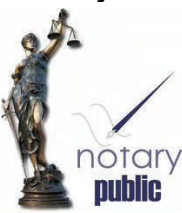
The Tax Department processed 126 tax returns in 2010. The Tax Department staff is trained through the Volunteer Income Tax Assistance program (VITA) which allows the tax preparation to be free of charge. The VITA program focus' on low-income, elderly and disabled families.



105 tax returns were processed electronically, 13 returns were paper returns mailed to the Internal Revenue Service and 8 tax returns did not have to file for 2010.

Notary Service

The Tax Department offers free notary service. If you need a notary please call to make sure there is a notary in the office. In order to perform the duties of a notary the person who is signing the document must be present and have a valid form of identification available. Please remember the document must be signed in front of the notary.



TM Spousal Cards

Tribal Members that are legally married may have their spouse apply for a Tribal Spouse Card. The Tribal Spouse card will enable your spouse to be tax exempt from the business' located on the reservation. As well as to utilize the lake for recreational use.

When applying for the spousal card, you will need to fill out a application which is located in the Tax Department along with a copy of your marriage license.

Tax Fund Use Plan—Program Reports

The Tax Fund Use Plan provides funds to the following programs:

- ◇ Law Enforcement
- ◇ Tax Department
- ◇ PL Community Library
- ◇ PL Higher Education
- ◇ Johnson O'Malley Program
- ◇ Numaga Senior Center
- ◇ Emergency Response
- ◇ Fire & Rescue
- ◇ Summer Youth Employment
- ◇ Parks & Recreation
- ◇ Capital Improvements
- ◇ Infrastructure
- ◇ Tourism
- ◇ Economic Development
- ◇ PL Cultural Center
- ◇ Tribal Rangers

Summer Youth Employment Program

The Summer Youth Program employs youth ages 16 to 21 years old for six weeks (32 hrs per week) from June to August 2010.

Tribal Tax dollars contributed for 65% of funding for the Summer Youth Program.

22 youth workers were hired for the 2010 Summer Youth Employment with an additional four youth workers being able to work a few weeks when previous youth workers had to reduce their hours.



Submitted by, Billie Jean Guerrero, Human Resources Manager

(Continued from page 8)

Law Enforcement & Tribal Rangers

The Police Dept had a total of 7 officers, 2 sergeants, a chief and a police assistant; and the Tribal Rangers staff consisted of 2 full-time rangers, 1 dispatcher, 1 intermittent ranger and 1 part-time dispatcher. The Tribal Tax dollars were 21% of the entire budget for the Police Department and 100% of the Ranger's budget. The Program's goal is to provide safety services within the boundaries of the reservation; to work with all citizens to preserve life, protect property and promote individual responsibility and community commitment.

Submitted by,
Dennis Shinn, Chief of Police

Consolidated Higher Education

This program provides technical assistance to all our tribal members seeking to enhance their life style by obtaining either a college Degree to a Certification in a Vocational Trade. The goal of the PLPT Consolidated Higher Education Department is to provide continued academic support for community members ensuring personal growth and success. This is provided through the following programs: Adult Basic Education, Higher Education, Adult Vocational Training, Community Education Program, Cultural Enrichment Scholarship and PLPT Scholarship Programs.

Submitted by,
Anthony Sampson, PLPT CHE Director

Emergency Response

Program goals are to provide the very best fire prevention, fire suppression and medical rescue to the members of our communities and its visitors. There is 1 full time Emergency Response Coordinator and 20 volunteer firefighters. Tax dollars helped to fund necessary expenditures such as repair & maintenance of our equipment along with purchasing specialized pieces of equipment needed to fulfill our function.

Submitted by,
Donald J. Pelt, Program Director/Coordinator

All other reports submitted are available in the Tax Dept.

License Plate Funds

In 2010, with the help of License Plate Funds collected by the State of Nevada, the Pyramid Lake Tribe was able to install 5 more restrooms around Pyramid Lake.

As of June 30, 2010, there were 3,459 active Pyramid Lake License Plates. A portion of the license plate fee is distributed back to the tribe to make improvements around Pyramid Lake and the Lower Truckee River.

This has enabled the Tribe to purchase a total of 10 waterless restrooms for all that visit Pyramid Lake. The restrooms consist of either a double or single unit.



Support Pyramid Lake by purchasing a license plate for your vehicle or motorcycle.

Pyramid Lake Housing

The Pyramid Lake Housing Authority built 15 homes in Wadsworth and tribal members were able to move into their residences by Christmas 2010.



This project brought in Use Tax Revenue for the Pyramid Lake Tribe.



Souvenir license plates are available in the Tax Dept.

Tax Commissioners

Fannie Ely, Chairperson
Denise Shaw, Vice-Chairperson
Anita Dunn, Commissioner
Maxine Burns, Commission
DaNelle Smith, Commissioner

Tax Attorney: John Fredericks III

Tax Auditor: Rick Marsh

Tax Judge: Bruce Carr

Tax Staff

Vernelda M. Frazier, Tax Administrator
Alicia Querta, Tax Specialist
Gina Wadsworth, Tax Office Manager
*All Tax staff are Pyramid Lake Tribal members.

Thanks to all the Taxpayers who make this program possible and the Tax Commissioners who dedicate themselves to three year terms.

2010 Tax Payers

- AT&T Mobility
- AT&T Nevada Bell
- Cemex Materials
- Charlott's Secret Salon & Spa
- Crosby Lodge
- D&D Roofing & Sheetmetal
- Debbie Fry
- Edgmon Electric, LLC.
- EJ Mahoney
- Freedom Plumbing
- G. Works Painting LLC
- Gore Acoustics & Drywall Systems, Inc.
- Gore Painting, Inc.
- Heirloom Homes & Construction
- High Desert Recreation
- I-80 Smokeshop
- Kinder-Morgan SFPP, LP
- King Construction
- Level 3 Communications
- Nevada Flooring & Carpet
- The Nixon Store
- Otis Bay Ecological Restoration, Inc.
- Pyramid Lake Cultural Center
- Pyramid Lake Realty Dept.
- Pyramid Lake Store
- Ray LaVoie Construction
- Sierra Pacific Power Co.
- Simas Floor Co., Inc.
- Southwest Gas Corp.
- Sprint Nextel
- Supreme Plumbing
- Tholl Fence
- TrashPros
- UP Railroad Co
- Wade & Logan, LLC

STARTS: OCTOBER 5, 2011 WEDNESDAY 6:30—7:45 PM AT PLHS *PLHS Partner* **Introductory Paiute Classes**

OUR GOAL, IS TO TRAIN THE STUDENT TO BECOME THE TEACHER

CONTACTS :
 ☎ MUSEUM—775-574-1088
 ✉ jnetallen@aol.com
 ✉ tuhowaedu1@yahoo.com
 Additional number:
 ☎ 775-842-8088 and ☎ 775-846-3748

EIGHT WEEK COURSE: SIGN UP at the PL MUSEUM, TRIBAL OFFICE , OR EMAIL
 MEET LOCAL SPEAKERS



Sponsored by the PL Language Group

Pyramid Lake Permit Booths

The Pyramid Lake Paiute Tribe has placed two permit booths at key locations at Pyramid Lake Entrances. In effort to sell more permits at these locations which receive the most volume of visitors. One is placed at Pelican road entrance leading to the beach area and two boat docks. Just two-hundred feet off of highway 446, the second permit booth is located approximately two-hundred feet from the intersection of Sutcliffe Drive and the dirt road leading to the North and south nets area beaches.

The permit booths are 8x8 with two 2x3 windows and a common house exterior 3—0x6—8 door. Inside are to shelves for permit booth workers to handle transactions. Colors were picked to match earth tone surroundings.



The permit booths were built by Don-Cox Sheds from Fallon, Nevada and the location preparation was done by Pyramid Lake Paiute Tribal Maintenance and the Pyramid Lake Fisheries Maintenance.

October is Domestic Violence Awareness Month!

Look for upcoming fliers for activities that will be occurring, during the month, in celebration of Domestic Violence Awareness Month, October 2011.

Victim Services Program

(775)575-9444

Hours of Operation:

Monday-Thursday—7:00 a.m. – 5:30 p.m.

Friday—8:00-4:30 p.m.

Staffing:

Coordinator - Mary Dodd

Counselor - Doug Nicholson

Legal Advocate - John Meche

Secretary - Genia Garcia

Shelter Advocates - Kim Lowery & Ima Scott

Transitional Housing Advocate- Shasta Wadsworth

Pyramid Lake Jr./Sr. High School

Will be honoring several elders of the Pyramid Lake Paiute Tribe



Elder recognition dates:

October 12, 2011

November 9, 2011

October 26, 2011

November 23, 2011



Watch for Flyers or call the PLHS for dates.

DOMESTIC VIOLENCE AWARENESS PROJECT

Supporting Public and Prevention Education Efforts

www.nrcdv.org/dvam

MAMMOGRAMS

EARLY DETECTION OF BREAST CANCER SAVE LIVES

Every woman age 40 and over needs a mammogram every year.



NEVADA HEALTH CENTERS MAMMOVAN IS COMING TO YOUR COMMUNITY!

DATE: October 31, 2011
HOURS: 9:15am – 3:15pm
PLACE: Nixon/Pyramid Health
 705 Highway 446, Nixon, NV

For an Appointment & Eligibility, please call: 1-877-581-6266

Thanks to a generous grant from the Harrah's Foundation, The Safeway Foundation, Smith's Food and Drug Store, The David and Linda Shaheen Foundation, Food-4-Less, Susan G. Komen for the Cure Northern Nevada, Wal-Mart State Giving Program, National Breast Cancer Foundation, State of Nevada State Health Division, Patient Donation Fund, Los Prados Womens Club, Zonta International Club and the Pahrump Valley Republican Women mammograms are available. Insured, uninsured, Medicare and Medicaid eligible women will be served.

THE MAMMOVAN IS A PROGRAM OF NEVADA HEALTH CENTERS, INC.

TRANSPORTATION PLANNING

The Tribal Transportation Planning office was established to provide technical management on road construction from design phase through final acceptance. The Department acts as liaison between the Tribe and other Transportation related agencies to coordinate roads planning and construction activities. The office personnel consist of a Transportation Planner and Secretary. The Transportation Planning Office has been in existence from May 2009 and is located at the Tribal Administration Building and funded through a BIA 638 grant.

The Transportation Planning office currently is working on five projects including: Roads Inventory Update with Long Range Transportation Plan, Wadsworth Bypass Road, ARRA Roads Repair & Rehabilitation (R&R) Project, ARRA Safety Project and ARRA Construction Project.

UPDATE ON THE PROJECTS:

The Roads Inventory Update is a project to compile, update and classify the location of existing roads and future roads on the Reservation. The Long Range Transportation Plan is a project to identify Reservation Transportation Projects including; Tribal public bus system (Transit), Bike Paths, Scenic Byways, Safe Paths to School, etc. The Transportation Planning Department is working with our consultant, Lumos & Associates to complete this project. We are working to complete this project before the end of this year.



The Wadsworth Bypass Road is Tribal Priority #1 for roads construction and work is proceeding to have the project surveyed, designed,

environmental clearance, archaeological clearance, right-of way and final plans (A & E Services) completed. Summit Engineering was the consultant selected to complete the (A & E Services) for the Wadsworth Bypass Project. We are working to complete this project and are currently obtaining soil samples from the roadway prism for testing. We are approaching the 60% design completion for the plans. The Transportation Planning Department continues to work with Summit Engineering to assure that the project is completed within Tribal and Federal Government specifications. The Tribe also is cooperating with NDOT to complete this project to required standards and be included as a State Route.

The (ARRA) Construction Project will consist of the survey, design, environmental clearance archaeological clearance, right-of way and final plans (A & E) for the upgrade of the Pelican Point Road area, the #2 Tribal Priority Roads Construction Project. The Tribe is working with Summit Engineering as the contractor for this (A & E) project. This ARRA design project has started as of December 16, 2010 and will be completed by September 30, 2012 after the allowable 1 year extension. We are currently working on the archaeological and environmental clearances for this project in cooperation with the Tribal cultural representatives.

The ARRA Roads Repair & Restoration (R&R) project was scheduled from June 2010 to September 2010 with an extension to September 30, 2011 and was a concentrated effort to repair paved reservation roads identified in the BIA

contract. This project was directly contracted by the Pyramid Lake Paiute Tribe through the Transportation Planning Office. We have completed the roads repair project with the chip seal of the subdivision streets in Wadsworth which our subcontractor, Sierra Nevada Construction finished on August 2, 2011. Final project inspection with BIA engineers was done on August 31, 2011. We have continued work with a small Tribal crew of six (6) to patch some additional areas. These areas are in Nixon, Wadsworth and Sutcliffe. This project will be totally completed by September 30, 2011.

The (ARRA) Safety Project was scheduled from July 2010 to September 2010 with an extension to September 30, 2011 consisted of replacing Highway and Street signs on the Reservation and striping centerline. The contractor for this project is the Pyramid Lake Paiute Tribe also through the Transportation Planning Office. Signs were completed last year and centerline striping by our subcontractor National Striping Company was completed on August 29, 2011. Final inspection for the project by BIA engineers was done on August 31, 2011. We have obtained permission for extra work to complete installation of roadway markers (delineators) using the Tribal patching crew before the end of the project. This project is to be totally complete by October 30, 2011.

The Transportation Planning Staff will continue to work to improve the Transportation system of the Pyramid Lake Paiute Tribe.

Johnnie M. Garcia
Transportation Planner

Jolene Henry
Transportation Planning Secretary

National Society Daughters of the American Revolution

National Chairman, DAR American Indians Committee

PO Box 78, Ashby, NE 69333 (This address is correct for the 2010-2013 DAR administration.)

DAR American Indian Scholarship

The American Indians Committee of the DAR awards this scholarship to Native Americans and is intended to help Native American students of any age, any tribe and in any state striving to get an education. All awards are judged based on financial need and academic achievement.

Area of Study: OPEN. This scholarship is intended to help Native American college/university and technical school students of any age, any tribe, in any state at the undergraduate or graduate level. Graduate students are eligible; however, undergraduate students are given preference.

Qualifications: Applicants must be Native Americans (proof of American Indian blood is required by letter or proof papers) in financial need and have a grade point average of 2.75 or higher. **There will be no exceptions.**

Amount of Award: This is a one-time \$1,000 award.

Deadline: April 1.

Note: No ACT or SAT scores are required.

For Application and Instructions: Download the [American Indian Scholarship Application](#) and submit application to the address above.

For more information: http://www.dar.org/natsociety/edout_scholar.cfm#amInd

Inter-Tribal Council of Nevada, Inc.
Native Workforce Development Program
In partnership with ABA Training Center is proud to announce our sponsorship and endorsement of:

HEALTHCARE BILLING AND CODING SCHOLARSHIP PROGRAM

Open Enrollment—Classes begin October 31st.

Healthcare Billing Program:

1. Medical Front Office
2. Medical Coding, Insurance and Compliance
3. Medical Billing
4. The Revenue Cycle
5. Medical terminology, Anatomy and Physiology

Training Location:

ABA Training Center
3100 Mill St-Ste 100, Reno

Class Begins:

October 31, 2011

Times: (4-Hour Days)

Days or Evenings—TBA

Length of Training:

14 weeks

APPLY NOW!

Inter-Tribal Council of Nevada
Native Workforce Development
PO Box 7440, Reno, NV 89510
Phone: 775.355.0600 ext. 260
Email: itcnwd-etc@sdi.net
Christine P. Harjo, NWD Coordinator



Employer Benefits too! 40% Wage Reimbursement (4-Months)
Contact for more Information.

Pyramid Lake Junior Rodeo Club

The Pyramid Lake Junior Rodeo Club hosted their first All Indian Rodeo, sanctioned by Western States Indian Rodeo Association on July 23-24, 2011. Hosting this event helped WSIRA contestants earn points to qualify to compete in the Indian National Finals Rodeo in Vegas, November 8-12, 2011 at South Point. The event had a good turnout for the first year, many enjoyed the location of the rodeo grounds and are excited to return next year, July 21-22, 2012.



Smokeshop, Ida n Willies Roadhouse, and Irvin Baldwin.

Thank you to the PL Police Department for extra patrol and EMT's, Fred Davis, Kurt Hunter, Ginger Howard, Bill and Dave Harjo. Raffle Donations from Brenda Guachena, Chukars Casino, Lucy Glazier, Lucinda Garfiled, and Guerrero Family. Water Truck: Micah and Shaun Caudle & Northern Sierra Construction.

Our many thanks and appreciation for all your help: Donnie Quintero, Sid Kochamp, Cody Smith, Willie Coversup, Kellie Cassinelli, Cody Caudle, Frankie, Tom Kaskie, Dana Paya, Dellard & Sonsee Henry, Ed Harry, Mark Lee, Tex, Rodney, Ronnie Guerrero, Denton Thom, Carson Badonie, Kayleigh, Dallas and everyone else that stepped up to help without hesitation.

We would like to thank our major sponsors, Absolute Identity Solutions.com, Brenda Guachena and Southern California Tribal Chairman Association, Dennis Turner. Other sponsors were the Pyramid Lake Paiute Tribe, Pyramid Lake Fisheries, 180

Pyramid Lake Annual Nevada Day Open Rodeo

October 29-30, 2011 Wadsworth, NV

EVENT	GO	FEE	Added Money
Stock Saddle Bronc	1	\$60	*\$150
Saddle Bronc	1	\$60	*\$150
Bareback	1	\$60	*\$150
Bull Riding	1	\$60	*\$150
Barrel Racing	1	\$60	*\$150
Calf Roping	1	\$60	*\$150
Ladies Breakaway	1	\$60	*\$150
Team Roping**	1	\$60/man	*\$150
Century Team Roping (50+)**	1	\$60/man	*\$150

****May enter twice**
*For Added Money entries must exceed 5 contestants.

ADULT SPECIAL EVENTS ENTER ONCE!

EVENT	GO	FEE
Ranch Team Roping (Switchender)	2	\$100/Team
<i>(1st 20 teams FULLY PAID-SATURDAY ONLY)</i>		
Women Team Roping	1	\$80//Team
<i>(May enter Twice-SUNDAY ONLY)</i>		

Mail Entries to:
PLJR
POB 962
Wadsworth, NV 89442

For More Information Contact:
John Guerrero (775) 771-5713
Nathan Pudsey (775) 750-2168

The Pyramid Lake Paiute Tribe and Rodeo Committee will not be responsible for Accidents, personal property damage, theft or injuries.

CASH PAYOUTS

Phone Entry: **October 20th**
3 p.m.—10 p.m.
(775) 742-8947

Entry and Fees must be **POST-MARKED** by:
OCTOBER 21st

Call Backs: **October 27th**
(775) 742-8947

Check in:
October 29—Saturday
9:30—10:30 a.m.

RODEO STARTS:
11:00 a.m. both days
Big Bend Ranch

◆\$5.00 Usage Fee/Contestant
◆**NO PERSONAL CHECKS**
◆Cash or Money order **ONLY**
◆No setups or trade offs
◆1/3 stock fee will be assessed

Pyramid Lake Junior Rodeo

October 28, 2011

Big Bend Ranch in Wadsworth, NV

Fun for all ages:

- ◆ Peewee 's 0-5 years of age
Buckles to 1st place and All Around Girl and Boy, prizes to 5th place.
- ◆ Ages 6-9; 10-13 Jackpot, Buckles to All Around Girl and Boy.
- ◆ Ages 14-18 Jackpot, Prize to Co-Ed All Around.

See ya' all there!!

For entry blanks
email: pljrrodeo@gmail.com

EVERYONE Invited to ATTEND
NO CHARGE

The Pyramid Lake Paiute Tribe and Rodeo Committee will not be responsible for Accidents, personal property damage, theft or injuries.

October 28, 2011
Big Bend Ranch
Wadsworth, NV

PYRAMID LAKE JUNIOR RODEO
LIMIT FIRST PAID 80 CONTESTANTS - ONE GO ROUND
pljrrodeo@gmail.com

8:00 a.m. Check in
Rodeo Starts 9:00 a.m.

Contestant Name _____ Age on **October 1, 2011** _____

ADDRESS _____ CITY _____ ST _____ zip _____

PHONE _____ EMAIL: _____

Buckles to 1st place Peewee (Co-ed), Jackpot 6-9 & 10-13 Girl & Boy. All-Around Buckles to Boy & Girl Peewee, 6-9, and 10-13. Jackpot ages 14-18 years of age and all around prize. **10-13 Team Roping-One Go w/Partner 18 years or older.

Girls 6-9	\$12/Event	Boys 6 - 9	\$12//event	Girls 10-13	\$15/event	Boys 10-13	\$15/event
Pole Bending	_____	Figure Eight	_____	Pole Bending	_____	Steer Riding	_____
Barrel Racing	_____	Sack Roping	_____	Barrel Racing	_____	Figure Eight	_____
Goat Tying	_____	Calf Riding	_____	Breakaway	_____	Breakaway	_____
Sack Roping	_____	Goat Tying	_____	Goat Tying	_____	Goat Tying	_____
Steer Daubing	_____	Steer Daubing	_____	Team Roping	_____	Team Roping	_____
Run, Ride, Lead	_____	Run, Ride, Lead	_____	Run, Ride, Lead	_____	Run, Ride, Lead	_____
TOTAL FEES \$	_____	TOTAL FEES \$	_____	TOTAL FEES \$	_____	TOTAL FEES \$	_____

Peewee Girl/Boy	\$10/event	Girls 14-18	\$25/event	Boys 14-18	\$25/event
Dummy Roping	_____	Pole Bending	_____	Bull Riding	_____
Stick Horse Barrels	_____	Barrel Racing	_____	Chute Dogging	_____
Mutton Busting	_____	Goat Tying	_____	Steer Stopping	_____
Goat Undecorating	_____	++Tm. Roping	_____	++Tm. Roping	_____
TOTAL FEES \$	_____	Partner:	_____	Partner:	_____
		++Tm. Roping	_____	++Tm. Roping	_____
		Partner:	_____	Partner:	_____
		TOTAL FEES \$	_____	TOTAL FEES \$	_____

++14-18 Team Roping
-ONE GO w/another
contestant ONLY.
You may switch ends.

TOTAL FEES \$ _____ **+ \$5.00 PER CONTESTANT (Parking/Usage Fee) = \$** _____ **TOTAL AMOUNT**

ENCLOSED. ALL ENTRIES must be accompanied by cashiers check or money order payable to PYRAMID LAKE JUNIOR RODEO CLUB - NO PERSONAL CHECKS. MUST BE POSTMARKED by October 21, 2011. NO EXCEPTIONS. A copy of Birth Certificate must be sent with Entry. To check on entries you may call 775-742-8947.

MAIL ENTRIES TO: PL Jr. Rodeo Club, POB 962, Wadsworth, NV 89442

I, _____, hereby hold release and hold harmless the Pyramid Lake Paiute Tribe/PL Jr. Rodeo Club, its members, officers, agents, servants, representatives, administrators, executors and assigns from and all debts, claims, demands, liabilities, obligations, causes of actions of actions and rights, whether known or unknown, which the undersigned may have against the above named entities' in connection with the Pyramid Lake Paiute Tribe/PL Jr. Rodeo Club, for any reason whatsoever. This release is intended to, and does constitute a general release and waiver of any Nevada Statute, which may restrict a general release and waiver as to unknown or suspected claims. The undersigned certifies that he/she has read and understands this form.

Parent/Guardian Signature _____ Date _____

Subscribed and sworn before me this _____ day of _____, 2011.

State of _____ County of _____

Notary Public _____

**Natchez Events
Mark Your Calendars!**

Every Wednesday
EARLY OUT dismiss @ 1:50 p.m.

October 2011

- 18th Title I Family math/Pumpkin Carving Night 6–7 p.m.
- 19th Picture DAY
- 26th FALL FEST 6–8 p.m.
NO TEAM UP-Early out
- 27th REPORT CARDS HOME
- 28th NV DAY-NO SCHOOL

November 2011

- 1st AWARDS Day 2 p.m.
- 11th NO SCHOOL-Veteran’s Day
- 17th Bring A Special Person to School Day
Title I: How to help your child w/homework
- 23-25th NO SCHOOL
Thanksgiving Break
- 30th Picture Make up Day-
Staff Pic @ 7:30 a.m.

December 2011

- 6th Booster/Dinner/Ornament & Dessert Auction- 5 p.m.
NO TEAM UP
- 12th Winter Concert
Matinee—1:15 p.m.
- 13th Winter concert—6 p.m.
- 26th-January 6’ 2012
HOLIDAY BREAK-NO SCHOOL

Natchez Celebrates Native American Month (September)

We started off with our Kick off dinner that was held on Thursday, September 15th participants for Miss Natchez and Lil’ Miss Natchez performed their talents and speeches. Vying for the title of Miss Natchez were: Lida Geroge, Tamara Chagolla, Krista Wasson, Salisa Williams and Lil’ Miss Natchez was Dejalyn Gopher. It was a great night of talent the girls did a wonderful job! On Wednesday, September 21st our annual social powwow was held the turnout was great, thanks again to everyone for your continued support!

Natchez School Held their first NAM Fun Run on Friday, September 23,2011, we had over 200 participants, it was good to see the community come out and support our youth and school. The first 180 participants received t-shirts, sponsored by PL Diabetes Program. Water, Fruit and breakfast bars were provided by PL Save the Children program. We look forward to this event Next Year!

Native American Month FUN RUN Results 1st place Runners: Naron Antone (K), Celis Batres (1), Nicholas Marrietta-Goade (2), Tucker Hall (3), Zachary Lowery (4), Jesse Lenior (5), Garrison Harjo (6), Tyler E. (9-12), Skylar Sampson (adult Male), Patricia Victor (Adult Female) , Ron Clark (50+) and our Elder walker Jeanette Allen all received Medals.



1st place Walkers (honorable Mention): Alicia (K), Mataycee Brown (1), Brandon KILLSBACK (2), Cheyenna Lucas (3), Roshaye Shaw (4), Matthew Ruiz (5), Lucy Scott (6), Tyler Sumpter (9-12), JJ Kelley (Adult Male), Carlene Pacheco (Adult Female), Jeanette Allen (50+)

Thank you Natchez Families and Staff Members for you support and donations!



2011 Miss Natchez
Tamara Chagolla

Lil’ Miss Natchez
Dejalyn Gopher



Amateur Athletic Union

Jakoby Stump has been chosen to be included in the 2011 edition of “The Best Basketball Player of AAU”.

AAU Basketball players are recognized as the best youth basketball players in the United States. The book recognizes and honors those top level players.

Congratulations

Jakoby!
Love you.
Grandpa and
Grandma Frazier
Mom and Family



**Jacqueline June Phoenix
“Jackie”
June 28, 1957—August 18, 2011**

Special Thanks

The Family would like to thank all our family and friends for coming together during our difficult time of need.

Thanks for everyone for helping out by cooking and the donations of food.

We thank everyone for your prayers, visits, cards, flowers, hugs, donations, love, and kindness.

*Mr. & Mrs. Leory Phoenix & Family
Waylon Nish & Family Cody Nish and his girls
Kim & David Mireles and all the Harrington Family*



**Curtis M. Shaw
April 29, 1966—September 3, 2011**

**Khira Shaw & Natalie Leyva,
Jordan Shaw and the Shaw Family**

**want to express our gratitude and thank you’s
to everyone for the kindness and prayers during
the loss of our father, grandfather, son,
brother and uncle, Curtis M. Shaw.**

Sacred Visions *3rd Annual* **Halloween Spooktacular Carnival**
Friday **Nixon Gym**
October 28th, 2011 **Time: 6pm - 9pm**

Cake Walk **Haunted House** **Costume Contest**
Food Booth **Games**
Karaoke **Pumpkin Contest**

Trick-or-Treat Nights

NIXON & SUTCLIFFE:

Friday - October 28, 2011 6:00 p.m. to 8:00 p.m.

WADSWORTH:

Saturday - October 29, 2011 6:00 p.m. to 8:00 p.m.



Happy Halloween

Please drive safe and watch for children



SACRED VISIONS POW-WOW

The Sacred Visions Pow-Wow Committee is happy to announce that the following members have been selected as the core committee for the SV Pow-Wow Committee:

- Chairman - Gordon Dodd
- Vice Chairman - William Wadsworth
- Secretary - Karen Williams
- Treasurer - Nean Lowery

The committee is excited to start the planning of the 4th Annual Sacred Visions Pow-Wow. It was agreed at last night's meeting, the dates for the 4th Annual Sacred Visions Pow-Wow will be July 20-22, 2012.

Some dates to remember:

Friday October 28th, 2011

3rd Annual Halloween Spooktacular Carnival

Nixon gymnasium -

Time: 6pm to 9pm

Haunted House, games, food booth, face painting, cake walks (DONATIONS NEEDED FOR CAKES/BAKED GOODS)

Saturday October 29th, 2011

Haunted House

Wadsworth - Time/Location TBA

If you have additional questions, comments, suggestions, please email:

sacredvisions09@clearwire.net

Thank you,
Sacred Visions Pow-Wow Committee

PYRAMID LAKE VETERANS & WARRIORS ORGANIZATION

**Veteran's Day
November 11, 2011**

**Sunrise Flag Ceremony
6:30 am - 9:00 am**

Meet at the Nixon Gym at 6:30 a.m. March to the Nixon Cemetery 7:00 a.m.

Potluck breakfast. ~ Veteran's Presentation

Food Donations will be appreciated.

Breakfast items needed: Meats (Sausage, Bacon, Ham), Eggs, Potatoes, Breads (White, Wheat, Sourdough, Tortillas); Fruits, Juices

**Social Pow-Wow
1:00 pm - 7:00 pm**

Social Pow-Wow ~ Raffle ~ 50-50's ~ Cake Walk ~ Veteran's Presentation

Potluck Dinner at 6:00 pm. Food Donations will be appreciated.

Menu: Meats (Turkey & Ham), Potatoes, Vegetables, Breads & Desserts

For more information ~ contact: Lela Leyva (775) 335-6137 or Bobby Burns (775) 787-8116

**Annual Tribal
Christmas Party
December 24th
6:00 pm
Nixon Gym**



**Santa
Gifts for Children
Dinner
(Provided by the PLVWO)
Cake**

**Pyramid Lake
Veterans & Warriors Organization
Blanket Fundraiser**

The holidays are fast approaching....get a jumpstart on your holiday shopping and help the Pyramid Lake Veterans & Warriors Organization at the same time.

Contact Lela @ 775-335-6137 for information.

All Veterans will have catalogues and order forms.



Polar Fleece—Minis \$6

Premium Polar Fleece—\$10

Promo Fleece—\$10

Artist Series - \$15

Scarves/Shawls

\$10 (30x30)... \$12 (50x50)



Payment due with order.

Order Deadline: October 31st.



Tribal Council Meeting Minutes

(June-August 2011)

PYRAMID LAKE PAIUTE TRIBAL COUNCIL REGULAR MEETING MINUTES - June 2, 2011

Members Present:

Wayne Burke, Tribal Chairman
Mervin Wright, Jr., Vice-Chairman
Judith Davis Johnnie Garcia Sherry Mendes
Irwin Mix Leona Collins Steven Wadsworth

Member Absent:

Gordon Crutcher, Jr.

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the June 2, 2011 regular meeting of the Pyramid Lake Paiute Tribal Council to order at 5:31 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmembers Sherry Mendes and Irwin Mix arrived after roll call; Councilmember Gordon Crutcher, Jr. was absent from the meeting. All other Council members were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: Legal Counsel – RFP was added under Unfinished Business; the LLC Board was removed from New Business; Natchez School Donation Request; Nixon Post Office Resolution; Boards and Committees Resolution; and an Executive Session were added under New Business.

A motion was made by Vice-Chairman Wright to approve the agenda as amended. The motion was seconded by Councilmember Garcia. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

PUBLIC COMMENT

Lyle Kochamp: Discussed the need to put people that are in the court system to work patrolling and cleaning up the east side of the lake at the Pyramid, or at the Needles area to help with monitoring the area.

Councilmember Mendes arrived at this time – 5:37 p.m.
There were no other public comments made at this time.

HUMAN RESOURCES – Final Interviews: Fiber Network Project Manager

A motion was made by Councilmember Davis to move into Executive Session to conduct the interviews. The motion was seconded by Councilmember Wadsworth. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 5:40 p.m. Councilmember Mix arrived during the Executive Session at 5:55 p.m.

A motion was made by Vice-Chairman Wright to move out of Executive Session. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 6:27 p.m.

A motion was made by Councilmember Davis to confirm the selection of Tiffany Malley as the new Fiber Network Project Manager. The motion was seconded by Councilmember Collins. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

CONSENT AGENDA

The following items were listed on the Consent Agenda:

Enrollment: (8) Applications for New Membership; Card Issuance Policy Amendment and Resolution

Wadsworth Community Center Committee: Grant Application and Resolution

Tribal Council Meeting Minutes: April 21, 2011; May 6, 2011; May 18, 2011 and May 19, 2011.

Councilmember John requested to pull the minutes of May 19, 2011; the Secretary requested to pull the minutes of May 6, 2011. Councilmember John asked about the Wadsworth Community Center project and if a community meeting was held in Wadsworth. Sandra Hicks, Contracts and Grants Administrator responded that a meeting was held last Saturday. Councilmember John asked how many people were present at the meeting. Sandra Hicks responded there were about twelve people. Councilmember John asked if the meeting was posted. Sandra Hicks responded it was posted at the Post Office, the stores, and it was included in the last

edition of the tribal newspaper. Councilmember John discussed the proposed resolution and noted the resolution should be amended to include “has allocated Tax Use funds for the purpose to assist in Phase 2 with equipment and furnishings.” Vice-Chairman Wright asked Sandra Hicks when the deadline was for the application to be submitted. Sandra Hicks responded by June 15th.

A motion was made by Councilmember Mendes to approve the remaining items on the Consent Agenda as presented. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS.

Motion carried. RESOLUTIONS PL 52-11, PL 53-11

Chairman Burke read aloud the names of the new members of the Tribe: Elystra Bethany Blaine, Jovanni Allen McCahill Munoz, Jordan Albert Mauwee, Jr., Chanel Patrick, Rylen Tiger Patrick, Taylen Lee Patrick, Briallen Louise Williams, and Colvin Allen Williams.

Council discussed the grant application and resolution for the Wadsworth Community Center project. Councilmember John asked if the resolution was going to be amended as discussed earlier. Sandra Hicks responded she could amend the resolution and bring it back for Council approval.

May 6, 2011 Minutes: The Secretary noted the correction was needed on Page 10 under the Tax Department report as the motions were shown in the minutes to be from the License Plate Fund but were actually from the Supplemental Tax Allocation. All references to the License Plate Fund would need to be corrected to read “*Supplemental Tax Allocation.*”

May 19, 2011 Minutes: Councilmember John requested corrections on Page 4 to correct the reference to “*Chairman Wright*” to read “*Vice-Chairman Wright.*” Councilmember Garcia requested a correction to Page 9 on the vote taken as he voted against the motion regarding the permit process and form for the fireworks. He noted a similar correction was needed on Page 10 to reflect his vote against the motion regarding the fireworks agreement.

Councilmember Davis requested a correction to the minutes on Page 11 – Code of Ethics in the middle of the paragraph regarding the question on outside jurisdiction. She requested the following correction to this section: “*referenced Page 8 of the proposed Ethics Code regarding crimes of any jurisdiction.*” Then further on in the same paragraph, the sentence starting with “*The Court Administrator had stated that anything in the Code,*” add in: “*is considered a crime, from traffic citations to taillight out, to truancy and serious crimes, and these would be used reasons for removal.*” On the last sentence, “*Councilmember Davis discussed her concerns regarding the Ethics Board’s authority to override the voting membership of the Tribe.*”

A motion was made by Councilmember Davis to approve the minutes of May 6, 2011 and May 19, 2011 as corrected. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

PRESENTATION

OSS Boat Racing/Amberson Motorsports – Speedboat Racing Proposal:

Present were Eric Amberson, Jennifer Mikkelson and Carlos Rodriguez. Council viewed a presentation which included information regarding event setup and how payments would be handled. Eric Amberson discussed sponsorship of the event, which he hoped to schedule for June, 2012. Revenues from the event would go towards the Tribe’s Child Care Program and the Washoe County School District. The event information was reviewed by the Tribe’s IDT. Councilmember Mix asked about security of the event. Eric Amberson explained the event would tie in with the Washoe County School District as a charity event under the Offshore Super Series (OSS).

Chairman Burke discussed his meeting with the Mayor Goodman of Fernley and Fernley is excited for this event. Councilmember Davis asked Eric Amberson if his group had sponsored this type of an event at Lake Tahoe. Eric Amberson responded no. He explained that the regulations at Lake Tahoe do not allow for an event like this. Council discussed concerns regarding invasive species and preventing this from occurring at the lake. Eric Amberson explained that the boats could be inspected before being put on the water; many speedboats are bleach-washed at all of the races they participate in. The boats would not be placed in any water except at Pyramid Lake. Barrier points would be placed on the route to prevent other boats from getting too close to the race course.

Vice-Chairman Wright discussed concerns regarding invasive species being introduced into the lake. Eric Amberson explained the Tribe could meet with the head of the OSS to discuss this further and to answer the Tribe’s questions. Vice-Chairman Wright noted they have not yet determined the most effective way to remove the quagga mussels.

Chairman Burke noted to address the concerns, the tribal departments should be the ones to say what would be done and apply their skills and knowledge; this event would be a huge impact on the departments to make sure the boats are safe. Vice-Chairman Wright discussed the permit structure and the need to discuss this further on what to do with this event as far as setting a price structure and permits. Eric Amberson responded to Vice-Chairman Wright’s concerns regarding the fees and prices for the event. He also discussed the potential for campers and visitors to the area for the event. Councilmember Garcia noted the improvements being made at the Pelican Point area for improved parking and access roads to the area.

Chairman Burke asked Eric Amberson about what he was looking for from the Council. Eric Amberson responded he was requesting approval to hold the event in 2012. Scott Carey, Tribal Planner discussed the results of the IDT meeting as they wished for this event to move forward procedurally with the eventual issuance of a special use permit and partnership agreement to co-promote the event. Eric Amberson informed the Council he needed to have the Tribe’s answer by June 24th. Councilmember John asked Scott Carey if they could have something finalized by the June 17th meeting. Scott Carey responded yes.

Chairman Burke informed the Council they could have a partnership agreement developed for the June 17th meeting and if this met with Council approval, they could move into contract discussions. Vice-Chairman Wright noted they would need to issue a permit for a special event. Councilmember Collins asked if the Pelican Point area would be able to handle the crowd numbers. Eric Amberson discussed his evaluation of various sites at the lake and felt this area could handle the event. He further discussed the camping costs, and the revenue would be in the day use fees and concessions, and craft booths would be available to Tribal members at no charge. He also discussed his proposed marketing plan for the event.

Council heard comments from Alan Mandell regarding the need for the Tribe to reserve rights to the event, such as copyrights and marketing over the long-term. After discussion, it was the consensus of the Council to move forward with developing a partnership agreement for review at the June 17th meeting.

Wadsworth Community Center Committee – Grant Application and Resolution: At this time, Sandra Hicks returned to the meeting with the changes to the resolution that were requested earlier. She discussed the changes that were made. A motion was made by Councilmember John to approve the grant application and resolution for the Wadsworth Community Center as amended. The motion was seconded by Councilmember Collins. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 54 -11**

TRIBAL CHAIRMAN’S REPORT – Wayne Burke

Report submitted. Chairman Burke reviewed the items in his report and provided an update of activities.

Law Enforcement: The department will be posting for two on-call Police Officers to improve patrols and response time on the reservation.

City of Fernley: Chairman Burke discussed his meeting with Mayor Goodman regarding recent media reports of the ongoing water issues between the Tribe and the City of Fernley. Another meeting will be scheduled.

Bureau of Land Management: A meeting was scheduled for next Friday at 10:00 a.m. with the BLM to discuss a proposed agreement for the Tribe to oversee various resources. A copy of the proposed agreement would be provided to the Council for comment.

Indian Health Board of Nevada: A meeting was scheduled for June 9th to discuss Medicaid review and representatives from the Indian Health Service would be attending the meeting.

Nevada Skies Treatment Center: A meeting was scheduled for June 8th to meet the new leadership during an open house event at the center.

(Continued on page 17)

(Continued from page 16)

S-S Property Caretaker: Chairman Burke distributed a letter from the Realty department regarding the need to hire a caretaker for the S-S property. He read the letter aloud and informed the Council that Joshua John had volunteered to be the caretaker of the property as he was familiar with the water system at the property. Councilmember Davis asked if Joshua John had other employment that might be affected by this. Della John explained he had worked for the Otis Bay consultants but has decided to volunteer to help take care of the property. Councilmember John asked if a letter had already gone out to him. Chairman Burke responded no, and that the letter had gone out to the Council only. Councilmember Davis noted she was comfortable with this recommendation. Councilmembers Garcia and Wadsworth agreed with this. Chairman Burke informed the Council he would let the Realty Property Manager know and she can work out the details with Joshua John.

Council heard comments from Alan Mandell regarding the accessibility of the bike trail and if the cyclists could ride in this area. Chairman Burke responded they could as long as they contacted Realty prior to entering the area.

Council also heard comments from Joe Mendes regarding the fuel prices at the Nixon Store and if the prices were competitive. Alan Mandell discussed an agreement with a fuel vendor that works with Fallon and Battle Mountain through an inter-tribal agreement and the tribes buy in bulk. Chairman Burke explained the fuel bills at the Tribe's stores are too high and need to be paid off first.

Council heard further comments from Lyle Kochamp regarding the possibility of using people in the court system for community service first, then go with incarceration.

Billie Jean Guerrero, Human Resources Manager discussed the status of the Court Clerk position and scheduling final interviews. Council agreed to schedule the interviews for June 17th at 5:30 p.m.

VICE-CHAIRMAN'S REPORT – Mervin Wright, Jr.

Report submitted. Vice-Chairman Wright discussed the items in his report and provided an update of activities.

IDC Training: The Tribe's revised Financial Management policies have been submitted to the funding agencies so that the various sanctions against the Tribe could be lifted. Vice-Chairman Wright discussed the Indirect Cost and the number of components involved. He further discussed the need to promote the correct terminology and to make sure the audits were submitted in a timely manner.

Scrap Metal Collections: Various individuals have taken salvage items from all over the reservation and what was left was under control of the Tribe. Vice-Chairman Wright discussed the conditions of the Nixon rodeo grounds and the possible salvage of materials from the site. The Council will eventually need to make a decision to discontinue use of the Nixon rodeo grounds, and determine what to do with the water tanks in Nixon, Sutcliffe, and Wadsworth. The Environmental Department has developed an application to collect materials under the Tribe. A follow up meeting was needed to finalize the application for approval.

Boat Dock Project: A contract with the Fisheries was finalized earlier today and included a rate schedule used by the Fisheries. The contract would be under Fund 071. The boat dock would be comparable to the dock at Pelican.

Child Care Facility: Vice-Chairman Wright discussed the certification requirements and mandated reporting, and is putting together information with the Child Care Director.

LLC Board Amendments: Amendments to the LLC's Operating Agreement and Code were proposed but were not finalized in time for this meeting.

Senate Committee on Indian Affairs: An outline was developed as requested by Wendy Helgemo and on June 17th, Vice-Chairman Wright would be providing testimony regarding the NAGPRA law. A draft was being submitted for review. Vice-Chairman Wright noted he had been working on NAGPRA issues for the past ten years. Senator Reid indicated interest in seeing Vice-Chairman Wright's testimony. Vice-Chairman Wright informed the Council he would be paying for his own travel to discuss this national issue. On June 20th, Vice-Chairman Wright would be traveling to Syracuse, New York to attend a NAGPRA review meeting.

High Desert Appeal: Vice-Chairman Wright discussed the two separate processes that were occurring in Tribal Court and at the Interior Board of Indian Appeals. The Western Region Office had filed a motion and the Tribe had filed a joint motion for HDR to post a bond. HDR had stopped paying rent as of November, 2009 and owed \$60,000 in back rent to date which was the bond amount HDR was being requested to pay.

Vice-Chairman Wright discussed the conditions of the Marina site as there was a gas leak detected at the RV park

which was inspected by the Indian Health Service. The yard hydrants were also removed. A report was provided from the Indian Health Service which was being forwarded to legal counsel. HDR was also disputing payment of a security deposit in the amount of \$5,000 which it claims was made to the Tribe and there was no record of this payment ever being received by the Tribe. Vice-Chairman Wright noted they were hoping to have this finalized by mid-June and it should take care of itself through the legal process.

UNFINISHED BUSINESS

Code of Ethics – Approval to Post: Council was provided with a draft of the Code which was originally proposed in 2008. Vice-Chairman Wright informed the Council of the comments received from Wes Williams, Jr. which were incorporated into the Code.

Councilmember John requested to add the term "*public service*" to the third paragraph on Page 1. She further commented on the scope for Tribal Boards as it should include "*All appointed or elected*" boards under the last paragraph on Page 1.

Councilmember John asked about outside employment. Vice-Chairman Wright explained the purpose for including this provision as it would address potential conflicts of interest. Councilmember John noted the way she read this provision it was saying people could not have any outside employment. Councilmember Davis requested that the following be removed from this section "*not engage in outside employment.*" Council discussed this further.

Councilmember John asked if the definition of the term "*relatives*" was consistent with the definition in the Tribe's Personnel Policies. Vice-Chairman Wright explained he took this definition from the sample codes he read. Councilmember Mendes suggested they stick with the general rule regarding family. Councilmember John commented that the Code did not say who would appoint the Ethics Board. Councilmember Mix noted it was similar to the Appeals Board in the Personnel Policies as anyone could serve on the board without any qualifications or knowledge of the Tribe's policies. He further commented that they had people on the standing committees and boards that had the experience, but they wiped it all away to use an appeals board that could pick anybody off the street. He also commented that was not right for either board. Councilmember Collins noted the confirmation was covered under Section 8-6, in response to Councilmember John's question as it stated that the board would be confirmed by the Tribal Council at the next regular or special meeting.

Councilmember Davis commented on Page 8, 5 (m) which stated, "*Any TGO who is convicted of a crime in any jurisdiction.*" She noted she had asked that question before and it was told to her that it could be from anywhere. A person could be on vacation in Florida and if they got in trouble they would have to come back and report it to the Tribe, whether they were found guilty or not guilty. Councilmember Davis asked if the Tribe applying any jurisdiction, if they would be opening the doors for any jurisdiction to come in. She commented further on section 6 which stated, "*The Tribe will investigate any violation or misconduct.*" She noted these three people that Councilmember John was talking about, one was a Councilmember, one was an at-large position, and they would have the authority to reprimand, sanction, refer for civil or criminal prosecution, reimburse the Tribe for loss, suspension, or removal.

Councilmember Davis asked how these three people – two of them did not even have to be tribal members – could override the membership of the Tribe, the voting membership that put the people here. She asked how these three people could override those voting members because it was not allowed in the Constitution. She also questioned how the Council could pass a code that was in conflict with the Constitution. Councilmember Mendes noted it could be in conflict if the Tribe passes the recall provision under the proposed amendments. She noted the Code needed to be cleaned up. Councilmember Davis discussed the meeting the Council had with Fred Drye during which he informed the Council that a code of ethics needed to be short and to the point. He also advised that it could not go against the Constitution.

Council heard comments from Duane Wasson regarding Part J of the Constitution regarding the courts as it stated that all persons could be taken to court. He suggested the Council add that section into the Code of Ethics. He discussed this further. Councilmember John noted the Council needed to address the concerns that have been discussed. Councilmember Mendes noted the Council needed to clean up the Code and possibly get a working group together to meet with Fred Drye and work on the code. She further noted if the document is over-worded it could be left up to interpretation.

Councilmember John noted that although the Code would be posted, they should meet with the staff and review it before it was actually finalized and posted. She further commented there should be examples of different scenarios given so that staff would understand what would a misuse of property would be, for example. Councilmember John discussed the emails that staff sends out over the Tribe's network for non-work related activities as it was allowed to be done. Councilmember Mendes commented they did not know whether they were going to draw the line on that or not. Councilmember John noted it was something they needed to be aware of, but that they were a community-based organization so they did not want to be too restrictive. Chairman Burke informed the Council they would be notified of the date when Fred Drye could come out, on a Saturday when he would be available.

Constitutional Amendments: Councilmember Mendes gave an update on this item and her contact with Fred Drye. He sent her a copy of what was submitted by the Tribe and she sent him a copy of the working draft. A meeting was being scheduled for them to discuss this further as it was not clear as to which document they were going to work from. Councilmember John suggested this item be included on the Saturday meeting with Fred Drye.

Request for Proposal/Legal Counsel: Two proposals were received in response to the Tribe's RFP. Council discussed the legal work done by each of the two attorneys that submitted proposals and how the work was billed. Vice-Chairman Wright noted the departments had the ability to contract for legal services. Council discussed the contract of Charles Zeh and the work he had done for Realty. Council further discussed the two proposals received and the benefits of having two attorneys available. Chairman Burke noted the attorneys were only paid when the Tribe used them. Vice-Chairman Wright discussed the Tribe's ongoing litigation and settlements. He also discussed the work completed by Charles Zeh and Wes Williams and the deliverables in the work done.

Councilmember John asked about the legal expense for both attorneys from the past year. Vice-Chairman Wright discussed how the billings were processed. The General Fund is used for legal fees incurred for Wes Williams, Jr., only. Chairman Burke discussed the LLC Board and the legal line item which was approved in their budget. Councilmember Davis asked how this work would be assigned. Chairman Burke responded it came down to the Chairman. A lot of the Tribe's issues have a history to them. Councilmember Mendes asked about the budgets and if they looked at possibly streamlining some of this work, or if the departments were going with one attorney or the other. Chairman Burke responded the attorneys work within the parameters given. Vice-Chairman Wright clarified his earlier statement and that the Government Services budget had a legal line item. He further noted that all of the work done by Charles Zeh was not paid under the General Fund, and that the Tribal Chairman's budget had a legal line item which was used for Wes Williams, Jr., only. The Council needed to focus on the General Fund and the line item for legal counsel as the work done by Zeh was not the same as the work done by Williams.

Vice-Chairman Wright noted it would be more effective to have both attorneys working on issues for the Tribe. Councilmember Davis noted it would be good to look at a dollar amount to work with. Councilmember Garcia commented he would also like to see a dollar amount and approve the attorneys they would be working with. Vice-Chairman Wright discussed past issues with attorney contract ceiling amounts being increased because of overruns. Councilmember Mendes asked Vice-Chairman Wright if he was recommending that they have two attorneys as the Tribe's general counsel or if there would be some type of structure they were going to have. She noted the Council needed more information. Councilmember Collins noted she did not see a problem having two attorneys as they would only be paid for the work that was done, and the money would come from the departments based on the work being done.

After discussion, Chairman Burke informed the Council they would leave everything as it was since both attorneys are working under contract extensions, and have both attorneys present at the June 17th meeting for further discussion.

NEW BUSINESS

Christopher DeGarmo – Request for Camping Permits and Beach Area: Letter received. Vice-Chairman Wright mentioned his discussion with Christopher DeGarmo regarding this item. The permit was requested for family members who would be attending the event from out of state. Councilmember Mendes noted the area being requested was designated as a family beach and that alcohol was not allowed at this area.

(Continued on page 18)

(Continued from page 17)

A motion was made by Vice-Chairman Wright to approve the request as presented. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Wadsworth requested that the permit letter included that they would be responsible for reserving the space for their event was it was first-come, first-serve, and that they would also be responsible for cleanup of the area.

All-Around Sports – Sponsorship Request: Invoice received for sponsorship of the annual High School sports calendar. A motion was made by Councilmember Davis to approve payment of the invoice as presented. The motion was seconded by Councilmember Wadsworth. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Collins). **Motion carried.**

Special Olympics of Nevada – Donation Request: Requesting a donation for their annual event. A motion was made by Councilmember Mendes to approve a donation at the group rate. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Natchez School Graduation – Donation Request: Letter received requesting a donation for their graduation. A motion was made by Councilmember Davis to approve a donation at the group rate. The motion was seconded by Councilmember Wadsworth. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Nixon Post Office – Resolution: Chairman Burke presented a resolution of support to keep the Nixon Post Office open as the U.S. Postal Service has proposed it for closure. A public meeting has been scheduled for June 15th in Nixon. Councilmember Mix asked about the status of the Wadsworth Post Office. Chairman Burke responded he would be placing a follow-up call to Senator Reid's office and the U.S. Postal Service. Councilmember Collins discussed the Wadsworth public meeting as the community members were told that mailboxes would be installed or they would have to go to Fernley for their mail. Chairman Burke informed the Council that the U.S. Postal Service has identified 1,500 rural post offices for possible closure.

A motion was made by Vice-Chairman Wright to approve the resolution as presented. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 55 -11**

Boards and Committees – Resolution: Vice-Chairman Wright presented the resolution and discussed the change made to the timeframes in the resolution. He noted this did not include the elected boards such as the School Board. Councilmember John asked about the response from the boards. Vice-Chairman Wright responded they felt it was a Council decision. Councilmember Mendes commented at the Fisheries Board meeting, it was stated that if it was not broken, why fix it. Councilmember Mix noted he made that statement. Councilmember Davis noted one of the things she could remember was when there were two vacancies on the Law and Order Committee, not one Councilmember wanted to serve on the Committee. Councilmember John commented that some of the issues would come under the Ethics Code and they also have board that had charters or ordinances. She further commented it was not right for the Council to mandate that they change their charters; this should come from the boards to change their charters or ordinances. The boards need to make that decision themselves.

A motion was made by Councilmember John to table the resolution until the Council could decide on how they were going to process this and handle it; and that it should not be made mandatory for boards to adopt this. The motion was seconded by Councilmember Garcia. Votes were 6 FOR and 1 AGAINST (Wright); with 1 ABSTENTION (Wadsworth). **Motion carried.**

Councilmember John asked if they were going to discuss the letter that was given to them regarding the past incident involving firework use and why the Tribe banned fireworks in the first place. Chairman Burke responded this was addressed. Councilmember John noted they did discuss this at the last meeting. Councilmember Mendes noted she did take that into consideration because the family did lose a loved one.

A motion was made by Vice-Chairman Wright to move into Executive Session. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 9:10 p.m.

A motion was made by Vice-Chairman Wright to move out of Executive Session. The motion was seconded by

Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 10:03 p.m.

ADJOURNMENT

A motion was made by Vice-Chairman Wright to adjourn the meeting. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The regular meeting of June 2, 2011 adjourned at 10:04 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary

/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 1st day of JULY, 2011, having nine (9) members present, constituting a quorum, by the vote of seven (7) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:

/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES- June 17, 2011

Members Present:

Wayne Burke, Tribal Chairman		
Judith Davis	Johnnie Garcia	Sherry Mendes
Irwin Mix	Gordon Crutcher, Jr.	Steven Wadsworth
Leona Collins	Genevieve John	

Member Absent:

Mervin Wright, Jr., Vice-Chairman

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the June 17, 2011 special meeting of the Pyramid Lake Tribal Council to order at 5:32 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Council members Gordon Crutcher, Jr. and Irwin Mix arrived after roll call; Vice-Chairman Mervin Wright, Jr. was absent from the meeting. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following items were added to the agenda: the Vice-Chairman's report was removed from the agenda; Enrollment was added in its place; a donation request from Preston Matson was added under New Business; under Committee/ Department Reports – Department of Water Resources was removed from the agenda; the LLC Board was changed to item number 3; and the following items were added under Committee/Department Reports – Emergency Response; OST Resolution; and the Law and Order Committee.

A motion was made by Councilmember Davis to approve the agenda with the noted changes. The motion was seconded by Councilmember Wadsworth. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

PUBLIC COMMENT

Jackie Phoenix: Discussed the review process and completion of the Law and Order Code, and commended the work done by the Law and Order Committee in writing and finalizing the Code. She also commended the Secretary for all of her work in typing and finalizing the Code.

There were no other public comments made.

HUMAN RESOURCES–Final Interviews/Selection: Court Clerk

A motion was made by Councilmember John to move into Executive Session to conduct the interviews. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 5:40 p.m. Councilmember Collins excused herself from the interviews citing a conflict of interest.

A motion was made by Councilmember Davis to move out of Executive Session. The motion was seconded by Councilmember Mendes. Votes were 6 FOR and 0 AGAINST;

with 0 ABSTENTIONS. **Motion carried.** (Councilmember John out of room during vote)

The Council moved out of Executive Session at 6:20 p.m.

A motion was made by Councilmember John to confirm the appointment of Sylvia Davis as the Court Clerk. The motion was seconded by Councilmember Mendes. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Collins returned to the meeting at this time – 6:31 p.m.

CONSENT AGENDA

The following items were listed under the Consent Agenda:

Human Resources – (1) Position Reclassification: Permit Sales Clerk

Higher Education – (3) Tribal Scholarships

Councilmember Davis asked if the minutes were received from the respective committees with their recommendations. The Secretary confirmed the minutes were received from both committees.

A motion was made by Councilmember John to approve the items on the Consent Agenda as presented. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Chairman Burke read aloud the items approved under the Consent Agenda as follows: Permit Sales Clerk reclassification; and (3) Tribal Scholarships for – Vanessa Williams, Samantha Melendez, and Aaron Bill.

TRIBAL CHAIRMAN'S REPORT – Wayne Burke

Report submitted. Chairman Burke reviewed the items in his report and provided an update of activities.

Enterprises Sales: A graph was provided for the months of May-June which reflected an increase in sales. The stores are working on inventory and pricing, and the fireworks are being advertised.

PLHS Graduation: Chairman Burke reported on his attendance at the recent graduation at the High School and expressed his appreciation to the community for supporting the school and its graduates.

JOM Program: The Program Director met with Chairman Burke and Finance to discuss the budget and carryover for the program which has been identified. The program would be able to continue without reducing staff hours and benefits.

Victim Services Report Follow-up: Chairman Burke informed the Council of his meeting with the Victim Services Coordinator to address the concerns listed in the department's report from last month. He advised the Coordinator to provide facts before bringing up items to the Council and to make sure to present the full story; the situation has been resolved.

2010 Audit: The Tribe's audit is due by June 30, 2011. The Housing Authority's audit needed to be presented to the Board of Commissioners on June 24, 2011 for approval; the audit will then be provided to the Tribe to be included with the Tribe's audit. The Fisheries' audit will be presented to the Board of Trustees on June 21, 2011 for approval; the audit will also be provided to the Tribe to be included with the Tribe's audit. Councilmember John discussed her concerns with the audit process and asked Chairman Burke when the Council would be able to review the audit. She further noted the Council did not review the Tribe's audit until after the fact, and that the Tribe's audit was not due until September, not June 30th. The Tribe submitted its audit by June 30th in order to submit its Indirect Cost proposal which was due by June 30th. Councilmember John noted this needed to be clarified. She also requested that the Council be provided with the draft audit for review.

Councilmember Davis asked for clarification that the draft audit would be provided by the June 22nd meeting. Chairman Burke explained the audit would be released by June 30th. He further explained that last year both of the boards were not comfortable with submitting draft audits. It was noted that the Housing Authority Board of Commissioners would be meeting on June 23rd to review its audit; the Fisheries' Board of Trustees would be meeting on June 21st to review its audit. Both audits would be submitted to the Tribe following approval. Chairman Burke informed the Council that the audit would be provided by June 20th for review.

Washington, DC Meetings: Chairman Burke reported on Vice-Chairman Wright's attendance at meetings in Washington, DC this week and next week regarding NAGPRA and other issues. Vice-Chairman Wright has also scheduled a meeting with Senator Reid and would be presenting a letter from Chairman Burke regarding the Tribe's concerns regarding various issues.

(Continued on page 19)

(Continued from page 18)

Post Office Closures: A meeting was held this past week in Nixon regarding the proposed closure of the Nixon Post Office; resolutions from the Tribe were given to the U.S. Postal Service representatives; a letter and the resolutions were also sent to Senator Reid's office.

Bureau of Reclamation Funding: Chairman Burke reported on the status of funding from the BOR under the Desert Terminal Lakes fund in the amount of \$17.2 million. He discussed the breakdown of this funding.

Bureau of Land Management: Chairman Burke discussed his meeting with the Winnemucca BLM office regarding the Tribe taking guardianship of identified sacred sites.

Indian Health Board of Nevada: Chairman Burke reported on the meeting he attended at IHBN on June 9th during which the other tribes discussed their concerns regarding the authority and responsibilities of Gary Brashears. They also discussed the status of referrals under Contract Health. The Nevada tribes have the opportunity to set up their own process for referrals. Chairman Burke informed the Council of his nomination to serve on the National Advisory Committee for Behavioral Health.

Law Enforcement: Officer David DePoali has been appointed to serve as the interim Chief of Police until a new Chief is hired. Chairman Burke discussed the work done by Acting Chief DePoali in identifying carryover funding which would be used for officer training. Chairman Burke informed the Council of his intent to serve as a reserve Ranger to help out with patrolling at the lake on the evenings and weekends on a volunteer basis. He also discussed his previous work as a volunteer with Emergency Response as a diver. Councilmember Mendes asked Chairman Burke if this would be a conflict of interest. Chairman Burke responded no. Councilmember John noted that Chairman Burke would have to complete the forms to serve as a volunteer. Councilmember Davis asked Chairman Burke if the carryover funds he discussed earlier would be used to hire temporary Rangers for the summer. Chairman Burke responded he would talk with Acting Chief DePoali about this.

Chairman Burke informed the Council of the proposed MOU with the City of Sparks Police Department for mounted patrols at the lake during special events. The patrols would not be in the communities. An internal investigation policy has been completed for the Police Department and would be presented to the Council at the June 22nd meeting.

Nevada Skies Treatment Center: Chairman Burke reported on his introductory meeting at the center on June 8th to meet the staff and to discuss potential collaboration as needed. A follow up meeting was being scheduled.

OSS/Amberson Motor Sports: Chairman Burke discussed the Letter of Intent which was proposed by the group in partnership with the Tribe. Meetings with the group and the Tribe would continue until an agreement is finalized.

Letters – Senator Reid: Chairman Burke informed the Council of the letters sent to Senator Reid regarding the proposed Post Office closures and the status of BOR funding. Copies were provided to the Council.

BLM Advisory Board: Chairman Burke was asked to serve on the BLM's Resource Advisory Board.

Councilmember Collins asked about the graph provided by the Enterprises for the Smokeshop and if a similar graph would be provided for the Nixon Store as well. Chairman Burke responded the Enterprise Manager was still working on this and has been doing this same process for the Nixon Store. Councilmember Collins asked about the impacts of selling fireworks at the Nixon Store. Chairman Burke responded the highest single purchase was \$600 and they were expecting sales to increase once advertising is increased and they get closer to the Fourth of July weekend.

Councilmember Collins asked about the meeting with the Great Basin Land and Conservancy and if this was regarding the Femley water lease. Chairman Burke responded no. He discussed the status of the 2010 lease. A copy of the lease would be provided to the Council.

Councilmember Mendes asked if the Council would be provided with financial reports from the Enterprises. Chairman Burke responded this information would be provided with the July reports.

Council heard comments from Beverly Harry regarding the possible closures of the post offices on the reservation and how this would impact voting for Washoe County. Chairman Burke discussed the recent town hall meeting held in Nixon on June 15th.

Washoe County Commission Meeting: Chairman Burke discussed the meeting he and Scott Carey attended to discuss the Tribe's firework sales. The Commission expressed its appreciation to the Tribe for its due diligence in educating the public about the safe use of fireworks.

ENROLLMENT – Joanne Shaw

Disenrollment Hearings: Two individuals were scheduled for disenrollment hearings. Neither individual appeared for the hearing. An update was provided by Joanne Shaw regarding the status of notification and contact from each individual for which there was none.

A motion was made by Councilmember Mendes to accept the recommendation of the Enrollment Committee and disenroll the two individuals, and approve the resolution to disenroll both. The motion was seconded by Councilmember Collins. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried. RESOLUTIONS PL 56-11, PL 57-11**

Chairman Burke announced that Jean Ann Wadsworth-Dick and Destinie Josephine Garza were disenrolled from the Tribe.

UNFINISHED BUSINESS

Legal Counsel/Request for Proposal: Present were Charles Zeh and Wes Williams, Jr. as requested by the Council at the last meeting. Councilmember John asked Charles Zeh if he wished to expand his services and serve as general counsel for the Tribe. Charles Zeh responded no. He discussed the work he had completed for the Tribe over the past year and that most of this work was related to land and lease issues.

A motion was made by Councilmember John to accept the proposal from Wes Williams, Jr. to serve as legal counsel for the Tribe. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Chairman Burke informed the Council that a contract for Wes Williams, Jr. would be provided to the Council at the July 1st meeting. Both attorneys would continue working as they have been. Wes Williams, Jr. discussed the yearly cap included in his contract. Councilmember Mendes asked if there was any overlapping in the work performed. Charles Zeh responded no as all of his work was under Realty. Councilmember Mendes asked Charles Zeh if he considered himself as the Realty attorney. Charles Zeh explained he also did work under economic development in addition to Realty.

Council discussed the RFP and the requirements included in the RFP as it had included rights-of-way work. An RFP is needed for realty matters. Wes Williams, Jr., informed the Council that his previous contract had included a clause that he would not work on Tax matters as the Tax department had its own attorney. He noted this would probably be similar for Realty as well.

Charles Zeh clarified his intent to not submit a proposal for the current RFP for general counsel. Councilmember Davis requested that Realty have input in writing the RFP for realty counsel.

OSS Boat Racing/Amberson Motor Sports: Present for this item were Scott Carey, Tribal Planner, Eric Amberson, and Jennifer Mikkelson. Council was provided with a proposed Letter of Intent. Councilmember John asked about the timelines for approving an agreement. Eric Amberson discussed the need to finalize the route and various other items prior to approaching potential sponsors of the event. Councilmember Mendes asked Eric Amberson if he was comfortable with the process taken. Eric Amberson discussed his concerns with the process but that he agreed. Council discussed the event and the potential impacts of having an event such as this at the lake, and entering into a Letter of Intent.

A motion was made by Councilmember Mendes to approve the Letter of Intent with Amberson Motor Sports as presented. The motion was seconded by Councilmember Garcia. Votes were 5 FOR and 2 AGAINST (Mix, Davis); with 1 ABSTENTION (John). **Motion carried.**

Scott Carey discussed his concerns regarding the lack of cost analysis and other information needed to determine whether this event is feasible for the Tribe. Chairman Burke discussed the possibility of the Letter of Intent being changed to an agreement. Wes Williams, Jr., noted they would need to have various details worked out such as costs, fees, and expenses, and that all of this should have already been established.

Eric Amberson discussed his concerns with the way this was handled and that he had already provided this information to the Council during the initial presentation of this event. He noted the plan had been outlined for the Tribe several times. Wes Williams, Jr., discussed his review of the original agreement and noted there were several issues that needed to be addressed. The responsibilities of each party also needed to be identified. Chairman Burke noted they would work out the logistics. Wes Williams, Jr., informed the Council that details needed to be worked out such as how incoming funds would be

handled and disbursed, and that everyone needed to agree on what they were going to do. Chairman Burke informed Council they would move forward with the commitment made to hold the event and work everything out.

Council discussed the Tribe's ability to handle gate receipts and security of the event. Wes Williams, Jr., discussed his comments on the Letter of Intent which said that the Tribe would work towards approval of a special permit to hold the event. Councilmember Garcia asked if the Letter of Intent included an option to extend it further. Wes Williams, Jr., responded that it said that the Tribe was going to issue a special permit for the event. Council discussed this further and the stipulations needed to be included in a potential agreement.

Scott Carey discussed his concerns from the staff side such as the costs for additional services needed for the event, and the impacts on the Tribe's resources. Council heard comments from Carla Molino regarding the need for a business plan from the group, and other items needed before the event could be approved. Chairman Burke discussed the need to establish a committee to work on negotiations and finalizing an agreement with OSS Motor Sports. Councilmember Davis requested that Tribal members be involved in this process.

NEW BUSINESS

Arlene McMasters – Elder Emergency Request: Requesting assistance with installation of handicap equipment at her home. A motion was made by Councilmember Wadsworth to approve the request as presented. The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** (Councilmember John out of room during vote)

Preston Matson – Donation Request: Letter received requesting a donation to assist with expenses to travel for summer youth camp out of state. A motion was made by Councilmember Mendes to approve a donation at the individual rate. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** (Councilmember John out of room during vote)

Environmental Department – John Mosley: Report submitted. Beverly Harry, Environmental Manager presented the department's report on John Mosley's behalf. Beverly Harry discussed the wildlife grants received by the Tribe which totaled \$200,000. The department requested approval of a partnership grant with the U.S. Fish and Wildlife Service in the amount of \$500,000. Beverly Harry distributed pictures of potential project sites under the grant which included improvements of the area at Simon Harris's assignment, and for weed abatement. The project at Simon Harris's assignment was discussed with one of his family members who agreed to have the Tribe assist with improvements. The second project is to remove tamarisks near the Marble Bluff area. Indirect is included in the budgets for both projects and the grant application was reviewed through Administration.

Councilmember Mendes asked if the Harris family planned to put the fields back into production. Beverly Harry explained the reason why the department was assisting with this area as the Pierson ditch was out and repairs to the ditch were estimated at \$500,000; water cannot be provided to the assignment. There was a lot of work to be done and some of the work is in-kind, and some was coming out of the Allen Aleck estate streambank funding.

A motion was made by Councilmember John to approve the grant application submittal as presented. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

LLC Board: Council was provided with various documents for approval. The first was a new Code to replace the existing Code as revisions were required. The revisions were done with the assistance of Leonika Charging, an associate of the Fredericks and Peebles law firm. A motion was made by Councilmember Davis to approve the revised Code and resolution as presented. The motion was seconded by Councilmember Mix. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried. RESOLUTION PL 58-11**

The next item was an Operating Agreement to form Tribal Source, LLC. Council discussed changes to the resolution. A motion was made by Councilmember John to approve the Operating Agreement and resolution as amended. The motion was seconded by Councilmember Collins. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried. RESOLUTION PL 59-11**

The final item was a resolution appointing individuals to the LLC Board of Directors. A motion was made by Councilmember John to approve the resolution as presented. The motion was seconded by Councilmember Mix. Votes were

(Continued on page 20)

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7 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). Motion carried. **RESOLUTION PL 60-11**

Chairman Burke announced the names of the individuals appointed to the LLC Board as follows: Steven Wadsworth – Council Seat; Carla Molino, Brian Wadsworth, Tanda Roberts, and Carrie Heglund.

Emergency Response – Don Pelt: Council was provided with two memorandums outlining recommendations for possible firework shoot sites in Nixon and Wadsworth. Don Pelt informed the Council that the Washoe County Bomb Squad had offered it services to dispose of spent munitions. Don Pelt also recommended that the Tribe provide galvanized steel cans for disposal of fireworks munitions which would be safer than plastic containers. Additional signage is also needed. Councilmember John asked about the clause in the permit that Emergency Response personnel would be physically at the shoot sites for monitoring, and if this had impacted Emergency Response's ability to respond to calls. Councilmember Mendes commented this was not reasonable to expect from the volunteers. Councilmember John pointed out this was stated in the flyers at the stores where the fireworks were sold, that the sites would be monitored. Don Pelt responded he would review the flyer.

Council heard comments from Joe Mendes regarding the upcoming Fourth of July weekend and the need to plan for this.

Council also heard comments from JoLyne Sander regarding the duties of the Rangers and why the Rangers were shadowing Law Enforcement. Chairman Burke responded these concerns would be addressed with the Acting Chief of Police. JoLyne Sander commented further on the duties of the Rangers. Councilmember Davis asked Chairman Burke if the Rangers and Police were separated as the Council had requested this previously. Acting Chief of Police DePoali responded to this concern and informed the Council of the budget constraints that prevented this from occurring. Chairman Burke noted there were budget constraints and no resources available to the Rangers to make a separation of the two departments possible right now. He further noted his responsibility to make sure the officers and rangers have the appropriate resources.

Councilmember Mix asked Don Pelt if he had looked at the Cemex area as a possible firework shoot site. Don Pelt responded they did look at an area on Hill Ranch road by the Wadsworth cemetery. JoLyne Sander noted this area was a land assignment belonging to Ted James. Councilmember Crutcher asked if they looked at the Sand Mountain area. Don Pelt responded to Councilmember Mix's question and that he would have to double-check this area. He discussed the S-S area as a potential shoot site, and proposed that the Council approve certain areas for use during the Fourth of July holiday weekend only such as at Windless and Separator Bays, and at the Warrior Point area. Councilmember John noted they should keep it as is initially since it is new and see how it all went. Councilmember Mendes commented on the two beaches that Don Pelt mentioned as one of the beaches was a family beach and the other allowed alcohol use. Scott Carey noted he did not designate any beaches as alcohol free but it was listed on the permit.

Don Pelt suggested the Council consider the dry lake bed at Nixon near the lake, and the S-S turn at Wadsworth. Councilmember Davis discussed her concerns with having a shoot site at the S-S turn as this could pose a potential traffic safety hazard as the site is right at a curve on the highway and drivers could become distracted. Acting Chief of Police DePoali commented that the S-S location would need signage for enforcement.

Council agreed to not designate the S-S turn as a shoot site location, and to designate the dry lake bed area for a shoot site.

A motion was made by Councilmember Wadsworth to approve the designation of the dry lake bed area for a Nixon shoot site. The motion was seconded by Councilmember John. Votes were 6 FOR and 2 AGAINST (Davis, Garcia); with 0 ABSTENTIONS. **Motion carried.**

OST Resolution: Chairman Burke presented a resolution to update the individuals authorized to oversee the Tribe's investment accounts with the Office of the Special Trustee. The update was to remove the name of the former Comptroller and replace it with the name of the Accounting Supervisor in Finance. A motion was made by Councilmember Mendes to approve the resolution as presented. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

RESOLUTION PL 61-11

Law & Order Committee – Approval of Code: JoLyne Sander, Chairperson of the Law and Order Committee presented the Committee's recommendation to approve the

revised Law and Order Code and resolution. Councilmember John noted the Committee's work on the Code, and asked if the finalized Code was provided to Wes Williams, Jr. for a final review. JoLyne Sander explained Wes Williams, Jr. had requested a version of the Code showing all markups; however, the Committee made these markups to a hard copy of the document.

A motion was made by Councilmember Davis to table the revised Law and Order Code and resolution for review by legal counsel. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS.

Motion carried.

Councilmember Garcia asked about the chapters marked as "Reserved" in the Code. JoLyne Sander explained these are for existing ordinances which would eventually be incorporated into the Law and Order Code.

Della John informed the Council of the upcoming National Sacred Sites Prayer Day on June 21st at the Pyramid and Stone Mother from 10:00 a.m. to 11:00 a.m. She asked if the Council would allow this to take place since this was a closed area. The Council had no problem with this since Tribal members would be there.

ADJOURNMENT

A motion was made by Councilmember Mix to adjourn the meeting. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS.

Motion carried.

The special meeting of June 17, 2011 adjourned at 9:54 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 1st day of JULY, 2011, having nine (9) members present, constituting a quorum, by the vote of seven (7) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES- June 18, 2011

Members Present:

Wayne Burke, Tribal Chairman
Sherry Mendes Johnnie Garcia Gordon Crutcher, Jr.
Steven Wadsworth Leona Collins Genevieve John

Members Absent:

Mervin Wright, Jr., Vice-Chairman
Judith Davis Irwin Mix

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the June 18, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 9:18 a.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Vice-Chairman Mervin Wright, Jr., and Councilmembers Judith Davis and Irwin Mix were absent from the meeting. All other Councilmembers were present at the time of roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: Firework Shoot Sites – Wadsworth was added under Unfinished Business. A motion was made by Councilmember Collins to approve the agenda as amended. The motion was seconded by Councilmember John. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

UNFINISHED BUSINESS

Constitutional Amendments: Present for this item was Fred Drye, Tribal Operations Officer for the Bureau of Indian Affairs – Western Nevada Agency. Council was provided with a copy of the Bureau's comments regarding the proposed constitutional amendments. Fred Drye discussed the amendment process and the changes that were made to the proposed amendments that were submitted by the Tribe back in March.

He recommended the Council consider enacting a new resolution since the resolution previously enacted was based

on amendments that were submitted in March. He further noted the previous resolution would need to be rescinded. Fred Drye discussed his review of each proposed amendment and his comments.

Fred Drye discussed the first proposed amendment referred to as Amendment 1. He noted the Tribe was proposing to amend Article IV, Section 4, to lower the voting age from 21 to 18, and remove the legal residency requirement which would allow voting by non-reservation tribal members. Councilmember Mendes discussed the changes made to the amendments based on the Council's discussion as there was no residency requirement in the March version of the amendments, which the Council wanted restored to the proposed amendment.

She further noted the only item that would remain in the amendment would be changing the voting age to 18 from 21. She asked the Council if this was correct. Councilmembers responded yes. Councilmember Mendes explained she highlighted this section as it was placed back into the proposed amendment, and changed the voting age to 18 years. She further explained this would be included in the explanation for the amendment, and that everything that was highlighted in the March document was based on the directives given by the Council.

Fred Drye informed Council this would be in conflict with the next amendment – Nominations and Elections as the explanation stated this was a new section that would be added. He noted this would be in conflict with what was included in the first amendment because of the requirement to maintain legal residency. He noted one requirement is for voting and one requirement is for candidacy. Councilmember Mendes explained if a person was on the voting list then that person had the right to vote, should they have to leave the reservation on Christmas and were not present to vote. She noted it was for the eligible voters. Chairman Burke clarified it was an absentee ballot for eligible voters. This was discussed further.

Fred Drye discussed the amendment regarding absentee voting which was previously drafted as that version was allowing absentee voting for all tribal members over 18. Councilmember John informed Fred Drye of the Council's previous discussion regarding the eligible voters and the purpose for the absentee ballot. She further explained it was for eligible voters who for some reason knew they would be away from the reservation and would not be able to vote; this would give them the option of having an absentee ballot to vote before they left.

Chairman Burke noted the term "eligible voter" was what was going to keep everything consistent across the board. Fred Drye discussed absentee voting and asked if there were exemptions from this such as for military service, or education. Councilmember John explained the person would have to physically be here on the reservation to vote. Fred Drye asked Council if they were going to leave the residency requirement in the proposed amendment. Councilmembers replied yes. Council further discussed the residency requirements and exemptions from voting.

Chairman Burke noted they would need to define the term "absentee ballot" and explain what the purpose is for. Councilmember Mendes asked if there was a definitions page in the Constitution.

Fred Drye explained it would need to be included in the Election Ordinance. Councilmember Mendes discussed the possibility of including a booklet-size copy of the Election Ordinance to tribal members at the time they register to vote to let them know of their responsibilities as a voter.

Fred Drye discussed his comments to proposed Amendment 1 and informed Council to disregard those comments because it was based on some of the original amendments that were drafted by Vice-Chairman Wright. He explained this further and recommended that the Council include the explanation of the absentee ballot and the residency requirement. He noted the Constitution should be kept in general terms so it would be easier to read and not be confusing. Chairman Burke noted the residency requirement would remain the same; they were going to identify who the absentee ballot would include and the purpose of the absentee ballot; and changing the voting age from 21 to 18.

Councilmember Mendes asked if they were going to put in additional language to Article IV into the proposed amendment. Fred Drye responded no because they were going to explain it. Councilmember Mendes noted they should include it even though it may be repetitive, it would be clear in the Constitution as to what the Council meant. Fred Drye explained it would depend on how long the Council wanted the language to be. He noted the Constitution language should be kept in general terms and the explanation or procedure would be written into the ordinance which in this case would be the Election

(Continued on page 21)

(Continued from page 20)

Ordinance.

He explained the Election Ordinance would spell it all out but it would be up to the Tribal Council. Councilmember Mendes commented that not too many people came back to the Council with the Election Ordinance, but many come back with the Constitution. She further noted if the Council could be clear in what it wanted in the Constitution, and then it would not be negotiable as the ordinance could be changed if it did not match, but with the Constitution they wanted to be clear about what the intent was.

She commented the language should be included with the proposed amendment because a year from now or after the vote, the explanation went away. She further noted nobody else would have access to the explanation as to why it got changed.

Fred Drye asked if what Councilmember Mendes was proposing then was that an additional explanation be put in there. Councilmember Mendes explained she was proposing to put the language that was above, back in to explain what an eligible voter would be. She noted eligible voters were 18 years of age or older who had maintained a legal residence for at least one year on the reservation; that would eliminate any doubt as to who that might be.

Councilmember John suggested the following: "Voting at special and tribal elections is conducted at a designated polling place or by absentee ballot for eligible voters as defined in Article IV, Section 4." She explained that way whatever changes were made would refer to that Article. Councilmember Wadsworth noted that would be good because the voters may not even approve the amendment. Fred Drye explained it was up to the voters and would depend on the outcome of the vote and it would either be approved or disapproved.

Fred Drye discussed the next amendment which was Amendment 2, to Article III, Section 2 (a) which would allow the Tribal Chairman and Vice-Chairman to serve a term of four years or until their successors were elected. He read aloud the proposed amendment and noted the change was taking out the term limits. Councilmember Mendes noted there was section in the proposed amendment that Fred Drye had recommended be taken out and put into its own amendment. Fred Drye explained that under the original Constitution, it made reference to the first elections that would be held back when this article was first amended.

He further noted it made reference to the first election and that was taken out because they wanted to put that down into the election section under another article. He noted the amendment would read that the first election after these amendments were approved, then that would spell out the process. Councilmember Mendes explained the section was highlighted in case there were any questions.

Fred Drye noted it did not look right and was placed into its own section under Article III, 2 (a) because there they were talking about the terms of the Chairman and Vice-Chairman, the qualifications, and how long they could serve. Councilmember Mendes noted it was not deleted, it was placed somewhere else. Fred Drye explained his comments on this amendment. He noted the portion was taken out and moved to Article III, Section 4 because that way it was clear. He further discussed the terms "may" and "shall."

Chairman Burke asked about the highlighted areas in Amendment 2 under the proposed amendments and if any of those were going to be changed or left the way they were. Councilmember Mendes explained it was taken out and this was exactly the way the Council wanted it to read. Councilmember John noted in the explanation they should say, rather than clarifying the term limits for consistency, they should say that it clarified the Chairman and Vice-Chairman may serve more than two terms.

Fred Drye noted the other thing they wanted was to make the references to the Chairman and the Vice-Chairman to say Chairman or Vice-Chairman, instead of Chairperson or Vice-Chairperson, to remain consistent throughout the entire Constitution. Councilmember John asked if they understood what she had said on the explanation. Councilmember Mendes responded yes and explained on the amendment for the Council, this was changed back to Councilmen instead of Councilpersons. She explained the changes further.

Fred Drye discussed the terms "must" and "shall" and noted the term "shall" was stronger. Chairman Burke discussed the provision "must have lived on the reservation one year immediately preceding his announcement of such candidacy" and noted it was written to address this requirement.

Councilmember Mendes discussed the terms "must" and "shall" and noted they should use the term that was the strongest in meaning so that it would be clear and not open to

interpretation. Fred Drye recommended they use the term "shall" for consistency. Council discussed the definitions of the two terms "shall" and "must" further and agreed to use the term "shall."

Fred Drye discussed the language under the same amendment and recommended to add in the words: "Section 2 (b)" which was for the Councilmen. He noted the only thing that was taken out of the proposed amendment was the reference to the first election from the provision that was in the present Constitution.

Fred Drye discussed proposed Amendment 2, Article III, Section 4. He explained it was to address the first election following approval of the amendment. He read the proposed amendment aloud and explained the Council needed to follow the tribal elections to make sure the Councilmen continued on serving out their terms under the original Constitution. The amendment explained the election would occur after this amendment only. Fred Drye noted this would remain in the Constitution. Councilmember Mendes noted it would be a historical record of how it happened.

Fred Drye discussed proposed Amendment 3. Councilmember John asked about Article III, Section 4 that was approved in 1962. She noted if they looked at Amendment 3, that took Article III and redid the whole thing and in that amendment, they did not put in Section 4. She further noted it only had Sections 1, 2 and 3, and was done in February, 1973.

Fred Drye explained this amendment was inconsistent with the Constitution. He discussed the past elections that were held, and the staggered terms of the Council which were 6 coming in at one election and 4 coming in the next election. He noted prior to that it was 5 and 5, and that was under this amendment. He explained it was never changed, even with the 1972 amendment that came in to change the staggered terms to 6 and 4 so there was an inconsistency with the Constitution.

Councilmember John discussed her understanding of Article III and that it amended the article in its entirety, that it took what was in Article III and replaced it with what was approved in 1972. She read aloud the amendment as it was written: "Article III is amended in its entirety to read as follows." She noted it only addressed Sections 1, 2 and 3 and she understood the amendment removed Section 4 and that Section 4 was no longer in the Constitution under Article III.

Fred Drye explained Section 4 was amended once and was done by Amendment 2 which was approved on February 23, 1962. Councilmember John noted that Amendment 3 took the entire Article III and replaced it with this amendment which did not include Section 4. She further noted the section was removed when the amendment was approved. Fred Drye agreed that all five sections were removed in 1972 with the new amendment. He corrected his earlier statement and explained this further.

Councilmember John noted when the amendment was done in 1972, there was no Section 4 added. Fred Drye discussed the 1972 amendment further and noted the Tribe did not amend Section 4. He asked how this was taken out of the Constitution. Councilmember John explained the amendment stated that the amendment replaced Article III in its entirety and the amendment only had Sections 1, 2 and 3; there was no more Section 4. Fred Drye explained it was a matter of interpretation then and that the Tribe would need to take this to legal counsel for review. He discussed the language of Amendment 3 – Governing Body stated "It shall be amended in its entirety to read as follows" with Sections 1, 2 and 3; it did not have Section 4. Fred Drye asked if that was what Councilmember John was saying. Councilmember John responded yes. Councilmember Wadsworth explained it took out Section 4 but it also added Section 4 under definitions for the Chairman, Vice-Chairman and the Council. He read aloud the original provision for this. Council discussed this provision further.

Fred Drye recommended the Council have its legal counsel review the amendment further to determine if that was eliminated by the amendment. He further noted if that was the case and the Constitution no longer had Section 4, if the Council wanted to add Section 4 back in with the proposed new amendment. He noted if the Tribe's legal counsel said that Amendment 3 removed Section 4, and the wording in Section 4 was no longer there by that amendment, they were coming in with new amendments adding a new Section 4. Fred Drye explained they were adding Section 4 to explain what was being proposed here. Councilmember Mendes noted this changed the section and the number of years. She asked if that was what they were getting at in defining because they changed the terms.

Fred Drye explained what they were doing with that amendment was explaining what the first election would be after this amendment to make sure the staggered terms continued on. He noted that was all they were doing with this

amendment and that in 2012 they would have the first election under the new terms, if the Secretarial election was held. He explained the tribal elections would be held in December, 2012 and at that election the Chairman, Vice-Chairman and four Councilmen would be for 3-year terms.

He further explained that was for the first election under the new amendment with 4-year terms thereafter; then the four Councilmen would serve out their 2-year terms with 4-year terms thereafter; all of the staggered terms would continue on once all of these things are done after that first election. He noted all that provision was doing was explaining what would happen at that first election once the amendment was approved. He further noted the Tribe would be adding a new Section 4, depending on what the legal interpretation was regarding Section 4 being eliminated with Amendment 3.

Councilmember Collins discussed her understanding of Amendment 3, and that it had Sections 1, 2, and 3, but that Section 4 remained unchanged. Fred Drye explained the argument would be that Amendment 3 changed the article in its entirety. Councilmember Mendes noted the entirety would be Sections 1, 2 and 3, and not 4. Fred Drye explained it was a matter of interpretation; the Tribe needed to take that back to legal counsel and find out if Section 4 was removed in 1972 or if it was not removed because of the term "in its entirety" and then some of the Council were saying that it was not because it was not included in the amendment. He explained if it was not in any of the amendments that were being proposed, then it was still in there. He noted that was the argument.

Chairman Burke informed Council he would have this forwarded to Wes Williams on Monday and will provide a copy of his response once received. Fred Drye explained either way they would be coming in with a new Section 4 with the amendment as they needed to have this new language in there to continue with the staggered terms after the Secretarial election. He further explained that Amendment 3 did not say it was amending Section 4, it said it was amending the sections in its entirety.

Councilmember Wadsworth noted they did not need to get the attorney involved in this as the Council could make this decision. He explained as it read as Councilmember John stated earlier, the amendment stated that Article III – Governing Body was amended in its entirety to read as follows, and then the section that was in the original Constitution was taken out and put into these definitions. He further explained that what he was hearing was that Section 4 from the original Constitution was never taken out. He asked if this was correct. Fred Drye told Councilmember Wadsworth he was hearing both arguments.

Councilmember Wadsworth noted to him, Section 4 was taken out because it was amended. He asked why they would leave Section 4 in there and then add the definition in there if Section 4 said what was included in the amended Sections 1 and 2. Fred Drye explained what the amendment said right at the beginning that it shall be amended in its entirety and they had Sections 1, 2 and 3; they did not have Section 4. He noted Councilmember Wadsworth was saying that Section 4 was taken out. Councilmember Wadsworth agreed.

Councilmember Mendes explained that language was in the body of the explanations regarding the election of the Chairman, Vice-Chairman and Councilmen, and that it was right in the middle of it and did not fit as a reference to. She asked if that was correct and discussed this further. She noted that someone along the line must have interpreted it to mean that Section 4 was still there. She discussed this further.

Fred Drye explained the Bureau could not interpret the Constitution for the Tribe, and that the Tribal Council or its legal counsel would have to do it or it could be taken to Tribal Court for an interpretation of what Amendment 3 really meant. Councilmember Garcia asked Fred Drye if it looked like they were replacing all of the Amendment 3 with the new language in the proposed amendments or parts of it. Fred Drye responded the Tribe was replacing the whole thing. He explained the Tribe was amending (a) and (b). Councilmember Garcia asked if the rest of it remained. Fred Drye explained it was depending on what the interpretation was of Amendment 3, Section 4 as they would either be adding a new Section 4 or amending Section 4 depending on what the interpretation was.

Councilmember Garcia asked about the section where it talked about Councilmembers being elected from within the Council and if that would stay there. Councilmember John noted that was amended in 1972 to elect the secretary and the treasurer and such other officers. She further explained it was re-worded in the 1972 amendment. Fred Drye agreed it would remain in there because they were not saying it was going to be amended as there was no language to state it was being amended in its entirety. He further explained they were making reference to Article III, Section 2 (a) and 2 (b). He noted the

(Continued on page 22)

(Continued from page 21)

question right now was on Section 4 as they were not going to be amending Section 3 as it would remain in there.

Councilmember Mendes asked about the explanations to the amendments and if somebody could read them to make sure they were not repetitive or if the explanations needed to be rewritten. Councilmember John noted she would say they were proposing an amendment to Article IV because of the change in the terms of office and it explained how they were going to handle the elections if the 4-year term was approved. She further noted that would bring up the question of if the voters did not approve the 4-year term but somehow this other section got approved.

Fred Drye explained what they had wanted to do before was to include that all into one amendment. He further explained all of the references to the 4-year terms, as they had wanted to include it into one amendment. Councilmember Mendes noted it was included in proposed Amendment 2. Fred Drye asked what would happen if the voters voted it down. Councilmember Mendes explained if they voted for Amendment 2 and said yes to number 2, they said yes to Article III all the way through to Section 4 because it was all going to be under the one amendment; they all went together. This was discussed further.

Councilmember John asked if they should remove the Yes and No votes on the proposed amendments and state instead that a Yes vote would impact all of these sections to allow 4-year terms for the Chairman, Vice-Chairman and Councilmen. She noted they would remove all of the options of Yes and No and include them at the top of each amendment. Councilmembers were in agreement with this.

Councilmember John noted her confusion as the Yes and No vote options were still shown for each proposed amendment but they really only have 3 amendments that would be voted on. Chairman Burke clarified they needed to make sure it was indicated what would be impacted by the Yes or No vote. Fred Drye noted the next amendment they would be discussing could be included into Amendment 2. Councilmembers agreed to place it all into one amendment.

Councilmember John noted once they got the amendments finalized they needed to start putting out information in the newsletters, posting, and putting out the amendments so people would see it and would understand what was being proposed. Chairman Burke noted as long as the Council was all in consensus and understood what was being put out there.

Councilmember John discussed the need to plan a semi-annual Council meeting with the community.

Fred Drye noted that what was proposed as Amendment 4 would now be included under Amendment 3 which was the removal and recall provision. He also discussed the changes that were made to this amendment. Councilmember John noted the criminal offense had been included in the original proposed amendment and that she did not agree with this. Councilmember Mendes noted she had forgotten to remove this from the draft.

Councilmember John discussed her concerns regarding having the criminal offense in the amendment as a requirement to run for office. She noted this should not be held against an individual who has managed to change their life around. Chairman Burke agreed with this. Council discussed their concerns regarding this requirement further.

Fred Drye discussed the provisions of the current Law and Order Code regarding criminal offenses and informed Council they would need to draw the line somewhere. He explained that depending on the offense that was in the Law and Order Code, if that wording were to be in there "convicted of a criminal offense" if a person was convicted in Tribal Court of any of those offenses, a person could be removed from the Council if the amendment were to pass. He noted there were a lot of offenses in the Criminal Code.

Councilmember Mendes noted it should be based on the ethics of the position. She further noted her feeling that she would not be a judge and jury on a criminal offense. Fred Drye informed Councilmember Mendes if the amendment were to pass she would be, because she would be voting to remove that Councilmember.

Councilmember Mendes explained that would be based on their ethical conduct and their ethical conduct was inappropriate because she would not say they were double-judging a person and were convicting a person again of that crime. She further noted they were saying that the crime created an ethical image of the person that they could not tolerate. Councilmember Mendes discussed this further.

Chairman Burke discussed the intention of the proposed amendment and that he agreed with the intention, but he did not agree with it being turned around and used as a tool for people to remove Councilmembers. Fred Drye noted it could

be used that way and is really an ethics code violation when they talk about improper conduct and this would have to be explained in the code of ethics. He discussed this further. He also noted the Tribe did not have any documents to fall back on that describe what misconduct really meant.

Chairman Burke discussed his concerns regarding the proposed amendment and the code of ethics which would be discussed later on in the meeting. Fred Drye discussed the need to keep the Constitution in general terms and what would explain all of that which would be the policies or any type of code process the Tribe had. He noted a code of ethics would explain what improper conduct or gross neglect would be; it would not be explained in the Constitution.

Councilmember Mendes discussed her comments on the next proposed amendment addressing recalls and the costs of having additional elections. Fred Drye noted that a recall is a right of the people and most constitutions have recall provisions. He noted the Tribe currently has a provision that allows the Council to remove a Councilmember but there was no removal process by the people. He further noted it was an expense but it was a right of the people.

Fred Drye discussed the recall process and the voting requirement of a two-thirds vote which he indicated was quite strict. He noted most constitutions required a one-thirds vote and discussed the voting requirement further. After discussion, Council agreed to keep the two-thirds vote requirement as written.

Fred Drye discussed the next amendment which was Amendment 5 to address legal counsel. He explained that in 2000, the Indian Reorganization Act was amended to state that Secretarial approval was no longer required to approve attorney contracts. He explained the policy of the Western Regional Office was that if tribes still had it in their constitutions that the Secretary was to approve attorney contracts then they were still required to be approved by the Secretary. He noted the Tribe still had that requirement in its Constitution but if they were to amend it to state that the Secretary approved contracts only if required by Federal law then they would be covered. Councilmember John requested to add the following: "This will amend Article VI to comply with Public Law 106-179 dated March 14, 2000 that that authorizes tribal governments to employ legal counsel without approval by the Bureau of Indian Affairs."

Fred Drye discussed Amendment 8 regarding lease provisions and noted the Council was doing the same thing here as with the previous amendment to put language in to make it consistent with federal law and Article VII of the Constitution regarding the lease provisions under Article VI, Section 1 (c). Councilmember John asked Fred Drye if the Corporate Charter had to be done differently since it was not included with the amendments.

Fred Drye explained that was his other comment because they would probably want to combine these two into one amendment but he was told that it had to be a separate secretarial election to amend the Corporate Charter. He noted there would have to be an election for the Constitution and another election for the federal charter so there would be two separate secretarial elections. He explained the second amendment to amend the corporate charter could not be done right now and that the Tribe would have to submit a separate request for that.

Fred Drye commented the Tribe may want to consider amending the corporate charter in the future because it would be inconsistent with the Constitution. He noted the reference on the lease approval still had a time requirement of five years which was the same as in the Constitution. Fred Drye further explained the lease could go as long as required by Federal law up to 99 years.

Fred Drye discussed the last amendment which would be to the By-laws for the Tribal Council meetings to state they would have two meetings per month and that the meeting dates could be changed at the discretion of the Council.

Councilmember Garcia discussed the need to amend Article XI – Guardianship to correct the spelling of the word "mine" to "minor." Council agreed to include this as Amendment 8.

Chairman Burke noted the Council needed to rescind its original resolution PL 34-11 which included first version of the amendments. A motion was made by Councilmember John to rescind Resolution PL 34-11. The motion was seconded by Councilmember Mendes. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Council agreed to see a final draft of the amendments at the June 22, 2011 meeting, along with a new resolution.

Fred Drye discussed training he could provide to the Council on conducting meetings and establishing rules of procedure which would be useful for the Council to fall back on. He noted the By-laws were very general as to how meetings

were conducted and controlled. He offered to provide this training to the Council and discussed the various council meetings he attended. Councilmember Collins suggested inviting all of the boards and committees to attend the training as well. Councilmember Crutcher discussed the need for an orientation for new Councilmembers to learn all of the tribal business. Chairman Burke discussed possible dates to schedule the training. After discussion, Council agreed to schedule the training for Saturday, July 16, 2011 at 9:00 a.m.

A short break was taken from 10:55 a.m. until 11:00 a.m.

Code of Ethics: Chairman Burke gave a brief overview of the discussion to date regarding the proposed Code of Ethics, and informed Council of Fred Drye's attendance for technical assistance in finalizing the document. Fred Drye informed Council that a code of ethics was not required by Federal law for tribes. He noted the references to requirements of Federal law contained in the Code would need to be taken out since it was not required, unless it was required by the Tribe's Constitution. He further noted the Tribe's Constitution was brief and had a provision that authorized the Tribal Council to enact resolutions and ordinances regulating procedures of the Council itself, and other federal agencies and tribal officials of the reservation; this could include the Code of Ethics as long as it was regulating the procedures of the Tribal Council.

Fred Drye discussed the requirements of Federal employees under a code of ethics as they had a manual that made reference to all of the law requirements under each law that they had to comply with. He discussed this further.

Fred Drye recommended that a code of ethics be kept very general as long as it met the requirement of what the Tribe's needs were. Chairman Burke asked Fred Drye if he felt the proposed Code was too long. Fred Drye responded it was a little long and could be cut down depending on what the Council wanted in it. He explained it was the dos and don'ts of a tribal council and where they would draw the line. He noted he did not see anything in the code regarding the use of credit cards. He discussed past credit card abuse he observed from other tribes at various conferences and trips and noted they should comply with some type of ethics code.

Councilmember John noted it should be in the Tribe's financial management policies. Fred Drye commented the credit cards should not be used to buy alcohol which some of the tribes had done in the past. He explained there had to be a credit card policy on how a credit card was used and whether or not the Council wanted to include this in its code of ethics; this was a Council decision. Fred Drye discussed examples of potential credit card abuse further.

Fred Drye discussed his comments on the proposed Code. He noted the Code should be tailored to the needs and values of the Tribe; how often the Code would be reviewed for updates; be clear on who the Code would cover; make sure when the Code is adopted that education is done for all of the committees, boards and commissions so they would know their responsibilities under the Code. He also commented that the Code needed to be clear on the enforcement and penalties that would be applied which was already in the Code.

Fred Drye discussed this further and noted it was already in the Code. He recommended that the Council use Article VI, Section 1 (m) of the Constitution to cite as the authority for the Code. He noted the Code would not require Secretarial approval and could be approved by resolution or ordinance, depending on how the Council wanted to get it approved.

Fred Drye discussed some of the things that should be included in the Code and that the Council not use its authority as a Councilmember or an officer for private gain. Councilmember John noted conduct of past Tribal Chairmen in using their authority to be seen first at the Clinic, as an example.

Chairman Burke asked a question about an item at the bottom of Page 3 which listed the boards, committees, working groups, and if it would be better to omit that list and include that the Code applied to all boards, committees, and groups, or if they should list all of that. Fred Drye noted the beginning of the Code stated that it applied to all members of committees, boards and commissions. Council agreed to remove this from Page 3. Fred Drye explained if it is all listed like that, they would have to change it if a committee or other group was done away with or added.

Councilmember Mendes commented the Code was too wordy and discussed the definition of relative, and whether or not it should match the definition used in the Personnel Policies. Fred Drye discussed the term "relative" and noted that on most small reservations everyone was related. Councilmember Mendes discussed the definition of the term further. Fred Drye recommended the Council define that and to be consistent with all of its other documents.

He also discussed the responsibility and conduct of the

(Continued on page 23)

(Continued from page 22)

Council representing the Tribe at different functions. He gave an example of a Councilmember being asked to speak at an event for money and recommended that this not be done for money because it would only be for their personal financial gain. He discussed the need to draw the line between following the code and making these types of decisions. He noted a Councilmember, the Chairman or Vice-Chairman were already being paid by the Tribe and should not be paid for anything else.

Councilmember Mendes asked about representing the Tribe at a national level and being asked to speak at an event and whether or not she could ask that the money be donated to a specific group and if that would be acceptable. Fred Drye responded it would have to be written into the Code to make sure she would be in compliance with that. He noted it was based on the Tribe's needs and not anybody else's. Councilmember Collins asked Fred Drye about receiving non-monetary gifts. Fred Drye responded that would be something else, and if they would be able to accept gifts as most places would say no.

Chairman Burke noted this was a part of the culture and discussed his recent speaking engagement at the Judicial College as he was given a Pendleton blanket as a gift. He noted that was a part of the Tribe's culture. Councilmember John noted under the proposed Code he could not accept it. Councilmember Mendes noted the proposed Code was too punitive. Fred Drye commented they could make an exception but it would need to be written into the Code to say these would be the exceptions. Councilmember Wadsworth noted it would be a tribal custom.

Chairman Burke had the Secretary read aloud the definition of "Relative" as written in the Personnel Policies: "A relative is any person related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage." She also read the definition of "Immediate Family." "That group of individuals including the employee's spouse, parents, children, grandparents, grandchildren, sister, brother, aunt, uncle, niece and nephew." She noted the definitions did not include in-laws or step-children.

Chairman Burke discussed receiving a gift from another group or tribe, and that rejecting such a gift could be considered as an insult. He noted they had to respect those traditions and customs when they think about how punitive they wanted to be with the Code.

Fred Drye noted they needed to write it in there because in the proposed Code this was not allowed. Councilmember Mendes noted there was a difference between a gift and a bribe. She discussed an example.

Chairman Burke discussed the proposals received by the Tribe and the invitations to visit other facilities paid for by businesses that were approaching the Tribe. Fred Drye noted there was nothing wrong with that but they would have to draw the line and determine if it was for personal gain. Councilmember Mendes discussed offers that had nothing to do with the businesses that could be offered to the Tribe. Fred Drye recommended the Council be clear on that in the Code.

Chairman Burke discussed the possibility of having Councilmembers follow up on making changes to the Code. Fred Drye recommended the Council include provisions in the Code to address waste and fraud of tribal resources and funds to make sure it was used and spent correctly.

Councilmember Mendes discussed the lack of qualifications required for persons applying to serve on any of the Tribe's committees and questioning their ethics after the fact.

Chairman Burke discussed last night's presentation from Amberson Motor Sports and the need to establish a committee to work on this project, and the Council's request to open it up to the community. He discussed his concern with the disclosure of proprietary information and internal business which he used as an example to illustrate the qualifications and whether or not it would be established in a code of ethics.

Fred Drye discussed the importance of confidentiality and the disclosure of classified or privileged information to an outside party. He explained the members of the Council and members of the Tribe's committees and boards were bound by the confidentiality policies of the Tribe. He cited the records of Enrollment as an example and discussed this further.

He also discussed the closed sessions of the Tribal Council which were not to be disclosed to anybody else but that leaking this information to outside parties would be considered disclosing privileged information and the person that leaked the information should be held to that. This would be processed under the Code of Ethics against that Councilmember. Fred Drye explained this was just an example. He noted that was why confidentiality was so important. Councilmember Mendes

commented those were the most important things to have in an ethics code. She discussed this further.

Councilmember Garcia commented on the sample code provided by Councilmember John from the Skokomish Tribe and noted the standards of conduct that were included in the sample code were similar to what was reviewed by Fred Drye. Council discussed this further.

Council discussed the need to review and redraft the proposed Code of Ethics. Fred Drye offered to work with whomever the Council designated to complete this task. Councilmembers Mendes and John volunteered to work on the Code. Councilmember John requested a digital copy of the Tribe's Personnel Policies with the amendments included.

Fred Drye discussed his concerns regarding gaming and tribal representatives who gambled while on tribal business and the conduct of tribal representatives during travel. Council discussed this further.

Fred Drye requested a copy of the revisions made to the draft Constitutional amendments and left the meeting at this time.

Councilmember John asked the Councilmembers to forward her any questions or comments regarding the proposed Code of Ethics, or if they found any sample codes from other tribes, to forward the information to her or to Councilmember Mendes.

Wadsworth Firework Shoot Sites: Councilmember John requested that they make an effort to find an alternative shoot site in Wadsworth. Chairman Burke discussed the S-S location and asked if the Council would be amenable to other options for this location as the fire impact was low at this area. He informed Council that staff would look at other sites and forward the information to the Council as soon as possible.

Councilmember Crutcher asked about using the right side of the Paiute Pit area. Chairman Burke informed Councilmember Crutcher that they needed to confirm the boundary lines with Realty. Councilmember John noted that kids used the hill for four-wheeling which needed to be considered if they were going to use that area for fireworks. She further noted her main concern was regarding the road entrance.

OSS Motor Sports: Chairman Burke informed Council of his meeting scheduled with Eric Amberson later in the day. He further informed Council of his discussions with some of the LLC Board members at last night's meeting. Chairman Burke discussed his concerns regarding last night's meeting with Mr. Amberson. He informed the Council the Tribe was still moving forward with OSS Motor Sports and a steering committee would be formed to work with Mr. Amberson on this event.

Councilmember John discussed her concerns and why she voted against the project. She noted she had asked at the initial meeting with Mr. Amberson if they would have all of the information available for the Council by the June 17th meeting and although Mr. Amberson had preliminary numbers when he met with the IDT, the Council needed to actually see those numbers.

She further noted both Scott Carey and Mr. Amberson had indicated they would have that information but somewhere down the line that had changed and the Council could have been sent an email informing them of the status of negotiations with OSS and to let them know they would probably not have an agreement by the next meeting but that they would have a letter of intent.

Councilmember John further noted the Council had been led to believe they would be presented with an agreement and instead were presented with a letter of intent. She noted she had thought the Council would have been provided with all of the information and agreement that was needed to make a decision to confirm and move forward.

Councilmember Mendes commented that was her expectation but she was not surprised that it did not happen. She noted the Council still had not been provided with any numbers from Mr. Amberson. She also commented on the discussion with Mr. Amberson at last night's meeting.

Councilmember Garcia discussed his concerns regarding the project and noted its similarities to the HDR lease where the Tribe did all of the things HDR wanted with nothing else in place for the Tribe. Councilmember Mendes asked if they did not make as much money the first time out, if they would be satisfied with that for the next five years.

Chairman Burke informed Council they were still moving in the same direction. He asked Council if they were in agreement to have Mr. Amberson work with the LLC Board in coordination with the steering committee. Councilmembers were in agreement with this.

Councilmember Crutcher asked Councilmember Garcia about the schedule for the parking lot project at Pelican and when that was going to start. Councilmember Garcia responded the project is in the design stage. Councilmember

Wadsworth noted that was the second priority. Councilmember Garcia responded yes. Chairman Burke noted that was part of the discussions they had with Councilmember Garcia and whether or not the event was going to interfere with his project.

Councilmember Garcia discussed the project and how they were proceeding with the clearance. He noted they could probably dispense with that for the sake of getting a big event in there but all along they have always asked NAGPRA and everybody else to review those areas.

Councilmember Crutcher commented he thought they were two years down the road to doing a project like this. Councilmember Mendes agreed. She noted they were a year out in developing the project and then another year before it actually happened, then they could see if everyone had it all in order. She discussed this further.

Chairman Burke informed Council they had the letter of intent in place and it has been approved so they would continue to work with Mr. Amberson but it was going to be a long process. He discussed the letter of intent further. Council discussed the limited resources that would be available for an event of this size, and their concerns with the expenses for this.

Councilmember Wadsworth discussed the Tribe's partnership with Mr. Amberson and the need for both sides to watch out for each other since it was to be a collaborative agreement.

Chairman Burke noted the Tribe still had to do its due diligence and they did find out yesterday that Mr. Amberson's company did not have a license which was something he planned to discuss with Mr. Amberson at their meeting. Chairman Burke discussed this further.

Councilmember John suggested that Chairman Burke contact OSS Motor Sports. Chairman Burke informed the Council of his meeting scheduled with the chairman of OSS Motor Sports, and his discussions with Scott Carey regarding the progress of the negotiations. Council discussed this further.

High Desert Recreation: Chairman Burke gave an update regarding this item and informed Council that the Realty attorney would be delivering an Order to Show Cause as to why HDR should not be removed from the premises. There would be a 10-day response time for HDR followed by the judge's decision. If the judge decided in the Tribe's favor they could go to the Marina and have HDR removed.

Councilmember John asked Chairman Burke about HDR's claim that the Tribe owed them for the Ranger invoice and how that could be cleared up. Chairman Burke explained the Tribe was at the level of the IBIA and telling them that HDR needed to post a bond for \$65,000 and HDR was saying they did not have to post anything. He discussed the Tribe's efforts to recover the money that was owed by HDR for back rent but that the Tribe may never see this money. He also discussed the phone call he received from Thomas Bobella in which he told the Tribe to pay him \$2 million and he would leave. Chairman Burke discussed the phone call further.

Councilmember Mendes noted Mr. Bobella had a lease for his business but that it was not his home. Chairman Burke discussed his conversations with Mr. Bobella and that he had verified some of Mr. Bobella's information with the BIA. He informed the Council he would keep them informed as the matter progressed through the court. He told the Council to keep in mind what they would want to do with the facility once it was returned back to the Tribe. Councilmember Mendes noted that people kept asking about the museum that was at the Marina and if it was open again.

Councilmember Crutcher noted according to HDR's report the museum was damaged. He asked if anyone had been in there. Chairman Burke explained all of the artifacts and everything the State Museum had rights to was given back to the State. He further explained Mr. Bobella did not return anything back to the Tribe because he said the Tribe did not have the appropriate documentation but the Bureau stepped in and told him he had no right to hold any of the items and under the lease, he had no rights to any of the collections.

Chairman Burke explained the Bureau had said Mr. Bobella had rights to the building but not to the collections, and Mr. Bobella had claimed the Tribe owed him money for the loss of the exhibits which was a part of the money Mr. Bobella was talking about. Councilmember Mendes noted that nobody owned it because the items were donated and went back to the people who donated it. Chairman Burke explained everything was sent to the Museum and anyone that wanted to get their items back could go to the Museum and do that. He noted a lot of the people had told the Museum to hold on to their items.

Chairman Burke informed the Council of the Indian Health Service's visit to conduct a safety check of the building which was a requirement of the lease. Councilmember Mendes discussed the potential of the building for the future

(Continued on page 24)

(Continued from page 23)

development of a visitor's center.

ADJOURNMENT

There being no further business or discussion before the Tribal Council, a motion was made by Councilmember Mendes to adjourn the meeting. The motion was seconded by Councilmember Wadsworth. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The special meeting of June 18, 2011 adjourned at 12:10 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 5th day of AUGUST, 2011, having ten (10) members present, constituting a quorum, by the vote of eight (8) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

**PYRAMID LAKE PAIUTE TRIBAL COUNCIL
SPECIAL MEETING MINUTES - June 22, 2011**

Members Present:

Wayne Burke, Tribal Chairman	
Judith Davis	Johnnie Garcia
Sherry Mendes	Irwin Mix
Gordon Crutcher, Jr.	Steven Wadsworth
Leona Collins	Genevieve John

Member Absent:

Mervin Wright, Jr., Vice-Chairman

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the June 22, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:05 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmember Irwin Mix arrived after roll call; Vice-Chairman Mervin Wright, Jr. was absent from the meeting. All other Council members were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following items were added to the agenda: Unfinished Business – Constitutional Amendments and 2010 Audit & Enterprise Budgets Update. A motion was made by Councilmember Davis to approve the agenda as amended. The motion was seconded by Councilmember Garcia. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

NEW BUSINESS

Pyramid Lake Police Department – MOA/City of Sparks: Present was Acting Chief of Police David DePoali. Councilmember Davis asked if the document was reviewed by legal counsel. Acting Chief DePoali explained it was sent to legal counsel and was changed from an agreement to a Memorandum of Understanding (MOU). He further explained the Tribe would not be waiving its sovereign immunity under this MOU, and that the MOU was needed for increased patrols, particularly in the Willows beach area to the Nets. The City of Sparks would provide its mounted patrols to assist in beach patrol at no cost to the Tribe, and the mounted patrol would be used on holiday weekends and special events to assist the Police Department. Councilmember Crutcher asked Acting Chief DePoali if he planned to hire more Rangers. Acting Chief DePoali responded he was in the process of recruiting two more officers. Councilmember Crutcher asked Acting Chief DePoali if the mounted patrols would no longer be needed once more officers are hired. Acting Chief DePoali responded the patrols would be on the weekends for increased police visibility on the beaches which would help reduce the number of calls. He explained there was not enough manpower to ensure coverage of the lake area. The MOU was similar to what was in place with Washoe County. It would not be a permanent thing and the mounted patrol would be used on request.

Councilmember Collins commented this would be a good

thing to help the department. Councilmember Mendes asked about the process for arrests and if the Tribe's Police Department would be called if one of the City's mounted patrols needed to make an arrest. Acting Chief DePoali responded yes and they would also handle the arrest and paperwork associated with this. Councilmember Crutcher asked how it would work with Sparks during holiday weekends and special events in Sparks. Acting Chief DePoali responded the City had had 7-8 mounted officers and would be able to send 4 to Pyramid Lake, and keep 4 in downtown Sparks. He explained this would vary but the City has indicated it would help as much they could. Councilmember Davis asked about the timeframe of the MOU. Acting Chief DePoali explained the MOU would be updated yearly. Councilmember Davis asked if the mounted patrols could patrol other areas. Acting Chief DePoali explained they could also be used to monitor the beaches where the firework shoot sites are located.

A motion was made by Councilmember John to approve the Memorandum of Understanding with the City of Sparks as presented. The motion was seconded by Councilmember Mendes. Votes were 6 FOR and 1 AGAINST (Crutcher); with 0 ABSTENTIONS. **Motion carried.**

Internal Investigation Policy: This item was still under legal review and would be brought forward at a later date. A motion was made by Councilmember John to table this item pending legal review. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

NV Department of Transportation Right-of-Way & Resolution: This item was still under legal review and would be brought forward at a later date. A motion was made by Councilmember John to table this item pending legal review. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. Motion carried.

Department of Water Resources – John Jackson

Report submitted. Before presenting his report, John Jackson, Water Resources Director, introduced Karl Anderson of the Natural Resource Conservation Service (NRCS).

NRCS/Karl Anderson – Presentation/Irrigation Program: Present was Karl Anderson to discuss the services available under the NRCS. Karl Anderson distributed settlement information from the U.S. Department of Agriculture. He discussed his review of the Tribe's irrigation system and the areas of concern regarding livestock and water quality. He also distributed his contact information and encouraged the Council to call about upcoming programs. The NRCS was interested in energy development as a resource they would be addressing. Councilmember Davis asked if this material was distributed to the farmers. John Jackson responded he would make sure to get it sent out.

The second item in the department's report was approval of a grant application and resolution for a BIA grant to extend the geothermal project into the Emerson Pass area north of the Needles, to include a feasibility study of the area. Also provided was a budget and scope of work. John Jackson explained this area came up as a high priority area with high readings to reach the required temperatures for geothermal energy. He further explained the application was due to be submitted to the BIA by June 30th and has been reviewed by Tribal Administration. He has also met with Tax, Contracts and Grants, and Finance to discuss the application and budget. Councilmember Davis asked if Tax had any questions or what the comments were. John Jackson responded their main concern was to include new language for the contractors and he would be doing that. He would be using department staff to perform some of the work as they would be doing the shallow temperature surveys. He explained this further.

Councilmember Mendes asked for an update regarding the geothermal project. John Jackson responded the pump tests were done and sent to UNR for analysis and he is waiting for the results. He explained a resource model would be developed which would tell them how much water is there and how hot it was. The educational institutions want to drag it out for two years but once it was done, it would give them good proof of the resources that were there.

Councilmember Mix arrived at this time – 6:32 p.m.

John Jackson discussed the LLC that would be set up to create energy development projects. Chairman Burke asked if this would be separate from the Tribe's LLC. John Jackson responded he was not sure if it would be separate; this would be determined after the administrative review. He explained that the purpose of the Tribe's LLC was that to be a business council for the Tribe. The LLC under DWR would only be for the geothermal projects. Councilmember John asked about the attorney contract and if there was a line item for this in the department budget. John Jackson responded he was informed not to use the contractual line item for legal services.

Councilmember John asked if Indirect (IDC) was included. John Jackson explained he was told that if it was under \$5,000 and contractual, that it would fall under IDC and if it was over \$5,000 then it would not. Councilmember John asked where this was written. John Jackson responded it was coming from Lesley Grove and the auditors. Councilmember John asked if this was written in the regulations. John Jackson responded he assumed it was but did not check.

A motion was made by Councilmember Davis to approve the grant application and resolution as presented. The motion was seconded by Councilmember Collins. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

RESOLUTION PL 62-11

Councilmember Mendes asked that the \$5,000 contractual requirement be confirmed in the regulations regarding IDC.

Strategic Plan: John Jackson informed the Council that the BOR had identified another \$1 million for 2011 and would be getting the funds to the Tribe. He was waiting for written confirmation.

John Jackson discussed the strategic action plan which he presented to the Council. Don Springmeyer requested to give his status report first before reviewing the plan.

Water Team – Don Springmeyer, Ali Shahroody, John Jackson,

Don Springmeyer: Report submitted. Don Springmeyer reviewed the items in his monthly litigation status update, beginning with item number 4 in the report.

Ruling 5759 – Wetlands Transfer Duty: All of the adverse parties have filed appeals to the Ninth Circuit. Don Springmeyer discussed the appeal process which could run into the winter or early spring. This item would probably not involve much expenditure for this fiscal year.

Unappropriated Water: The State Engineer has rejected TCID's request for the unappropriated water. Don Springmeyer discussed the history of this case and the State Engineer's ruling on the remand of the case.

Recoupment: Don Springmeyer discussed the briefing filed and the recalculation. He noted the amount of the recalculation had doubled the judgment and did not include the interest. TCID has to file its brief by July, and the Tribe would file its reply by August.

Ruling 5840 – Smoke Creek I: The Tribe would be filing its brief on Friday and it would be accepted the following Monday. Don Springmeyer discussed the briefing schedule and process which should last until late spring or early summer of 2012. Council was provided with the Notice of Supplemental Authority with Don Springmeyer's report.

Stetson Engineers – Ali Shahroody:

Wadsworth Well Project: Ali Shahroody discussed the progress of the drilling on the DePoali well. The first discharges coming out of the well were at 700-800 gallons per minute. Council was provided with pictures of the well. Ali Shahroody discussed the quality of the water at the well which was high quality. He also discussed the well and drilling operations and the pump test done last week. They normally prefer to run a 7-day test to make sure the well has been stabilized. The testing is done on a step test system which would start low and increase the pumping and the information is analyzed. Ali Shahroody distributed a graph showing the results of the step test. He noted the area was a good resource as the water was pristine. He also distributed the lab analysis of the water and explained the results shown. He noted they wanted to know the extent of this resource and he would prepare a report and submit it to the Council for the next meeting.

Ali Shahroody discussed the well design and pump house for Muni well 4 as there were security issues. Muni wells 2 and 3 were near the school and were sealed. Ali Shahroody discussed the type of pump to be used and its capabilities. Chairman Burke asked about the pump house and if PUD or IHS had said not to do the well this way. Ali Shahroody responded he had communicated this to everyone and they were in support for a remote telemetry operation which would be put in. He discussed the water tank monitoring and the pumps further, and noted he had reduced his activity and was working in more of a defensive mode.

Truckee River Water Flows: Ali Shahroody discussed the status of the river system and the spawning run. He noted the fish were in excess of 9,000 and the reservoirs were spilling. He also discussed the Lahontan Reservoir and noted the Carson River had a stronger water supply than the Truckee. The problem was the bottle-necks which would flood the area if the water passed through. There was a lot of water in the watershed as this year was not a typical water year. Ali Shahroody discussed this further.

Ali Shahroody also discussed the status of TCID's

(Continued on page 25)

(Continued from page 24)

irrigation. He noted that TCID had started irrigating and took out the water it needed and told the BOR that the water was dissipating. The BOR told TCID they could not get its precautionary water, only the demand. This was discussed at today's meeting with BOR. The new forecast had come in and they were expecting a big melt over the weekend which was supposed to have brought in 5,000 acre-feet but this did not come in. There was now a concern that this could cost the Tribe its water. A meeting was scheduled for next week to discuss possible remedies.

Truckee Canal: In May TCID took its water from the Truckee division. There was substantial leakage in the Truckee Canal in early June and the canal had to be shut down for repairs. The BOR was planning a study of the canal. Ali Shahroody discussed the BOR meeting further and informed the Council of a public meeting which would be held in August at Nixon. He noted they would need to keep monitoring this. The Tribe's contract with the BOR would remain active as the BOR would be allocating an additional \$1 million to the Tribe.

Chairman Burke asked out the process and what could be done to speed up getting the projects done. Ali Shahroody explained the BOR grant process took time. He also acknowledged the work done on the Numana Dam project as the full estimated cost should have been given. He commented that the Tribe needed to get the funds under its control then the government could not touch it. The Tribe needed to insist on autonomy on the funding.

A motion was made by Councilmember Davis to move into Executive Session for discussion with legal counsel. The motion was seconded by Councilmember Wadsworth. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 7:20 p.m.

A motion was made by Councilmember John to move out of Executive Session. The motion was seconded by Councilmember Collins. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 7:46 p.m.

Councilmember Wadsworth commented on his discussions with the seniors regarding the Paiute language and how the Tribe's water rights fight separated it from the rest of the tribes. Councilmember Mendes noted it was part of taking care of the Tribe's natural resources.

UNFINISHED BUSINESS

Constitutional Amendments: Council was provided the final draft of the amendments with markups and without markups which were done based on the discussion at the June 18th meeting with Fred Drye. Council discussed the definition of residency and physical residency versus legal residency. Councilmember Mix noted that people working on construction had to travel away from the reservation for projects for 1-2 weeks, and they would be denied their right to vote because they left the reservation.

After further discussion regarding the two changes needed to the final draft, a short break was taken at this time to allow the Secretary to incorporate the Council's changes. The break was from 8:20 p.m. to 8:28 p.m. The Secretary returned with the finalized draft at this time which was distributed to the Council for review.

A motion was made by Councilmember John to approve the Constitutional amendments and resolution with the noted corrections. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 63-11**

2011 Audit and Enterprise Budgets – Update: Chairman Burke provided Council with an update regarding these items. He informed the Council that the audit was being finalized and a draft would be distributed to the Council by Friday, June 24, 2011. Council scheduled a special meeting for Tuesday, June 28, 2011 at 5:30 p.m. Councilmember John requested a copy of the Tribe's IDC proposal for review as it should be approved before it was signed. Councilmember Mix noted he would be late for the meeting.

Chairman Burke informed the Council that the Enterprises would be discussed at the July 15th meeting. Councilmember Mendes asked about the kitchen at the Nixon Store and if it would be reopened. Chairman Burke explained the kitchen was closed as the cook had resigned; staff are making sure there was food available in the warmers. Councilmember John requested that the financial information include the fireworks and liquor sales, and also a recap of customer reaction to these sales – the pros and cons. Chairman Burke discussed the impacts of the changes made to the fuel prices and increased advertising. Councilmember John asked if the on-calls would be starting for the holiday weekends. Chairman Burke explained that on-calls would be used for lake maintenance at

the firework sites.

OTHER DISCUSSION

Councilmember John asked about the \$100,000 from the Supplemental Tax allocation and if this was allocated. Chairman Burke explained that some of the money was used to pay vendors and resolve the fuel invoice issue; funds were also set aside to assist the Child Care program with a van purchase and bids were being compiled to ensure the van met transportation requirements. Chairman Burke further explained that funds were also allocated to JOM to ensure benefits and staffing; it was also discussed to possibly allocate some of the funds to Social Services or the Language Program. Councilmember John asked if the Maintenance department was being considered. Chairman Burke responded that he had a meeting scheduled with Maintenance, Environmental and Trash Pros; another meeting would be scheduled with PUD and Lake Maintenance as it had been asked why PUD was not doing lake maintenance for trash pickup. This had been a past decision that was made.

Councilmember John commented on the community buildings which were old. She noted that at the staff meeting, Maintenance had informed the Council of an assessment that was completed on all of the buildings. She requested this information be brought forward to the Council for review. The Council needed to look at funds for the departments and the departments needed to know that the Council supposed them. Councilmember Mix noted the Facilities Manager had talked about needing welders. Chairman Burke noted there were a lot of unmet needs for the Tribe. He discussed his meeting with the Child Care Director about the center and possibly using a modular; the Director had been receptive to this.

Chairman Burke informed the Council of his efforts to contact various franchises for the Wadsworth area. Councilmember John noted the lack of infrastructure in Wadsworth which was needed for any type of business development. She further noted this included water and sewer, and that funds were needed to correct the problem. Councilmember John discussed a past project from Washoe County to build a treatment plant by Stampeded and the Tribe was going to be able to tap into it; this was around the time the settlement went through. The Tribe had its industrial site but needed water and sewer and had talked about building its own sanitation facility. Councilmember John noted the Tribe needed a grant writer again.

Councilmember Mix commented the Tribe could take over Cemex. Councilmember Crutcher noted the ground was no good there. Chairman Burke informed the Council that Realty would be reviewing all of the Tribe's leases and right-of-ways to ensure the Tribe was getting the maximum benefit. He also discussed his review of past Council decisions and how he was trying to find out the reasons for these decisions and reviewing past minutes.

Councilmember Crutcher asked Chairman Burke for an update on the OSS boat racing issue. Chairman Burke discussed his meeting with Eric Amberson the day after the June 17th meeting and his discussion with Scott Carey. He had notified the LCC Board and the departments within the Tribe, that there would be a step by step process to work towards having the race in 2012. Councilmember John asked Chairman Burke if he still planned to meet with the CEO of OSS. Chairman Burke responded his meeting with the CEO was scheduled for July 15th.

Councilmember Garcia discussed an application for exploration of minerals east of Paiute Pit and noted the NAGPRA Committee was against this. The agency wanted a response from the Tribe. Chairman Burke explained a limestone company had approached the Tribe about setting up a limestone mining operation.

Chairman Burke discussed the speedboat racing proposal and informed the Council that the proposal would be reviewed by the IDT again and also run through the departments.

Councilmember John reminded Council of the need for a mid-year financial review. She also asked about the status of recruitment for the Comptroller position. Chairman Burke responded the posting closed on June 27th for the Comptroller and for the Chief of Police. He would need to check with Human Resources on the applicant pool.

Councilmember Mix asked Chairman Burke if the limestone plant was going to be wet or dry operation. Chairman Burke responded he would have to check on this.

ADJOURNMENT

There being no further business before the Council, a motion was made by Councilmember John to adjourn the meeting. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The special meeting of June 22, 2011 adjourned at 9:04 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 1st day of JULY, 2011, having nine (9) members present, constituting a quorum, by the vote of seven (7) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMID LAKE PAIUTE TRIBAL COUNCIL REGULAR MEETING MINUTES - July 1, 2011

Members Present:

Wayne Burke, Tribal Chairman
Mervin Wright, Jr., Vice-Chairman
Judith Davis Johnnie Garcia Sherry Mendes
Irwin Mix Gordon Crutcher, Jr. Steven Wadsworth
Leona Collins Genevieve John

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the July 1, 2011 regular meeting of the Pyramid Lake Paiute Tribal Council to order at 7:02 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmembers Sherry Mendes, Genevieve John and Gordon Crutcher, Jr. arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: Constitutional Amendments and Nixon Rodeo Grounds were added under Unfinished Business; Contracts & Grants – Wadsworth Community Center Contract/J Barada Architecture was removed from the agenda; Henry Family Reunion Request was added under New Business. A motion was made by Councilmember Davis to approve the agenda with the noted changes. The motion was seconded by Councilmember Mendes.

Before a vote, the Secretary asked if the May 6, 2011 meeting minutes could be added to the agenda as the Tax Department had requested corrections to the minutes as indicated in their memorandum that was included in the meeting material. Councilmember Davis noted the Tax Department could attend the next meeting and make the corrections for the record. Council discussed how to proceed with the request and agreed to include this item on the Consent Agenda for the August meeting. Councilmember Mix requested to add a request on behalf of the Henry family for a reunion. Councilmember Davis amended her motion to include the Henry Family Reunion Request. The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (John). **Motion carried.**

PUBLIC COMMENT

There were no public comments made at this time.

CONSENT AGENDA

The following items were listed:

Enrollment – (3) Applications/New Membership; (1) Relinquishment Request

Tribal Council Meeting Minutes: June 2, 2011; June 17, 2011; June 22, 2011

Councilmember Davis requested a correction to the minutes of June 17, 2011 as follows: Page 10 – Law and Order Committee – the minutes reflected that Councilmember Davis made a motion and was also noted to have seconded the motion; this needed to be corrected to reflect that Councilmember John had seconded the motion.

A motion was made by Councilmember Davis to approve the items on the Consent Agenda with the correction noted to the minutes of June 17, 2011. The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (John). **Motion carried.**

RESOLUTIONS PL 64-11, 65-11

Chairman Burke read aloud the names of the newly

(Continued on page 26)

(Continued from page 25)

approved members of the Tribe: Alex Michael Ansotegui, Chase Eagle Hardin, and Quintin Desmond Walker; and Carrie Lynn James Manning was relinquished from the Tribe.

TRIBAL CHAIRMAN'S REPORT – Wayne Burke

Report submitted. Chairman Burke reviewed the items in his report and gave an update of activities.

Enterprises: Council was informed that the interim Enterprise Manager would be present at the July 15th meeting to provide a financial report for both stores as requested by Council.

Desert Terminal Lakes Funding: Chairman Burke reported on his discussions with the City of Fernley regarding the 2010 water lease and clearing up the language in the grant to confirm the Tribe could use the funding to purchase water rights for the Tribe.

Trash Cleanup: The Environmental and Maintenance departments have been meeting to coordinate this in consultation with Trash Pros on purchasing a new garbage truck similar to what was used by Trash Pros.

Chairman Burke discussed the meeting held today with Maintenance, Search and Rescue, and Environmental to discuss preparations for the upcoming 4th of July weekend to include lake and trash cleanup; 10 tribal members have been hired to assist. He also reported that additional portable restrooms would be delivered to the Pyramid area and that Search and Rescue had been assisting to spray down the permanent restrooms.

He further reported that two staff from the Environmental department would be going out to the Pyramid and assisting with trash pickup there. Tribal members would also be staying out at the Pyramid over the weekend.

Final Interviews – Health Director: Final interviews with the Council were scheduled for Monday, July 11, 2011 at 6:00 p.m. Chairman Burke would be participating in two days of screening interviews for the Chief of Police which were scheduled for July 18-19, 2011.

Tribal Source, LLC Board: The Board has been provided with information for Clean Path, Amberson Motor Sports, Denny's franchise application and Sun Solar International to review for business development. Chairman Burke reported on his meeting with the LLC Board this past week and would be moving forward to work with the various groups that have expressed interest in business development with the Tribe.

Post Office: Chairman Burke reported on the status of the two post offices in Nixon and Wadsworth and informed Council of the U.S. Postal Service's interest in establishing village post offices which could be operated through the stores. He further reported on his meeting with a representative of the U.S. Postal Service from Las Vegas and would be following up with them on the feasibility and how that operation would run in either store. The U.S. Postal Service representative was also available to meet with the Council to discuss this further.

Councilmember John asked about the services available at a village post office and if this would be similar to what she had seen in stores. Chairman Burke explained the post office boxes would be set up in the stores and would not be out in the open. Councilmember John asked what would be done with the existing building used for the Nixon Post Office and was informed by Chairman Burke that the Postal Service had indicated they would be taking the building down.

Councilmember John asked if they had looked at trailers to be placed at that spot. Chairman Burke responded not yet. He explained they would be looking into that but he would also be meeting with the Las Vegas representative along with Vice-Chairman Wright, the Tribal Administrator and anyone else that might be interested and develop a presentation to the Tribal Council on that option.

Ranger Patrol: Chairman Burke informed Council of the recertification he completed to assist with patrolling with the Rangers over the 4th of July weekend from 11 a.m. until 11 p.m.

Indian Head Cleanup: Chairman Burke reported this event went well with a good turnout of tribal members, and thanked the Maintenance Department for coordinate the event and the Veteran's group for providing the food. He discussed the event further.

Indian Health Service Consultation: Chairman Burke informed Council he would be attending the consultation in Maryland with Dr. Yvette Roubideaux next week and would be returning to the office on July 8th.

Emergency Response: Chairman Burke was called out to do one boat recovery and responded to two brush fires to support the Fire Department. He informed Council the department would not be staged on the north end of the reservation during the 4th of July weekend and they had three patrol trucks that were equipped with 300 gallon water tanks and hoses which would be strategically placed throughout the

reservation. He further informed Council that a dive truck would be staged at the Marina; the boat would be docked and they hoped to provide more efficient services.

Councilmember Crutcher arrived at this time – 7:21 p.m.

Contracts & Grants Department: Chairman Burke reported he had looked at the scope of work and operations of this department and that community programming and services would be a priority for the department. He further reported that funding sources and programming would be a responsibility of the department along with working in collaboration with program directors.

Employee Recognition: Chairman Burke informed Council that he wished to present appreciation certificates at the July 15th meeting to the employees that have gone above and beyond their job duties. He discussed this further.

Councilmember John asked Chairman Burke about the screening interviews for the Health Director as usually when a board was involved, a member of that board would be involved with the interviews, as none of the members of the Health Board were available for the interviews. She commented that she had expected the Health Board to have been involved with confirming the finalists before final interviews were scheduled. She noted this was a process that needed to be corrected since that was how other boards handled it since the Health Board was a board and was chartered.

Councilmember John discussed the employee appreciation that Chairman Burke mentioned earlier and noted she would like to see an annual meeting planned for either this month or the beginning of August where they could also recognize the employees with the whole community invited. She indicated she would be willing to work with somebody to plan this event.

Councilmember Mix asked about the funding for all of the work at the lake and where this was coming from. Chairman Burke explained if programs needed to pay overtime then that was what they needed to do as the trash was becoming too much at the lake and was a priority that needed to be addressed. Chairman Burke further explained this was his directive to the Environmental Department and several of the department's staff was going to be able to assist with lake maintenance and they were also flexing out shifts as needed.

Councilmember Mix asked Chairman Burke what the total number of staff was that were hired to work out there. Chairman Burke responded they hired approximately 10 people, including the lake maintenance staff. He explained that a meeting would be held after the holiday weekend with staff to discuss starting a more efficient trash program because lake maintenance was getting overwhelmed with the amount of work needed for lake cleanup. Chairman Burke discussed this further.

Councilmember Mix requested to sit in on the meeting as he used to work in lake maintenance on trash pickup and would like to provide some help with that. Chairman Burke told Councilmember Mix that would be appreciated and he would be notified once a date was scheduled for the meeting.

Councilmember John asked Chairman Burke when the last analysis was done for the permits versus what the Tribe had to put out in expenses. Chairman Burke responded he did not know but they could do that. Councilmember John commented if people were paying for permits and then going out to the lake and seeing all of the trash, that they would be thinking why pay if the Tribe was not going to be maintaining the lake. Chairman Burke explained that was one of the reasons why they wanted to get more staff out there. He discussed this further.

Councilmember John asked about the Enterprises and if the managers would be involved in the meeting Chairman Burke mentioned earlier or if it would just be the interim Enterprise Manager. Chairman Burke explained the Nixon Store Manager could attend if she wished to do so. Councilmember John asked Chairman Burke if the Smokeshop had a manager or if the interim Enterprise Manager was working over there. Chairman Burke explained that Charmayne George had been heading up the operation and had two assistant managers and that Bonnie Smith had been working at the Nixon Store. Chairman Burke explained that Charmayne George had been coordinating all of the fuel deliveries. He discussed the increase in sales for the Smokeshop and the Nixon Store. Council discussed the impact of the firework sales further.

Councilmember Collins asked Chairman Burke if Charmayne George was the interim Enterprise Manager and if she was also doing the financial reports or if there was a financial staff member at the Smokeshop. Chairman Burke explained there was a person in Finance that handled that as the Enterprise Manager worked with the Finance Department hand-in-hand. Councilmember Collins asked if the person in Finance handled all of the deposits. Chairman Burke responded yes and explained that the Finance Department had

its own policies on depositing and recording the money. He discussed the work done in making sure there was product on the shelves and getting people through the stores.

Councilmember Davis requested that the Nixon Store Manager attend the meeting discussed earlier by Chairman Burke as they needed to hear from her since she is a manager, along with a cost breakdown of what the 4th of July weekend was costing the Tribe for the overtime and other expenses. Chairman Burke responded this would be provided.

Chairman Burke responded to questions from Duane Wasson regarding fuel prices at the two stores and the discounts for tribal members.

Fernley Hate Crime Issue: Chairman Burke discussed the email that was sent out over the Tribe's network about an assault that occurred in Fernley and informed Council he had the Chief of Police contact the Lyon County Police, and he also spoke with Fernley Mayor Goodman. Chairman Burke informed Council of his discussions with the Fallon Tribal Chairman and Reno-Sparks Colony Tribal Chairman about this and had been told that the FBI was going to be investigating further. Chairman Burke explained that the stories from both sides of the incident were conflicting as to what had happened and needed to be based on facts.

He asked everyone to report any incidents to the Fernley police and to the Tribe, and that he would stay in contact with Chairman Melendez and Mayor Goodman.

Vice-Chairman Wright commented on the rumors he had heard regarding the incident and the upcoming Fernley parade as some groups had withdrawn from the parade as a result of the incident. He further commented there were too many negative things being said and that he knew an incident occurred but that he did not know the facts. Vice-Chairman Wright discussed this further.

Chairman Burke encouraged everyone to report any future incidents that may occur. Councilmember Mix asked about the incident that occurred and what had happened as he was unaware of it. Chairman Burke informed the Council of the incident that had occurred at Fernley. Councilmember Collins mentioned another incident at Fernley involving a young mother carrying her child in a cradleboard and being confronted about it.

VICE-CHAIRMAN'S REPORT – Mervin Wright, Jr.

Report submitted. Vice-Chairman Wright reviewed the items in his report and gave an update of activities.

Boat Dock Project: Vice-Chairman Wright reported that the dredging was completed and they had a meeting yesterday with the Fisheries and Tribal Maintenance staff; there was also a considerable balance left in the contractual line item for the project and a number of hazards found underwater at the dock that needed to be addressed.

Vice-Chairman Wright reported they also discussed the need for more signage in the area for parking and swimming so they decided to amend the contract to include signage and to place buoys along some of the underwater hazards. He explained the contract amendment would cover the expense of the buoys and the materials needed for this, and for the diving that was needed to locate and place the buoys, and to cover the expense of PVC pipe to be placed over the current pilings that were in the lake.

Vice-Chairman Wright discussed the additional work that was needed to complete the project and his discussion with the Tax Administrator today regarding the project as it would not be using all of the funding that was allocated. Vice-Chairman Wright explained he had hoped to be able to use the money for other things but was told that if all of the funding under the License Plate fund were not used, the money would stay in the fund for another use. Councilmember Mendes asked if the project would be completed then. Vice-Chairman Wright responded the project would be complete once the additional items under the contract amendment were completed.

Councilmember Mix commented the funding should stay in there because it was going to be a constant hazard as the cables holding the buoys in place tended to snap and break so they would need to pay a diver to assist with the repairs. Vice-Chairman Wright explained he did discuss it with the Tax Administrator and he would be working on the justification for maintaining the dock facility and working with the Tax Department to keep some if not all of the funding intact.

Councilmember Mix suggested to Vice-Chairman Wright that he go through the lake maintenance funding to have money put in the budget so they would have it for repairs to the boat dock.

Firework Designated Shoot Sites: Vice-Chairman Wright reported that signs were placed at the four designated shoot sites. Chairman Burke provided an update on the shoot sites and discussed a phone call from one of the Rangers informing

(Continued on page 27)

(Continued from page 26)

him that Crosby Lodge had put out a flyer and identified Wino Beach as one of the shoot sites. Chairman Burke discussed his phone call to Fred Crosby and that the flyers would be pulled and corrected. Vice-Chairman Wright reported that the signage was ready to go for the weekend.

Water Team: Vice-Chairman Wright discussed the water team strategy action plan and noted the collaboration between the consultants and staff was not included in the plan and that the plan looked like a consultant spending plan. He explained he was looking at the budgets to make sure all of the tasks for the consultants were going to be covered in the budgets but with regard to the plan, the Council had asked that more assignments be placed upon the department staff to help reduce consultant costs. Vice-Chairman Wright noted that was agreed upon by the water team but was not included in the plan and would be discussed at the upcoming IDT meeting scheduled for Tuesday, July 5th to determine how they could coordinate the work between the appropriate departments of the Tribe with respect to water issues.

Tribal Budget Advisory Council: Vice-Chairman Wright discussed the Council meetings he missed last month because of the TBAC meetings he was required to attend, and that he would be asking that the alternate – Chairman Bryan Cassadore take his place. He explained the meetings were held on a quarterly basis and the next meeting was scheduled for the beginning of August which would have meant he would miss the first Council meeting in August. Vice-Chairman Wright discussed the upcoming ITCN meeting during which he would be asking to be replaced on the TBAC.

Code of Ethics: Vice-Chairman Wright noted the Council's discussion regarding the proposed Code of Ethics and that it was stated it was too wordy. He explained the reason for the document's length was to address all potential loopholes that existed when policies were vague which lead to interpretation and inconsistent application. Vice-Chairman Wright noted he did receive the information provided by Fred Drye and was looking forward to moving the process forward. He informed Council that the Department of Energy and other funding agencies were requiring grantees to have a code of ethics in place and that it was important that the Tribe have a code of ethics approved. He noted the Housing Authority had a provision in its policies that was determined as satisfactory to HUD and the Tribe needed to have something place to show the funding agencies.

Human Remains: Vice-Chairman Wright noted that Chairman Burke had reported at the June 18th meeting that a set of human remains were unearthed along the Truckee River, and that he was contacted by Acting Chief DePoali regarding control of the site. He explained the coroner came out and determined the remains to be non-Native. Vice-Chairman Wright discussed the condition of the remains and his discussion with Garry Kantley, Archaeologist for the Western Region Office as the BIA had taken over the case.

Vice-Chairman Wright explained the site was treated as a crime scene and was a death investigation. He discussed the conditions of the site and the remains, and informed Council that the remains were taken to Utah for further analysis.

NAGPRA Oversight Hearing: Vice-Chairman Wright reported on the oversight hearing he attended in Washington, D.C. and the testimony he provided on the NAGPRA law to amend the definition of Native American and the 2010 rule on culturally-unidentified human remains. He explained the problems that existed with the law as currently written.

Senator Reid Meeting: Vice-Chairman Wright discussed the email received from Wendy Helgemo of Senator Reid's office regarding the post offices and the follow up that would occur as reported earlier by Chairman Burke.

Vidler Settlement: The Tribe requested a conference call with Assistant Secretary Echo Hawk to follow up on a letter that was sent to his office back in March. It was reported to Senator Reid's staff that here has not been any movement and as far as the two parties were concerned, they were in agreement and the legislation needed to be moved from the Interior. They also discussed the interest in PL 101-618 and the Senator was still interested in seeing the interest freed up; the Tribe will be working with the Solicitor and the Interior Justice Department to get it taken care of.

Desert Terminal Lake Funding: As reported previously, a majority of the funding was retracted and would be up for reauthorization next year. The Tribe has been working with the Bureau of Reclamation as their solicitors were starting to put more restrictive language on the criteria. Vice-Chairman Wright reported they were going to work on making the language more flexible to allow the Tribe access to the money since Pyramid Lake was a desert terminal lake.

Fishery Monitoring Program: A long-term monitoring program was submitted and a good discussion was held with

the U.S. Fish and Wildlife Service to bring together a good collaboration between the Tribe, the Fish and Wildlife Service, Fisheries, Environmental and the Department of Water Resources. There was a lot of monitoring activity the Tribe wanted to see with the Cui-ui and the Lahontan Cutthroat Trout. Vice-Chairman Wright reported he also provided them with an update on the Fernley negotiations and that the Tribe was making progress there.

Nixon Rodeo Grounds: Vice-Chairman Wright informed Council this item would be discussed later in the meeting. He discussed his meeting with John Mosley regarding the scrap metal application and it appeared they were moving in the right direction to having individuals apply to collect the scrap metal.

Councilmember John asked Vice-Chairman Wright about what he had done in response to the lack of plan for the water team. Vice-Chairman Wright responded he had not yet done anything but in his review of the plan, he noted some of the assignments could be handled by department staff instead of having the consultants come all the way over to meet with the State Engineer or the Federal Watermaster. Councilmember John noted that was discussed during the water team meeting. Vice-Chairman Wright explained it was not in the plan.

Councilmember John noted it should have been in the minutes because it was a lengthy discussion. Vice-Chairman Wright informed Councilmember John he would need to review the minutes. Councilmember John expressed her agreement that it was not a detailed plan of who was going to do what; it just said that the staff could assume some of the work but the plan did not say which staff would assume which function. She asked Vice-Chairman Wright if he was going to be the lead on that.

Chairman Burke informed Council of his discussion with Vice-Chairman Wright and that he did not have a lot of issues with the strategic plan but noted the Vice-Chairman had wanted specific details in the plan. He noted that Vice-Chairman Wright could talk with the water team about the plan further. Councilmember Mendes commented that the Council had decided it was a good basic plan but that it needed to be developed more.

Councilmember Mix asked about the metal from the Fire Department when they turned in all of the vehicles and what became of the funding. Chairman Burke responded that Don Pelt had met with the department heads and it was agreed upon that the funds would go back into Emergency Response. Councilmember Mix asked if the department received the funds. Chairman Burke responded not yet. Councilmember Mendes asked where the funds were if the department did not receive it and if it was in an account. Chairman Burke responded yes.

The scrap metal application was discussed further and Vice-Chairman Wright responded to questions from the audience regarding scrap metal collection and if this applied to all metal on the reservation. Susie Albright informed Council of her concerns regarding the materials left at the geothermal site as some of the items had been stolen from the site. Councilmember Mix asked if the material had to stay at the site or if it could be put in the yard. Susie Albright responded the materials would be brought back in and stored in the yard. She noted a lot of the material had already been taken.

Vice-Chairman Wright discussed his contacts with the community members who have noticed that people are walking through the areas at night and looking for metal to take. Susie Albright asked if signs could be placed at the site. Vice-Chairman Wright explained it was up to the project manager to take the initiative and have signs placed out there.

UNFINISHED BUSINESS

2011 Contract & Resolution – Wes Williams, Jr.: Council was provided with a contract and resolution as discussed at the last meeting. Chairman Burke informed Council that last year's expense for general counsel totaled \$34,917. Vice-Chairman Wright explained there were two sources of funding in the budget – the first was Fund 080 – Tribal Chairman's budget and the second was Fund 087 – Governmental Services, and legal line item for both was \$20,000 each. Council discussed the contract amount and items worked on by Wes Williams during the past year further.

A motion was made by Councilmember Davis to approve the resolution and contract for Wes Williams, Jr. at the amount of \$40,000 for 2011-2012. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 66 -11**

Constitutional Amendments – BIA Comments: Council was provided with the comments received from Fred Drye from the Bureau of Indian Affairs regarding the Tribe's proposed Constitutional amendments. Council reviewed and discussed Fred Drye's comments on the proposed amendments and the

terms "may" and "shall." Vice-Chairman Wright explained the term "may" was discretionary. He discussed the amendments and discussion that took place last year regarding the terms of the Chairman and Vice-Chairman. Councilmember John explained the term limits were taken out in the proposed amendment regarding the two offices. Councilmember Mendes discussed the term "shall" and recommended the Council use the term in the proposed amendment.

A motion was made by Vice-Chairman Wright to approve the proposed amendments as written. The motion was seconded by Councilmember Mix. Votes were 7 FOR and 1 AGAINST (Davis), with 1 ABSTENTION (John). **Motion carried.**

Vice-Chairman Wright discussed the questions from the Election Board regarding the terms and the tribal elections, and commented that next year was a better year to have the terms go into effect as this year was an odd year and would offset the terms versus having it on an even year. He explained it would be easier to implement if the term provision passed, to have the election next year which would give the Election Board from the spring of 2012 until the elections to make all of the necessary adjustments. Susie Albright asked when that happened if the Board would be able to meet on a monthly basis to work on this. Chairman Burke responded that was something that the Council would have to allow the Election Board to work on to prepare for this and he would support that.

Nixon Rodeo Grounds: Vice-Chairman Wright discussed the meeting that took place back in April or May regarding the rodeo grounds as people were going to the site and beginning to remove some of the metal. He explained the chutes were the primary focus of the metal that they wanted to scrap and some of the wood material was usable and Maintenance would be able to salvage some of the wood material. Vice-Chairman Wright described the materials to be scrapped and how this would occur. He noted the site and materials were a hazard with potential for injury and vandalism to occur, and the departments had recommended the Tribal Council discontinue use of the facility because of the hazards. Vice-Chairman Wright explained the site was used for the horse roundups and had a general purpose but the rodeo arena itself had not been used for many years.

Vice-Chairman Wright discussed the scrap metal application that was developed by the Environmental Department for individuals who may want to scrap metal from a facility such as this that was under control of the Tribe. He explained the application would authorize the dismantling of the facilities including insurance requirements on the application. He also discussed the fee that was included on the application and explained this further.

A motion was made by Councilmember Mendes to discontinue use of the Nixon rodeo grounds and that the Vice-Chairman bring back the finalized application at the July 15th meeting.

Before a second the motion was made, Councilmember Davis asked if any of the Cattlemen used the grounds for cattle. Vice-Chairman Wright responded he did not know.

Councilmember John asked if any of the people that were involved in past rodeos were approached about this to find out if they would be interested in bringing back the rodeos for the community. She noted this used to be a big event here. Councilmember Collins noted they have established themselves in Wadsworth.

Councilmember Davis noted that last year the Cattlemen's Association had talked about going back and picking up all those panels because that rodeo was only supposed to be a one or two year event in Wadsworth. Chairman Burke asked the Council if they would rather have everything brought back on the July 15th meeting with answers to their questions. Councilmembers were in agreement with this. Councilmember Mendes rescinded her previous motion.

A motion was made by Councilmember Mendes to table this item until the July 15th meeting. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Wright). **Motion carried.**

NEW BUSINESS

Chance Guerrero – Donation Request: Letter received requesting a donation to help with expenses to attend the Silver State International High School rodeo on July 4-8, 2011 in Winnemucca. A motion was made by Councilmember John to approve a donation at the individual rate. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Ely Shoshone Tribe/2011 Fandango – Donation Request: Letter received requesting a donation to their annual event. A motion was made by Vice-Chairman Wright to approve a donation at the group rate. The motion was

(Continued on page 28)

(Continued from page 27)

seconded by Councilmember Collins. Votes were 8 FOR and 1 AGAINST (John); with 0 ABSTENTIONS. **Motion carried.**

Tribal Planning – Film Request/Far West Films: Report submitted. Scott Carey, Tribal Planner presented a request from Far West Films for a commercial filming permit and fee waiver request. He explained this request was originally presented in March and was postponed due to the weather conditions of the area. He further informed Council of the \$1,000 per day commercial filming fee. Councilmember John asked about the \$240 amount the requester had included in the application and what that was for. Scott Carey explained the requestor had listed comparable filming fees from other areas. Councilmember John noted she read the letter to mean that they were willing to pay the \$240 amount. Scott Carey explained the request was to waive the fee completely but that it could be an amended per day fee.

Councilmember Crutcher noted the Council could waive the fee and the filmmakers could make a documentary about Pyramid Lake or Chief Winnemucca. Vice-Chairman Wright agreed with Councilmember Crutcher and discussed the possibility of the filmmakers making a documentary about Pyramid Lake but the Tribe would need to come up with a good purpose for education people through the Discovery Channel and why it would be important for a documentary to be made about Pyramid Lake. Vice-Chairman Wright noted he would be interested in doing that.

Councilmember Crutcher asked if the film company was funded under a grant or if they would be making money off of the film. Scott Carey responded he was not sure if they were receiving money under a grant for the project but they were a private film production company. Councilmember Crutcher asked if they were looking for movie extras. Scott Carey responded that was one thing they were interested in. He explained the two scenes they wanted to film were at Winnemucca Lake and by the Hatchery.

Councilmember Crutcher discussed the copyrights of the Tribe to the finished film before it was released. Scott Carey explained one of the conditions of the permit if it was approved was that the filmmakers made the documentary available to the Tribe but he was not sure about the intellectual property laws and the ownership of that. He explained that was one of the issues the Tribe ran into last year with the Apple I-pad image of the lake. Scott Carey discussed his understanding of intellectual property laws.

Vice-Chairman Wright discussed the photography issues the Tribe had with people selling pictures of the lake at the mall in Reno and the discussion that took place back in the late 1990s. He noted it was hard to restrict somebody from going to a public place and taking a photograph and then marketing it, but people should have the courtesy to let the Tribe know when they were doing that.

Councilmember Crutcher discussed how the Navajos handled Window Rock in trying to prevent people from taking pictures and profiting from it. Scott Carey discussed the Tribe's policy for filming at the closed areas which was prohibited unless specifically approved by the Council.

Councilmember Crutcher asked Scott Carey if the Tribe could have somebody on site with the film production company. Scott Carey explained one of the suggested conditions of approval was that they notify staff 48 hours in advance to make arrangements to make sure someone was out there from the Tribe whether it was a Ranger or other staff.

Councilmember Collins noted according to the letter the production company was willing to pay the \$240 fee per day plus the \$100 deposit. Scott Carey explained the company paid the \$100 application fee. Council discussed the fees and how it could be used within the Tribe. Scott Carey explained he was not sure if the company was willing to pay the \$240 fee per day or if it was \$240 total; he would have to check with the company.

At this time Council heard comments from Duane Wasson regarding the Tribe's control over copyrights. Councilmember Wadsworth noted the company had indicated possibly using 1-2 tribal members as extras and that the Tribe should consider making this a requirement if the Council approved the waiver of fees. Councilmember John asked Scott Carey if he contacted any of the other tribes the company had worked with in the past. Scott Carey responded no but that he could do so.

Council discussed the timelines of the request and when it could be taken up again at a future meeting and agreed to include the request on the July 11th meeting agenda.

A motion was made by Councilmember John to table the request until the July 11th meeting. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Vice-Chairman Wright informed Council he would follow

up on the request on Scott Carey's behalf as Scott Carey would be on leave. At this time Scott Carey distributed copies of the July-August edition of Nevada magazine which was dedicated to Indian territories and contained pictures and stories about Pyramid Lake.

Henry Family Reunion Request: Councilmember Mix presented the family's request to reserve a portion of the Blockhouse beach area for a family reunion which was planned for July 15-17, 2011. A motion was made by Councilmember Mendes to approve the request as presented. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** (Councilmember Mix not voting)

Chairman Burke informed Council that the Emergency Response department received \$8,000 from scrap metal which was applied towards equipment for the department. Councilmember Davis requested an itemized list of what the department had such as the RFP that went out, an itemized list of what was scrapped, and how much it brought in

ADJOURNMENT

There being no further business before the Council, a motion was made by Vice-Chairman Wright to adjourn. The motion was seconded by Councilmember Mix. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The regular meeting of July 1, 2011 adjourned at 8:44 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 5th day of AUGUST, 2011, having ten (10) members present, constituting a quorum, by the vote of eight (8) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES - July 11, 2011

Members Present:

Wayne Burke, Tribal Chairman
Sherry Mendes Johnnie Garcia Gordon Crutcher, Jr.
Steven Wadsworth Leona Collins Genevieve John
Irwin Mix

Members Absent:

Mervin Wright, Jr., Vice-Chairman Judith Davis

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the July 11, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:08 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Vice-Chairman Mervin Wright Jr., and Councilmember Judith Davis were absent from the meeting; Councilmembers Gordon Crutcher, Jr. and Irwin Mix arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary

APPROVAL OF AGENDA

A motion was made by Councilmember Collins to approve the agenda as presented. The motion was seconded by Councilmember Mendes. Votes were 5 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

UNFINISHED BUSINESS

Tribal Planning – Film Request/Far West Films: Scott Carey, Tribal Planner presented this item which had been tabled at the last meeting pending confirmation from the requestor regarding the fee they would pay to the Tribe which has since been confirmed.

A motion was made by Councilmember John to approve the request with a filming fee of \$580. The motion was seconded by Councilmember Wadsworth. Votes were 5 FOR and 0 AGAINST; with 1 ABSTENTION (Crutcher). **Motion carried.**

NEW BUSINESS

Human Resources – Final Interviews/Health Director: Billie Jean Guerrero, Human Resources Manager facilitated the interviews.

A motion was made by Councilmember Mendes to move into Executive Session to conduct the interviews. The motion was seconded by Councilmember Garcia. Votes were 6 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 6:14 p.m. Councilmember Mix arrived during the Executive Session at 6:37 p.m.

A motion was made by Councilmember Wadsworth to move out of Executive Session. The motion was seconded by Councilmember John. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 7:48 p.m.

A motion was made by Councilmember Collins to confirm the selection of Cynthia Ocegüera as the new Health Director. The motion was seconded by Councilmember Crutcher. Votes were 6 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

ADJOURNMENT

There being no further business before the Council, a motion was made by Councilmember Mendes to adjourn the meeting. The motion was seconded by Councilmember Wadsworth. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The special meeting of July 11, 2011 adjourned at 7:50 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 5th day of AUGUST, 2011, having ten (10) members present, constituting a quorum, by the vote of eight (8) for and zero (0) against, with one (1) abstention.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES - July 15, 2011

Members Present:

Wayne Burke, Tribal Chairman
Mervin Wright, Jr., Vice-Chairman
Judith Davis Johnnie Garcia Sherry Mendes
Irwin Mix Gordon Crutcher, Jr. Steven Wadsworth
Leona Collins Genevieve John

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the July 15, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:35 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmembers Gordon Crutcher, Jr. and Irwin Mix arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: PL Junior Rodeo Club Donation Request and Wes Williams, Jr. Invoices were added under New Business; a request from the High School was added under Committee/Department Reports. A motion was made by Councilmember Mendes to approve the agenda with the noted changes. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

PUBLIC COMMENT

There were no public comments made at this time. Chairman Burke requested a moment of silence for the family of Simon Harris.

CONSENT AGENDA

The following items were listed:

Tax Department – (1) Seller Permit/Larisa Jim

Motion was made by Councilmember John to approve the item on the Consent Agenda as presented. The motion was

(Continued on page 29)

(Continued from page 28)

seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

TRIBAL CHAIRMAN'S REPORT – Wayne Burke

Report submitted. Chairman Burke reviewed the items in his report and provided an update of activities.

4th of July Weekend: Chairman Burke reported the weekend went well with no incidents, fires or injuries involving fireworks although there were two fires – one on the north end of the reservation involving a train whose brake system locked and the sparks caused a fire; the second fire was at Little Valley which was caused by firearms as casings were found at the site. Chairman Burke discussed the trash which was another major issue along with the large crowds. The Tribe's focus over the next weeks would be to increase the maintenance, enforcement and regulations on the lake.

Councilmember Crutcher arrived at this time – 6:34 p.m.

Chairman Burke discussed the lake and the need for improved services and facilities. He informed Council that three 90-day temporary positions were hired to assist with trash pickup and restroom maintenance. Chairman Burke reported that Maintenance contacted the restroom vendor to have ten more restrooms installed at the lake as there were problems with the amount of people and not enough restroom facilities. He also discussed the need to have kiosks installed at the lake and move forward with compiling the costs for this; the kiosks would be installed at Wino beach, the Nets, Pelican and Windless Bay. Chairman Burke explained the purpose of the kiosks which would be for staff to check for and issue permits; they could also perform invasive species checks on the incoming boats and when the visitors left, they would have to show proof of having a valid permit and if they did not have a permit they could either be sold a permit or cited for not having one.

Chairman Burke commented on the traffic diversions at Sutcliffe and noted that this was a good idea but took the police officers away from the beaches where the patrols were needed. He further commented that was something they would need to look at to regulate the beaches more efficiently to ensure people were complying with the regulations. Chairman Burke informed Council that funds would be requested from the License Plate fund to purchase the four kiosks which has been supported by the departments involved with the lake.

Councilmember Mix arrived at this time – 6:42 p.m.

Councilmember John asked Chairman Burke about the costs he referred to. Chairman Burke responded he had no costs for the kiosks or the temporary staff that were to be hired. Councilmember John requested information on which budget these expenses would be taken from or if it was budgeted. Chairman Burke explained it was not budgeted but would come out of the General Fund. He discussed the amount of people that were at the lake and the need to increase patrolling and services; a budget modification would be needed.

Chairman Burke informed Council of another issue that came up with the Walker River Tribe as they were selling their fireworks and telling their customers that it was okay for them to bring their fireworks out to Pyramid Lake and shoot them off, which was not true. Chairman Burke explained that only the Tribe's fireworks were allowed because they were covered under the Tribe's insurance. He informed Council that a letter would be sent to the Walker River Tribe to inform them that if they kept sending their patrons out to Pyramid Lake to shoot off their fireworks that the fireworks would be confiscated and the patron would be cited. He further informed Council that a number of fireworks were confiscated that were not purchased at the Enterprises.

Chairman Burke discussed the South Beach area which had become an issue for law enforcement and was causing confusion over the radio with the name of this area. Councilmember Mix informed Chairman Burke he was talking about the south Net Pens which was what it used to be called and that there used to be a sign at this area. Chairman Burke informed Council they would get the signage updated at different areas. He discussed the areas further.

Chairman Burke informed Council they were looking at putting up buoys around the Pyramid area as they had cited three boats in the area and turned around 3-4 carloads of people on the road out to the Pyramid. He discussed the need for more patrolling and enforcement at this area. Councilmember Mix discussed his sightings of non-members at the Pyramid area on boats to look at the Pyramid and swim in the area. Chairman Burke discussed his concerns with children swimming between the rocks and people going out there with their jet skis or boats which created a hazard as they did not want anyone to get hurt.

Councilmember Davis asked Chairman Burke if all of these incidents he discussed were being documented as she

thought they still needed the push to separate the Rangers from the Police department. She noted this was a perfect example of why, because if the signs were not out there the Rangers would always be aware of it but if they were under the Police department that would not be one of their priorities. Chairman Burke agreed with this but noted he did not know why it occurred in the first place but the outcome of that was now the Rangers did not have a budget that would allow them to operate at full capacity. He noted he had discussed this with Acting Chief DePoali and this was something they were going to be working towards.

Councilmember Mix noted there used to always be funding there for the Ranger department as it had come out of the permit sales which was something the Council needed to look at; this was an action of past Councils. Vice-Chairman Wright explained the reason for the move of the Rangers under the Police Department which took place back in the late 1990s because of a grant they had received which included Ranger activities. He further explained that since the Police Department was the one managing that grant, they incorporated the Rangers into the department. Councilmember Mix noted the job descriptions were totally different and that should not have been done but it was done. Chairman Burke informed Council that was all he had to report on lake maintenance but that there would be more information presented to the Council in the near future. He further informed Council that the Tribe was in the process of placing additional trash bins at all of the beaches which would be interchangeable with the new trash truck the Tribe was purchasing. Councilmember Mendes requested clarification from Chairman Burke regarding the funding for the kiosks and the additional staffing he mentioned. Chairman Burke explained nothing was set in stone and he was still going to be looking at possible funding sources for this. He discussed this further.

Modular Building Ramp Repairs: Chairman Burke informed Council he did follow up with Councilmember John's concern regarding the ramps at the modular buildings which were in need of replacement and he was able to have the Realty department inspect the ramps and compile quotes for this.

Travel Center: Chairman Burke discussed the meetings he held with the Sunway Hotel Group and S&R Construction developers regarding the possibility of building a travel center at the Smokeshop area along I-80; a due diligence report was forwarded to the LLC Board for follow up. He explained the group had worked with 40 other tribes across the country and Pyramid Lake would be the first tribe in Nevada to operate a travel center with a hotel-casino, and two fast food restaurants.

Councilmember Wadsworth discussed the activities of the LLC Board and the list of priorities the Board had developed to work with the various business developers that wanted to work with the Tribe.

ITCN: All of the tribal chairmen in Nevada unanimously voted to support the Duckwater Shoshone Tribe's Expansion Act. Chairman Burke read aloud an excerpt of the tribe's resolution regarding this issue in which they wanted to expand the Duckwater Reservation by 235,000 acres and have this acreage transferred back to them.

Burning Man: Chairman Burke discussed the preparations for Burning Man and the memorandum from the Tribal Planner requesting the Council to confirm their attendance at the event to ensure that enough tickets would be available. He requested the Council to contact Scott Carey if they wished to attend.

Vidler Settlement: A conference call was scheduled for July 22, 2011 with Assistant Secretary Echo Hawk's staff in response to the Tribe's March letter regarding the settlement and the lack of progress in this matter.

Councilmember Mix asked Chairman Burke what the Tribe was going to be asking for or if they would be meeting before the call to discuss this further. Vice-Chairman Wright explained the settlement called for Congress to ratify the agreement, and although the Tribe and Vidler agreed to the settlement, there was waiver language that was required by the government to waive legal action against Vidler. Vice-Chairman Wright further explained the amount of groundwater that was going to be pumped and transported to the north valleys was an issue that was raised and the language had been drafted and was agreed upon by both Vidler and the Tribe; the Department of the Interior was reviewing that and had not yet given an answer on it. The Tribe was trying to get the Department to agree to the language and release the language so that the language could be sponsored to get the ratification.

Councilmember Mix asked Chairman Burke if the Department made them an offer, if they would come back to the Council or if the attorneys were going to look at that, or who would make that decision. Chairman Burke responded that knowing what they have all heard and knew about the first

Vidler money that was released to the Tribe, that was not going to happen again while he was here. He explained everything was going to be transparent so that everyone knew what was going on. Councilmember Mix discussed what the Tribe had agreed to a while back as the people had wanted to see something out of it.

Vice-Chairman Wright explained the focus of the conference call was that the Tribe did not have a problem with agreeing to that waiver as this was an issue between Vidler and the United States. He discussed this further.

Councilmember Collins discussed her concerns regarding the fireworks as she was told that some of the fireworks were shooting off in another direction and that was not what the Council was told would happen. Chairman Burke explained that was another issue they were having with contraband fireworks and enforcing the rules which was why they did not want certain types of fireworks.

Councilmember Mendes suggested having a kiosk at those beaches to check on the fireworks being brought in. Chairman Burke explained the Phantom fireworks were clearly marked and easily identified. Councilmember Mix asked if the Enterprise Manager would be responding to those questions later on. Chairman Burke responded yes depending on what the questions were. Councilmember Mix noted he had concerns regarding the restocking of the fireworks and asked if this would be discussed later on in the meeting. Chairman Burke responded yes.

VICE-CHAIRMAN'S REPORT – Mervin Wright, Jr., Vice-Chairman

Report submitted. Vice-Chairman Wright reviewed the items in his report and gave an update of activities.

Boat Dock Project: The dredging at the boat dock in Sutcliffe was done. The rise of the lake level had delayed installation of the docks but signage, buoys and PVC piping work was completed. The Fisheries was working on the signage for the area. The buoys were yet placed and a diving team would need to be scheduled to come out to help set the buoys; the Fisheries and Maintenance had been working to get this work completed.

Fireworks: A meeting was held this morning and clarification was needed on the shoot sites and the four sites identified so far were Indian Head, Rawhide, Blockhouse and Warren Flats and the clarification was they wanted the shoot sites to be no more than 50-feet from the shoreline. Smaller signs were going to be made to reflect this to ensure that fireworks were not going to be shot off on the other side of the highway or in other areas near the identified shoot sites. The Council had been very clear about that but the signage did not say those things. They also talked about setting the signs perpendicular to the road as one of the signs could only be seen from one direction. The Indian Head sign was up by Indian Head Rock and needed to be moved down to the beach turnout. Customers needed to be encouraged to pack in and pack out as some of the fireworks materials were being left on the beaches such as the spent tubes and mortars.

Lake Restrooms: As reported earlier by Chairman Burke, they were going to be meeting on Monday about the possibility of getting additional permanent restrooms for the lake and possibly other facilities such as shade structures and picnic facilities for events and activities.

Water Team Strategic Plan: Vice-Chairman Wright noted he had not yet received the minutes for the meeting when this item was discussed; however, the Water Resources Director was notified that they needed to build upon the plan, so they would be working on that.

IDT Meeting: Local governments had requested the Tribe's water quality data which was public information as the Tribe received Federal funds. The Glendale Treatment Plant had just completed a fish passage facility and wanted to stock some LCT to see how effective their passage facility was going to work. This would take place in November.

Lake Trash Cleanup: IDT had discussed this item and one thing that came out when they were out at the Pyramid was the rise and fall of the lake had moved a lot of the material at the base of the Stone Mother basket which was what caused it to tip over. They were looking at the possibility of trying to get the basket stood back up again and have it situated the way it was before; the Council will be kept updated on the progress of this.

Solar Rebates: Black Rock Solar was still interested in coming out and working with the Tribe and there was some legislative action earlier this year at the State Legislature that changed some of the rebate amounts. Vice-Chairman Wright discussed the email he received from Black Rock Solar and the meeting that was going to be scheduled to discuss three projects to be done at the High School. There were two meters

(Continued on page 30)

(Continued from page 29)

that were not connected to solar projects; those two meters would be connected and one of the other projects was going to be expanded.

Child Care: Vice-Chairman Wright reported he was working on some issues with Human Resources regarding the Child Care Program as there were some other issues with regard to billing and some issues regarding the Court and operation of the Court such as arraignment procedures. A meeting was held with the Chairman, HR Manager and the Adjudicator, the Judge and the Prosecutor; the Administrator and Vice-Chairman were not at this meeting so another meeting was going to be scheduled to build an understanding as to the arraignment procedures.

Tribal Interior Budget Advisory Council: Vice-Chairman Wright reported on his meeting with ITCN where he informed them he would be stepping back from the TBAC and nominations have been solicited for the next meeting which was scheduled for August 2-3 in Maine. Vice-Chairman Wright informed Council he would not be attending this meeting and had not seen the results from the ITCN nominations. He had compiled all of the information he had on a CD which he would like to provide to the person that was going to be appointed.

Cattlemen's Association: Vice-Chairman Wright met with the Association to discuss livestock on the range and the North end wanted to have the discretion to decide when they were to bring cattle in. He would like to enforce the four months to allow the range to recover and would have to follow up with the Bureau of Indian Affairs to find out if there were any Federal requirements to that schedule. They also discussed the NAP funding. Vice-Chairman Wright had communicated with the FSA in Fallon to discuss how the funding was formulated and he would be following up with a meeting in early August to build an understanding of how the NAP funding was calculated, formulated and distributed.

Vice-Chairman Wright explained the Tribe was the owner of the land and had faxed over an acreage report to the FSA as the NAP application was submitted and FSA needed the acreage reports. The FSA had also wanted to find out about the White Hills allotment and Finance had found the cancelled check and the payment showing the Tribe did pay for that this year in April as the only report the FSA had was that it had expired. Vice-Chairman Wright informed Council this information was sent to the FSA today.

Another issue was certifying the Tribe's hay as organic although the Noxious Weed Program had sometimes gotten into the irrigation system to spray for weeds. What qualified for organic hay was no pesticides or herbicides or fertilizers as a lot of the farmers did not use that which could qualify the hay as organic which could in turn increase the price although there could be implications to that as not all of the farmers had cattle; this could become an issue as the income would need to be reported and right now it was not reported.

NAGPRA Quarterly Meeting: This was reported at the ITCN meeting. The meeting was scheduled for November 9-10 in Reno and Vice-Chairman Wright would be coordinating with some of the regional groups to put some issues together to be reported or shared at the meeting. Vice-Chairman Wright discussed what they would like to see was having the tribes report any issues they had pertaining to the NAGPRA law. The Tribe received letter from the Phoebe Hearst Museum in Berkeley informing the Tribe that a claim was filed by the Susanville Rancheria. Vice-Chairman Wright was going to follow up with the Rancheria to get more information to support the claim. The anthropological reports contained a lot of information that cited Washoe territory and the Great Basin. Vice-Chairman Wright noted he did not want this to become a contentious issue but it was possible that it could and the Hearst Museum had sent a notice out to all of the tribes to see if they had any issues regarding the claim.

Cui-ui Harvest: Vice-Chairman Wright distributed an outline to the Council of the Cui-ui subsistence harvest. He discussed the meeting he had with the biological research division of the U.S.G.S. who came out to do the monitoring and they discussed all of the issues that needed to be addressed in the outline. The draft outline had not been distributed outside of the Tribe. The BIA had opposed this issue when the Tribe brought it up in the mid-1990s.

The Endangered Species Act had certain requirements that had to be fulfilled in order to do something like this and in reviewing the Cui-ui Recovery Plan, the Tribe's stance was that as long as there was man-made structures and regulations and management on the river along with the 33 bridges from Wadsworth to Truckee, CA there was always going to be a threat placing the fish at risk. The river needed to become more of a natural system in order to have full recovery and balance to the ecosystem. The outline would eventually become a plan. Vice-Chairman Wright discussed the technical

issues that would have to be dealt with and the eventual goal to have a harvest as they were three generations from when the Tribe was able to fish for the Cui-ui that were only found at Pyramid Lake.

Chairman Burke and Vice-Chairman responded to questions from the audience regarding the shade structures that were discussed earlier.

Councilmember Mix asked Vice-Chairman Wright if he would be willing to increase the pay for the position to get a more qualified person in the position who could do all of the work instead of using other resources as the salary had not been adjusted in a long time. He noted that was also something they needed to take into consideration.

WRAP Meeting: A meeting was held yesterday to discuss issues with regard to the Bureau of Reclamation and the Solicitor's opinion about utilizing the funding at Pyramid Lake. After the funding was retracted with the Tribe having funding on the table in the amount of \$17.2 million, the Reclamation Solicitor stated that none of the money could be used at Pyramid Lake and that all of the money was supposed to be used for Walker Lake. There were some other limitations that were being presented to the Tribe for utilizing the funding for the purposes that were in the legislation. The Tribe was trying to work through those bureaucracies.

UNFINISHED BUSINESS

Nixon Rodeo Grounds: Vice-Chairman Wright was asked to meet with the Cattlemen's Association regarding the recommendation that was made last month to discontinue use of the Nixon rodeo grounds. He explained that back in the 1970s when the rodeo grounds were moved from down by the post office up to the current site, a land assignment was issued to the Cattlemen's Association for the rodeo grounds and he needed to find the resolution and other information pertaining to the assignment. Vice-Chairman Wright withdrew his recommendation on discontinuing the use until they could get a clearer understanding of who was responsible for the rodeo grounds as the Association felt they could utilize the materials or possibly rebuild the rodeo grounds. Additional information was going to be compiled and provided to the Council so they could see what arrangement was made in the 1970s and inform the Association it was their property.

A motion was made by Councilmember John to table this item pending receipt of further information. The motion was seconded by Councilmember Davis. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Scrap Metal Application: Vice-Chairman Wright discussed how the need for this application came about based on the interest expressed by people to remove and scrap some of the Tribe's metal items such as the water tanks. Councilmember John noted they were asking for people's social security numbers which was information to which there should be limited access but the person could complete a W-9 since the Tribe would be issuing them a check. Vice-Chairman Wright responded the social security number line could be removed from the application. Councilmember Mendes asked if the application was for tribal members or for everyone. Vice-Chairman Wright responded it was for tribal members.

Councilmember John requested to delete the Date of Birth line and asked if there was a certain age they were requiring. Vice-Chairman Wright responded they could include a yes or no question on the person's age. The application was for tribal property only, not property from a person's residence. Councilmember John suggested they include a space at the top of the application to identify if the property is tribal or community property.

Della John asked if there was some way the Council could make certain items off limits such as the Tribe's reservation boundary lines and some of the items out on the range such as the galvanized water tanks or declare excess materials instead of people taking everything like it was now. Councilmember Mendes noted it should be property that the Tribe had decided needed to go. Councilmember Davis asked how it would be regulated and if it would be one application per project such as the water tank removal or for the rodeo grounds, or if once a person filled the application out that it was good for the year. John Mosley explained he created the form thinking it would only be by project. Councilmember Davis noted that needed to be specified on the application along with timelines.

Vernelda Frazier asked if anyone could fill out an application to save the tank behind the Tribal Office as her department was hoping to have it painted as a show of community pride. Councilmember Mendes agreed and noted the tank was a historical marker and had been there for a long time. Councilmember Mix mentioned they had said the same thing about the two tanks on the hill in Nixon. Vice-Chairman Wright explained the issues with the large tanks were the danger in dismantling them plus the potential for asbestos and

lead paint exposure; there needed to be a logical way to dismantle them.

Councilmember Davis discussed the application form regarding the tribal roll number requirement since it was mentioned the form was for tribal members. She asked about the cost for insurance that a tribal member would need to be bonded with the State. Joe Mendes explained a bond was typically \$1,400 per project.

Vice-Chairman Wright asked the Council to determine what the split would be on the profits from the scrap metal as noted on the application form. Councilmember Mendes responded if it was for tribal members the Tribe should establish a reasonable fee or percentage. Councilmember Mix noted the price of metal fluctuated all the time so it would be difficult to set a specific amount. Vice-Chairman Wright discussed possibly setting a \$100-\$200 fee.

Councilmember Mix asked about the schedule for payment and if the Fire Department ever got paid. Chairman Burke responded the Fire Department has been paid and the project has been done. He asked if the Council would like to see the corrections made to the form. Councilmember Mendes requested estimates on what a bond would cost as well. Councilmember Mix noted it varied on the type of work. Vice-Chairman Wright explained some tribal members hired outside companies or individuals to come in and do the work which was why the proof of insurance was included on the application form. Councilmember John noted the fax number needed to be corrected at the top of the form.

A motion was made by Councilmember John to table this item until the changes were made to the application form. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Committees/Boards Resolution: Council reviewed the proposed resolution which addressed the number of Councilmembers on any board, committee or commission. Chairman Burke read aloud a portion of the resolution: *"Now therefore be it resolved that the Pyramid Lake Paiute Tribal Council hereby establishes a standard requirement for one Tribal Councilmember to formally participate on each Tribal Board of Directors, and shall act in the capacity of a direct liaison to the Tribal Council; Be it further resolved, that the Pyramid Lake Paiute Tribal Council hereby establishes a standard requirement for one Tribal Councilmember to formally participate with each Standing Tribal Committee, and shall act in the capacity of an ex-officio liaison to the Tribal Council; Be it further resolved, that the Pyramid Lake Paiute Tribal Council hereby establishes a standard requirement for any Tribal Councilmember to participate on two Boards of Directors and/or Standing Tribal Committees; Be it finally resolved, that each Board of Directors or Committee amend its Charter, Code, Ordinance, By-Laws, or any standing authorizing document to comply with the terms and conditions to implement the purpose of this Resolution."*

Councilmember John asked if a Council liaison would not be a voting member like they were now. She asked if this was correct. Vice-Chairman Wright responded that was not what the resolution was saying and that the person would be a liaison to report to the Council. Councilmember Mix asked if that was what the supervisor was supposed to be doing. Vice-Chairman Wright responded yes. He explained another issue was brought up regarding immediate families serving on boards and committees and he wanted to include this also; he noted it could come later.

Chairman Burke asked about the Councilmembers serving on boards and if the director was supposed to be the one reporting to the Council, he appreciated the courtesy of having Councilmembers on the boards as they went to his office with their concerns or discussions that maybe the director did not see. He noted it was a good to have Councilmembers bring concerns to the board level.

Gina Wadsworth noted that not all boards and committees had a specific department to report to such as Election, Land and Resource, Law and Order as it was stated earlier that the director would report to the Council. Councilmember Mix noted those committees did report to the Council. Councilmember Collins noted it worked the other way around as well as a Tribal Councilmember could relay information that was happening at a Tribal Council meeting back to an entity. Councilmember Mix noted this resolution had been brought up twice now. He discussed the qualifications and having people serving on the committees further.

Councilmember John noted that in some respects the resolution was good but that she did not agree with the Council dictating to the boards that were created under charter as the Council approved their charters as they stood so to her it should come back from those boards that they wished to

(Continued on page 31)

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amend their charters. She further commented it should not be mandated to them. Vice-Chairman Wright responded to the comments and noted the Council has had commissions dissolved and committees done away with by the Council and this was less than making those types of decisions where they had actually done away with a committee which was what the Council had done. He noted this decision was nowhere near that. Councilmember John explained she was expressing her opinion as she had heard the comments regarding that and she did not agree.

Councilmember Davis noted she did voice her opinions regarding this and past directives as the Council did appoint anybody that sits on those committees no matter who it was at that time and as Councilmember Mix said this was the third time this resolution had come up.

A motion was made by Councilmember Davis to deny the resolution. The motion was seconded by Councilmember Mix. There was further discussion before a vote was taken.

Councilmember Collins commented there were other community members out there who probably had the ability and knowledge and desire to serve on some of the boards. Councilmember John discussed her previous comments regarding this issue as they needed to get the community members to actually want to submit their names to sit on the boards when it was advertised. She noted they were not doing something correct if they could not get their community members to put their names in for different positions that were open.

Councilmember Davis discussed the 4th "Whereas" on the resolution which stated: "Whereas, the Pyramid Lake Paiute Tribal Council acknowledges and recognizes the importance of community involvement in its Tribal Government Affairs." She noted they had a position that would be filled at this meeting and if they passed the resolution, they would be putting that community member aside. She commented it would work both ways, either way.

Vote taken on the motion was 7 FOR and 1 AGAINST (Wright); with 1 ABSTENTION (Collins). **Motion carried.**

NDOT Right of Way & Resolution – SR 446 Project: Della John presented the proposed agreement and resolution for the project. Vice-Chairman Wright asked if this was the project near Sandhole beach. Della John responded that was correct. She explained that NDOT wanted to do repair and maintenance and needed to expand their existing right of way. She further explained this item had started out with the IDT team and was reviewed by legal counsel. Councilmember Davis asked if this was the project that NDOT had worked on when they had the last flooding in that area. Della John responded yes. John Mosley explained they were still waiting for the BIA to do the NEPA as well.

Councilmember Mix asked if NDOT was going to be paying the prevailing wage to the tribal members and if tribal members were going to be hired under the TERO. Della John explained the Tribe had TERO and also Sales and Use Tax language included in the agreement. Councilmember Mix asked if the people who attended the OSHA training would be able to work on the project.

Della John explained it still had to go through the NDOT hiring process as TERO created the opportunity for employment so if they had a position available it would go through their hiring process just like any contractor. She further explained the TERO included a fee and a labor list and depending on the position, the labor listing was sent to the contractor but everything was under the contractor's rules.

Councilmember Mix noted that was what he was saying, that they had to have the 30-hour OSHA course otherwise they would not get hired because the Tribe was going under the contractor's rules. Della John responded yes. She explained they went under any contractors' rules and that was how it had always been. They used the TERO money that was received from NDOT this year to have trainings for the labor force so they could compete for the jobs.

Councilmember Mix asked Della John if the flagger's class was already held. Della John responded the training was scheduled for Saturday, August 13th and may help with Transportation Planning's projects as well since they would be doing a chip seal project. Chairman Burke noted the TERO fee was 2.5% which included a 25% TERO training fee and the Tribal Sales and Use Tax of 7.725%.

A motion was made by Councilmember John to approve the agreement and resolution as presented. The motion was seconded by Councilmember Mix.

Before a vote, Councilmember Mix discussed the amount for the TERO fee and if it was going to be reduced down in the TERO ordinance. Della John explained it used to be \$100,000 now it was \$50,000. Councilmember Mix noted he thought it was going to be reduced to \$5,000 that way they could get a lot

more money and more work opportunities for the tribal members. He further noted he had suggested that last year to drop the amount to \$5,000-\$10,000.

Vice-Chairman Wright explained he followed up with the Housing Authority and he would need to follow up with them again because there were a number of projects that they did and would be the one department that would be affected the most. Councilmember Mix noted that would be a lot more money coming back to the Tribe.

Della John discussed the TERO money received as it used to go into the General Fund. She informed Council that a separate account was set up by Finance and would be carried over every year and would not be zeroed out every year. It would be used specifically for the TERO office per the ordinance but since there was no office she assumed those functions under the Indirect and the TERO money was used for training. Della John discussed the trainings that have been held so far and the attendance at each of the trainings.

Votes on the motion were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 67-11**

NEW BUSINESS

PL Suicide Prevention Coalition – Resolution & By-Laws: Introductions were made by Della John. Veronica Gephardt and Misty Allen were present on behalf of the Coalition to discuss the Coalition's request to be recognized by the Tribal Council and to expand their work into the communities. Council reviewed and discussed the Coalition's proposed by-laws. Councilmember John asked which department the Coalition was going to be working with. Veronica Gephardt responded they were hoping the community would help them to decide that. She explained the by-laws were to help assist and establish the Coalition and could be changed as they went along. She further explained the work started out on a task force but that they would like it to be assumed by the Coalition so it would sustain itself. Chairman Burke noted that the director of the group was the Health Director. Councilmember John suggested on the last clause of the resolution, that it state the following: "The Pyramid Lake Paiute Tribal Council supports the formation of the Pyramid Lake Suicide Prevention Coalition to operate under the attached By-Laws and this organization will operate within the community of the Pyramid Lake Paiute Tribe following the attached By-Laws."

A motion was made by Councilmember John to approve the resolution and By-Laws for the Coalition as amended. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried. RESOLUTION PL 68-11**

PL Jr. Rodeo Club – Donation Request: Letter received requesting a donation to their upcoming rodeo on July 23-24, 2011 at Wadsworth. Council discussed whether or not this was the same group that was included in this year's Tribal budget since funds had already been allocated; it was clarified this was for a different event. Chairman Burke read the letter aloud. Vice-Chairman Wright clarified the sponsorship that was in the budget was for the Nevada Day Rodeo. Councilmember Davis noted it was for the same group and they normally approved one donation per year per group.

Council heard comments from Alan Mandell regarding the original intent of the License Plate fund and whether this group was affiliated with the High School.

Vernelda Frazier explained the Tribe was late and got in with the Reno Rodeo for license plates and they had said the Tribe could go in if they used 25% of the funds for the first five years towards a rodeo. She further explained that since the Tribe's financial records were now cleaned up they were able to identify how much was in the fund that could be used towards a rodeo from the License Plate funding which was going to be discussed at a meeting on Monday because the Tribe still needed to report to the State what Pyramid Lake did with that money since it was for high school rodeo and the Pyramid Lake High School did not have such a thing. The Tribe did have members that went to other high schools where they did participate and after that they looked at it going down to the junior rodeo because that was all there was.

Vernelda Frazier further explained the funds were originally set up to improve the rodeo grounds. Councilmember Mendes noted these were two different types of events although the request came from the same group.

A motion was made by Councilmember John to approve a donation at the group rate. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 1 AGAINST (Davis); with 0 ABSTENTIONS. **Motion carried.**

Wes Williams, Jr. – Invoices/May & June, 2011: Invoices received. Council discussed how much of the invoices would be paid by the departments that used legal services and how much would be paid out of the General Fund. A motion

was made by Councilmember John to approve both invoices for payment as presented. The motion was seconded by Councilmember Collins. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried.**

COMMITTEE/DEPARTMENT REPORTS – ACTION REQUIRED

Environmental Department – Truck Purchase; Burning Man Solid Waste Permit: Report submitted. John Mosley, Environmental Director presented his report. He also requested to add an additional vehicle purchase request that was not included in his report. He distributed quotes for this. Chairman Burke asked John Mosley to proceed with the items that were submitted in his report first.

John Mosley presented the department's first request which was to purchase a trash truck for the solid waste program. He explained the truck's capacity would allow for quicker trash pickups and the department would be able to assume the lake trash pickup which would allow the Maintenance department to focus on other areas of lake maintenance.

Councilmember Davis asked John Mosley about the amount of the trash truck he proposed to purchase as the amount reported by the Tax Department was different. Vernelda Frazier responded to Councilmember Davis's questions and explained that the department had requested a trash truck for the past couple of years but the Tax Commission had indicated it would match the amount once the department had this item in the budget. She clarified the amount contributed by Tax which was up to \$30,000 to match the department's request.

A motion was made by Vice-Chairman Wright to approve the trash truck purchase as presented. The motion was seconded by Councilmember Mix. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The department's second request was for approval to post a draft trash permit application to be used for this year's Burning Man. Councilmember Mendes discussed her concerns with allowing trash collections by tribal members as she felt it was a bad idea and that the Council should not allow it. She asked that if the Council did go forward that it be better regulated than it was before. John Mosley responded it would be up to law enforcement to regulate it in accordance with the Solid Waste Ordinance.

Councilmember Mix discussed his concerns regarding the full bins and the need to empty the bins right away because the feces could get in the air and into people's lungs and could cause worms. Chairman Burke agreed that if this was to be approved, that the Environmental Department would have to be monitoring all of the sites because law enforcement would be too busy with patrols during this time. Council discussed changes needed to the application form. Councilmember John noted the form needed to include a date throughout the form.

A motion was made by Vice-Chairman Wright to approve posting of the application form with the noted change. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (Garcia, Mendes). **Motion carried.**

The next item was approval to purchase a pickup truck for the department. Council was provided with quotes for review and discussed the amount of taxes paid on the vehicle.

A motion was made by Vice-Chairman Wright to approve the vehicle purchase of a Toyota Tundra with the quote from the Magnussen-Auburn Toyota dealer. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (John). **Motion carried.**

Technology Services Department – Contract/Cultural Survey for BTOP Project: Report submitted. Greg Gardner presented his report. He explained this was for the cultural survey that was required for the environmental assessment under the BTOP project and discussed the bids received. Councilmember Davis asked Greg Gardner about the amount that was allocated for this project or within the budget line item. Greg Gardner responded the amount was \$40,000. He introduced Thomas Skinner who was the new Project Manager.

Councilmember John noted the contract was stated to start March 1st and asked if that was correct. Greg Gardner responded that was correct. Councilmember John asked if they already started this work. Greg Gardner responded yes. He explained this was to correct the records and that they were in the middle of drafting the report which was very critical to the project. Councilmember John asked why the Council did not receive this contract sooner.

Greg Gardner responded it was more of an issue that somebody thought somebody else was doing it and it came to his attention when he received an invoice and found out there

(Continued on page 32)

(Continued from page 31)

was no contract. He explained it would be an audit finding if the contract was not approved. Councilmember John noted it would be an audit finding anyway because the contract would be dated effective tonight. She asked about clause 14 which referred to Article 4 and where this was at in the contract. Greg Gardner explained Article 4 specified the timelines and specific dates which was outlined in the addendum to the contract.

A motion was made by Vice-Chairman Wright to approve the contract with the noted changes to the effective date and addendum. Before a second to the motion was made, Councilmember Mendes asked Greg Gardner to give an update on the project.

Greg Gardner reported that a site review took place two weeks ago and the Tribe was going to be given a performance improvement program which was a demerit because the Tribe was falling behind. He explained the environmental assessment and IRU caused the delays in the project and that an appraisal was going to be done on the IRU in two weeks which would create the match the Tribe was looking for. They were also looking at getting the Praxis contract accelerated and done. The Realty department attorney was reviewing the documents for the IRU on the project and hoped to have the contract for the IRU to Council in early August as the NTIA had pushed for that.

Greg Gardner discussed the other issue which was the Realty Department getting the right of ways on the tribal properties and the easements over the fee lands to make sure everything was clear for approval of the final route by resolution.

He discussed the cultural survey that was done in consultation with the NAGPRA Committee and noted the Tribe should be okay but that they did not want to get much further behind on the project because NTIA could pull the funding.

Councilmember Mendes asked about the timelines of the project which were provided by Greg Gardner. He also discussed the timelines for the environmental assessment and cultural survey which was to be done by August 16th and then NTIA would have 30 days to respond. He explained there were some issues with stopping construction during the spring because there might be wildlife on the route and they would be getting that cleared up; the Fish and Wildlife Service was going to be issuing their letter of concurrence and then the environmental assessment could be evaluated and the FONSI issued for the project. The Tribe's project was one of the last projects to have the environmental assessment completed.

The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (John, Mix). **Motion carried.**

Chairman Burke asked Thomas Skinner if he had anything to add. Thomas Skinner explained that with him coming on board the project would be able to progress overall and he would be submitting a report at the next meeting. Chairman Burke informed Council of Thomas Skinner's performance on the project since starting.

Health Department – Dental Equipment Purchase: Report submitted. Debbie Barlese, Acting Health Director presented her report. Council was provided with two quotes for the purchase of new dental equipment from Henry Schein and Patterson Dental. Debbie Barlese discussed the quotes received and informed Council that the Health Board had recommended to accept the proposal from Henry Schein.

A motion was made by Councilmember John to approve the purchase with the quote from Henry Schein as recommended. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** (Councilmember Collins out of room during vote)

Councilmember John asked for an update on the status of recruitment for medical providers. Debbie Barlese explained the position was advertised and the Clinic interviewed one applicant but that the background investigation did not come back favorable. She discussed the recruitment efforts further and informed Council they had two possible candidates for the medical physician position. Councilmember John asked about the mid-level physician. Debbie Barlese responded the Clinic hired Noreen Barino who would be starting soon.

Vice-Chairman Wright discussed the Tribe's request for a letter from the Diabetes Program for over a year now on the Urrutia home and asked Debbie Barlese why the Tribe had not received a response on this. Debbie Barlese responded she did not know about the year part but that she did know it was brought before the Health Board and that they were going to turn it back over to the Tribe. Councilmember Mendes noted the Health Board had directed the Diabetes Program to develop a letter of presentation that would come to the Council to say they would be giving the property back because it would cost too much to renovate it.

Vice-Chairman Wright asked why it would be presentation and why they could not just tell the Tribe they were going to give it back.

Councilmember Mendes explained the Board had talked about it and that they would need to come up with a resolution to undo the Council's resolution that gave the program the property. Debbie Barlese informed Council that the Clinic could do that. Vice-Chairman Wright noted the Tribe had been waiting for months for something to come from the program.

Council asked for an update regarding the Urrutia property which had been given to the Diabetes Program. Vice-Chairman Wright explained the property had been given to the program through resolution which needed to be rescinded as the program would no longer be using the property. A letter from the program was requested to confirm this.

Higher Education – Various Scholarships: Report submitted. Anthony Sampson presented his report and explained the percentages and amounts allocated.

The first group of scholarships were for the Consolidated Higher Education funding for: Vanessa Williams, Nathan Dunn, Chenoa Williams, Aaron Bill, Stephen Jim, Lysie Dunn, Tasheena Florez, Conner Dunn, Chyanne Hernandez, Sonny Yellow Hair, Samuel Arrington, Casey Matthews, Aisha Paya, Lynsey Hinze-Buff, Carrie Heglund, Shannon Mandell, Jay Cortez, Lena Migala, Jayson Oakie, Nikwich Wright, DeShonna Henry, Sicily Ruiz, Feather Johns, Markie Wilder, Marlo Carducci, Pamela Wright, and Dwight Garcia.

The next group of scholarships was for the Tax Enrichment Fund for: Samantha Melendez, Jeremiah Sampson, Nikki Williams, Taylor Williams, Paula Paul, Kathleen Wright-Bryan, Mark Mix, Jr., Melva Shaw-Hunter, Michelle McCauley, Christine McIntyre, Brenda O'Neil, Tamara Livingston, Racine Brady-Martinez, and Mitchell O'Daye.

The next group of scholarships was for the BIA Adult Vocational Training for: Loren Decker, Marcy Lucas, Mitchell Moore and Caycee Skenandore.

The last group of scholarships was for the Tribal Scholarships in the amount of \$350 each for: Mitchell Moore, Lysie Dunn, Tasheena Florez, Jeremiah Sampson, Chyanne Hernandez, Conner Dunn, Nikki Williams, Aisha Paya, Casey Matthews, Stephen Jim, Jayson Oakie, Nikwich Wright, Mark Mix, Jr., Melva Shaw-Hunter, Markie Wilder, Mitchell O'Daye, Brenda O'Neil, Michelle McCauley, Marlon Ramos, Jr., Dwight Garcia, and Anthony Sampson, Sr.

A motion was made by Councilmember John to approve the scholarships as presented. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** (Vice-Chairman Wright out of room during vote)

Land and Resource Committee – (6) Land Assignments: Minutes submitted. Anthony Sampson presented the Committee's recommendations as follows:

Brenda Hicks: Applying for a home site in Nixon. A motion was made by Councilmember Davis to approve the application for Brenda Hicks as recommended. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** **RESOLUTION PL 69-11** (Vice-Chairman Wright out of room during vote)

Esther O'Daye Escalante: Applying for a home site at Sutcliffe. A motion was made by Councilmember Davis to approve the land assignment for Esther O'Daye Escalante as recommended. The motion was seconded by Councilmember Garcia. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** **RESOLUTION PL 70-11** (Vice-Chairman Wright out of room during vote)

Janice John: Applying for a home site in Wadsworth. A motion was made by Councilmember Davis to approve the land assignment for Janice John as recommended. The motion was seconded by Councilmember Garcia. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** **RESOLUTION PL 71-11** (Vice-Chairman Wright out of room during vote)

Larry Melendez: Applying for home site in Wadsworth. A motion was made by Councilmember Davis to approve the land assignment for Larry Melendez as recommended. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** **RESOLUTION PL 72-11** (Vice-Chairman Wright out of room during vote)

Michelle Moore-Scott: Applying for home site in Nixon. A motion was made by Councilmember Davis to approve the land assignment for Michelle Moore-Scott as recommended. The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Wright). **Motion carried.** **RESOLUTION PL 73-11** (Councilmember John out of room during vote)

PLPT/Wadsworth Community Center: Applying for site in

Wadsworth for a community building. A motion was made by Councilmember Davis to approve the land assignment for the Wadsworth Community Center as recommended. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.** **RESOLUTION PL 74-11** (Councilmember John out of room during vote)

Councilmember Davis noted the Committee's minutes included a land assignment application for Lori Black, and asked why this was not included with the recommendations. The Secretary clarified this individual had already received the assignment under a previous name and that the records would be amended to reflect this.

Transportation Planning Department – BIA Award/ Chip Seal Project: Report submitted. Councilmember Garcia presented his report and gave a background on the RFP for the project and the bids submitted.

A motion was made by Councilmember Davis to approve the bid received from Sierra Nevada Construction as presented. The motion was seconded by Councilmember Collins. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (John). **Motion carried.** (Councilmember Garcia not voting).

Tribal Enterprises – Updates/Nixon Store & I-80 Smokeshop: Financial report submitted. Charmayne George, Acting Enterprise Manager presented the financial reports for both stores and discussed the next delivery of fireworks. She explained the closest distribution site for Nevada was in Ohio and the earliest delivery would be next week. She also discussed the amount of the initial order and subsequent orders, and how these were paid. She informed Council that all invoices have been paid for the orders and that the stores were ready for another shipment. Councilmember Mix asked if the Tribe had to pay in full before anything else was shipped out. Charmayne George responded no but that it was under the original agreement. She discussed the payment schedule and how Phantom Fireworks had worked with the Tribe.

Chairman Burke informed Council that the BJ Alan Company had been burned by other tribes they worked with in the past and had put out product on the Tribe's shelves in good faith that they would be paid and that the Tribe had gone above and beyond to work with them. He noted they were moving in the right direction and that the Tribe had shown them that the Tribe was not out to not pay them. Charmayne George explained that the company did work with the Tribe to ensure that inventory was available so the first payment could be made and there were no outstanding invoices. She further explained that was not the reason for the delay in new products.

Council was informed the stores brought in an increased customer base as noted in the sales. Charmayne George reviewed the financial reports for the Council and discussed the sales in fuel and store products. Vice-Chairman Wright asked how the stores were doing in getting some of the Native brands back into the stores. Charmayne George responded that the Smokin' Joes were back in the stores which were the ones that had not been there for a couple of months and they also had the natural organic line of the Smokin' Joes. She discussed this further.

Councilmember Mendes noted the debt amount owed by the stores was not as significant as it was. Charmayne George reported this was the same for the Nixon Store but on a smaller scale. She discussed the goal of increasing the store's inventory to determine how much was needed to stock the store and how much was needed to maintain it.

Councilmember Mendes asked about the kitchen at the Nixon Store and what was going to be done. Charmayne George explained the kitchen cook had quit and they tried to post for an on-call cook as the previous cook had been full-time with benefits and in order to make a profit on the kitchen, the sale would have to have been over \$250 per day and it barely cleared \$80-\$100 per day. Councilmember Mendes asked if there was any reason why any of the clerks could not work in the kitchen. Charmayne George explained they would have to post for a cook position as it was paid at a higher wage than the clerks. Councilmember Mendes discussed her observations of the kitchen and how it had created additional sales at the store. She noted this was the first time she had seen the financial reports on an upward trend.

Councilmember Mendes asked if there was a plan for the transitional or break period that Charmayne George was going to need. Chairman Burke responded that was discussed today and that eventually Charmayne George would have to take time away from the stores and make sure that people were put in place to continue with the process of moving forward. Charmayne George discussed the staffing that was in place at each of the stores.

Councilmember Collins noted that Charmayne George's

(Continued on page 33)

(Continued from page 32)

appointment was for 90 days and asked when that would expire. Chairman Burke responded he would have to review the paperwork. He noted that the policy stated that the Administration had the ability to promote from within and if he felt that Charmayne George was not following through in getting the Enterprises running he would not be doing the 90 days. He explained at the end of the 90-day period they would sit down and review where they were at but from what he had seen from the numbers and the changes from the short time that Charmayne George had been there, that he did not foresee wanting to step backwards and go in a different direction.

Councilmember Collins noted they needed to take into account that a lot of the profit was from the fireworks sales. Chairman Burke responded that the Council also needed to take into account that if they did not have the right person in place that the operation would be a train wreck and he did not want to see that happen.

Councilmember Davis discussed the meeting when Chairman Burke had informed the Council that he did do the 90-day appointment and she had asked at that time if they were going back to an Enterprise Manager and if it would be for the rest of the year. Councilmember Davis noted Chairman Burke had told the Council that he was not sure and then at the end of the discussion he had said yes, that the position would be posted and it was still not posted.

Chairman Burke responded that as he stated before, things had changed and Charmayne George had shown him what she was able to do and that was what he was going to support. He informed Council he refused to step backwards and was not going to step backwards and that he was going to support Charmayne George 100 percent as the stores were in a good spot. He expressed his appreciation to the Council for their support of this action.

Councilmember Davis noted she was not referring to the person; she was looking at the position which they appointed for 90 days and asked what they were going to do at the end of the 90 days and if the position was going to be posted. She noted they needed to do it right and if they were going to put an Enterprise Manager in there, that it needed to be posted and if Charmayne George put in for it and got it, then so be it but if they were going to hire an Enterprise Manager they needed to post it. Chairman Burke noted the policy said he could promote.

Councilmember John noted it was a matter of interpretation and they needed a legal opinion as the positions they were talking about were selected by the Tribal Council. Vice-Chairman Wright noted it was nowhere in the policy. Councilmember Mix informed Council that Chairman Burke was correct as he did look in the policies but the ultimate decision was up to the Council because they were the Chairman's boss. Chairman Burke agreed.

Councilmember Mix noted if it was not working out and if the Council saw that it was not working out then they were the ones that made that decision. Vice-Chairman Wright explained that when it was working they would have to see it that way and they should support it.

Councilmember Davis noted she was not saying not to support it but if the Council was going to support it they needed to support it for longer than 90 days and post the position and if Charmayne George was the most qualified then at least they did it the right way.

Chairman Burke noted the policy said that he could promote and that it gave the Administration that ability to appoint and in fact encouraged tribal members to step in. He explained that was what the policy said and that was what he was going from, and that if the policies conflicted then it needed to be changed.

Councilmember Mendes noted what she was hearing was that the Council was asking that Chairman Burke make a decision and present it to the Council for action. She further noted she did see improvement at the stores and was impressed, and asked that Chairman Burke come forward and say what they were going to do. She asked Chairman Burke to be truthful and up front about what he wanted to do as she had assumed this was an appointment. She commended Charmayne George for the great job she did with the stores and that she would continue but that there was going to be a point in time where she would be out of the picture and there would need to be a person to take over in the interim. Councilmember Mendes told Chairman Burke that he needed to be very clear in what he wanted to do with that because it would end up in an argument either way as it was right now.

Charmayne George informed Council that it was nothing personal against anyone or anything and given the position she was in, that the only thing she wanted to see was that the stores improved because they could make money if it had the

right manager.

She further commented whether it was her or somebody else they knew it could make money and they needed to get someone in there to keep it moving forward and keep the trend moving upward. Councilmember Mendes commented that was all she wanted to see and that it had been a long time. Charmayne George further commented that it was not personal and that she was not expecting to be held in this position as she took it knowing it was 90 days and that she had wanted to show the Council that the stores could make money and that there were some changes that needed to be made. Councilmember Mendes discussed the impacts of posting or not posting the position and noted that Chairman Burke had informed the Council that the policy allowed him to make the appointment and promote from within. She discussed this further.

Chairman Burke informed Council that now that they had updated information in front of them, that he would present the policy about what it says the Administration could do and that he would present the Council to support the appointment of Charmayne George as the Enterprise Manager at the next Council meeting. He further informed Council he could have a representative from Human Resources present at the meeting to answer any questions from the Council.

At this time Council heard comments from Vernelda Frazier regarding Charmayne George's work at the stores, and her concerns with posting the position and in-house promotions. Vice-Chairman Wright discussed past transfers that were made between departments without posting as that had happened too and was not in the policies. He noted they were not talking about a transfer and that they were talking about a promotion. He discussed this further.

Councilmember Mendes commented if they were going to promote from within that they should advertise it internally before they went externally and that there needed to be a process for that. This was discussed further.

Councilmember Mix commented that everything should be posted to give everyone a chance as he had seen a lot of people with good qualifications be turned away from positions because they were told they were too qualified but the main thing was that they did not have a job, and they were tribal members. He further commented that tribal members were being fired and he did not like that as he would rather see their own members working instead of non-members coming in and taking their jobs.

Charmayne George responded to the comment made earlier by Councilmember Collins about the fireworks bringing in more money but that the overall profit was not based solely on fireworks sales. Councilmember Collins noted the majority of it was. Charmayne George explained even with the fireworks sales the stores had other departments to make sales. This was discussed further.

Councilmember Mix discussed the inventory of fireworks at the stores and his concerns regarding this. Charmayne George explained it would improve now that they knew what was selling and what did not sell. She discussed this further.

Councilmember John asked if a cook would be hired for the Smokeshop for Burning Man. Charmayne George responded no but that they were going to be purchasing a smaller cooler for fresh sandwiches and fruits and carry those.

Councilmember Wadsworth asked Charmayne George what the professional fees covered in the budget. Charmayne George explained the professional fees were for Finance staff to do the accounting and for herself which was the way it had been put through for the past two years to distinguish between the accounting part and the store part. She discussed this further.

Councilmember John asked Charmayne George if the professional fees were for salaries. Charmayne George responded yes and explained how it was billed. Councilmember Wadsworth asked Charmayne George if she spent the same amount of time working at each store even though one store was bigger than the other store. Charmayne George responded no and explained how this was split. She discussed this further.

Vice-Chairman Wright discussed the security alarm system at the Smokeshop and noted he was still listed on the contact list. Charmayne George explained how this was set up and what happened when the alarms were set off.

Committee Vacancy – (1) PUD Board: One individual applied for the vacancy on the Board. A motion was made by Councilmember Mendes to appoint Lyle Kochamp to the PUD Board. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 1 AGAINST (John); with 1 ABSTENTION (Crutcher). **Motion carried.**

Pyramid Lake High School: Councilmember John informed Council of an upcoming barbecue at the school scheduled for August 2nd at 6:00 p.m. for the graduating seniors

who were departing for college in the fall, and that invitations would be sent to the Council.

Councilmember John also distributed and discussed grant information to the Council which would be used to track students from kindergarten through college. She informed Council she would be meeting with Contracts and Grants to discuss the grant further to see if the Tribe would be interested in applying in partnership with the High School, and that a letter of intent was due by July 22nd.

Councilmember Collins commented on the recent vandalism to one of the vehicles at the High School and discussed her concerns regarding the vandalism.

ADJOURNMENT

There being no further business before the Council, a motion was made by Vice-Chairman Wright to adjourn the meeting. The motion was seconded by Councilmember Mix. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS.

Motion carried.

The special meeting of July 15, 2011 adjourned at 10:10 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 5th day of AUGUST, 2011, having ten (10) members present, constituting a quorum, by the vote of six (6) for and zero (0) against, with three (3) abstentions.

Minutes attested and concurred by:

/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMIDLAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES - July 25, 2011

Members Present:

Wayne Burke, Tribal Chairman	
Judith Davis	Johnnie Garcia
Sherry Mendes	
Irwin Mix	Leona Collins
Genevieve John	
Steven Wadsworth	Gordon Crutcher, Jr.

Member Absent: Mervin Wright, Jr., Vice-Chairman

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the July 25, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:03 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Vice-Chairman Mervin Wright, Jr., was absent from the meeting. Councilmembers Sherry Mendes and Irwin Mix arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: Higher Education, Elder Emergency Request, Tax Department and the Rangers Department were added under New Business.

Councilmember Mendes arrived at this time – 6:05 p.m.

A motion was made by Councilmember John to approve the agenda as amended. The motion was seconded by Councilmember Davis. Votes were 6 FOR and 0 AGAINST; with 1 ABSTENTION (Mendes). **Motion carried.**

NEW BUSINESS

Environmental Department – (1) Grant Application & Resolution: Report submitted. John Mosley, Environmental Director presented his report. Councilmember John asked about the budget and what it would be used for. John Mosley explained it was to cover the construction shortfall for the Sutcliffe water treatment plant and would be used for legal expenses and construction of the plant; the budget total was \$490,000.

Councilmember John asked about the effective dates of the grant. John Mosley responded he was not sure as it would depend on the Rural Development's funding cycle and the Tribe would have until the end of 2013 to spend the funds. The compliance agreement with the Environmental Protection Agency would end on March 1, 2012 and would need to be amended through a request to EPA.

(Continued on page 34)

(Continued from page 33)

John Mosley further explained the grant application was reviewed through the routing process and also had a loan obligation included in the grant application. Councilmember John asked where the funding would come from to repay the loan. John Mosley responded it would come from the department's annual budget, or another option would be to request funding from the Tax Use Fund. He informed Council that the utility fees may also have to be increased to cover this expense.

Councilmember Mix arrived at this time – 6:14 p.m.

Councilmember Collins asked if the Tribe normally did grant applications on a loan basis. Chairman Burke explained that previously the Tribe had poor credit and was not able to do something like but since the Tribe's credit has improved, it now has this option available. Councilmember John asked how this grant would impact the program. John Mosley explained if the grant application was approved, he could come back to the Council with additional information regarding the terms and conditions of the loan portion of the grant. He discussed how the grant calculations were made.

A motion was made by Councilmember John to approve the grant application and resolution with the understanding that the Environmental Director would come back with the terms and conditions of the grant if a loan was required. The motion was seconded by Councilmember Mendes. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

RESOLUTION PL 75-11

Health Department – Rescission of Resolution PL 18-08/Urrutia Property: Letter received from the Health Department's Diabetes Program returning the property back to the Tribe as the program could not afford the renovation expenses. A motion was made by Councilmember Mendes to rescind Resolution PL 18-08. The motion was seconded by Councilmember Wadsworth. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Chairman Burke discussed possible uses for the property which had been proposed for use as a tobacco storage facility. This was discussed further.

BIA Workshop Follow-up – Meeting Procedures: Council was provided with a copy of the sample meeting procedure which was developed by Fred Drye from the Bureau of Indian Affairs and used during his presentation on July 16th. Chairman Burke discussed the workshop and the topics discussed.

Councilmember John noted that the Council needed to define the succession of officers in the absence of the Chairman and Vice-Chairman to conduct the meetings as it was not correct to have the Tribal Secretary assume this role as the Secretary was not a member of the Council. Councilmember John also discussed the need for the Council to have procedures for the meetings and that Fred Drye had advised that the Council needed to comply with its By-laws for meeting agendas and procedures. Also discussed were the job descriptions of the Chairman, Vice-Chairman and the Tribal Secretary regarding their responsibilities to the Council and Tribal Administration.

Councilmember Mendes noted since the Tribal Secretary was not a member of the Council there might be a possibility that the Secretary could receive the meeting stipend since she was not an elected official. Council agreed this would need further discussion possibly at the next budget meeting. Councilmember John asked about the revenue projections for 2012. Chairman Burke responded this information would be provided.

Councilmember Wadsworth asked about the budget information from the Enterprises and if this was before or after the 7.5% increase. Chairman Burke responded he would need to find out.

Annual Tribal Membership Meeting – Schedule Date: Council discussed possible dates to hold the meeting with the communities and agreed to schedule the meeting for Friday, September 23, 2011 at 6:00 p.m. at the Nixon Gym. Council was provided with a draft agenda and made no changes to the agenda. Chairman Burke informed Council that the departments would be asked to provide an overview of their programs which would be compiled into a slide show presentation.

Final Interviews/Chief of Police, Tribal Comptroller: Council received a memorandum from the Human Resources Manager regarding the final interviews and discussed dates to schedule the interviews. Council agreed to schedule the interview for Friday, August 5, 2011 during the regular meeting which would start at 5:30 p.m. instead of 7:00 p.m.

Higher Education – Scholarship Approvals: Report submitted. Anthony Sampson presented his report and explained why the two applications were not included with the rest of the applications. The two applications were for Mark

Carducci and Nathan Dunn, and were recommended for approval by the Higher Education Committee at a special meeting held July 21, 2011.

A motion was made by Councilmember Davis to approve the two scholarship applications as recommended. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Elder Emergency Request: Council was informed of a request from a Tribal elder requesting assistance to replace a refrigerator. A motion was made by Councilmember Mendes to approve the request as presented. The motion was seconded by Councilmember John. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried.**

Councilmember Mix discussed his concerns with putting the names of the elders requesting assistance on the meeting agendas and asked that the names be kept off of the future agendas. Council discussed this further and had similar concerns regarding the Higher Education students, and agreed that the students be assigned student numbers.

Tax Department – Enrollment Software Purchase: Report received. There was no one present from the Tax Department to present the request. Chairman Burke informed Council that the request was for \$11,746 from the Tax funds to purchase a computer and software for the Enrollment Department. Councilmember Collins asked if this was presented to the Enrollment Committee for recommendation. Councilmember Davis responded the Committee was given the information at previous meetings and there was no line item in the Enrollment budget for this purchase. She further noted that since this was not Enrollment funds and was Tax funds, this might be an administrative decision.

A motion was made by Councilmember Mix to approve the request from the Tax Department as presented. The motion was seconded by Councilmember Garcia. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Wadsworth asked about the Windows software which was being updated by Microsoft and if the computer that was going to be purchased would meet the specifications. Joanne Shaw, Enrollment Officer responded she did not know.

Ranger Department – Tribal Councilmember Concerns: Councilmember Crutcher discussed his concerns that the Rangers were not doing their jobs and discussed his observations during a recent campout at the lake. Chairman Burke responded he would follow up with the department to address Councilmember Crutcher's concerns.

Councilmember Crutcher asked who the department would be supervised by if it was moved from out of the Police Department, and noted the Tribe was losing revenue by not patrolling the lake at night. Chairman Burke discussed the staffing of the department and informed Council he would discuss the scheduling with Acting Chief DePoali. Councilmember Crutcher discussed his concerns with the fireworks being shot off at various sites that were not designated as shoot sites and that the beaches were littered with firework debris.

Councilmember Mendes suggested having a person camp at the larger beaches and that person could call in violators or concerns to the Ranger dispatch. The Tribe could either pay this person or let them camp for free, and the person would not be enforcing. Chairman Burke explained the Tribe's constraints in staffing, and that he would discuss this with Human Resources as people could be out there and did not have to be POST certified to write civil citations. Councilmember Mendes suggested this be done for the larger beaches such as Pelican, Wino and the Nets.

Councilmember Mix discussed possibly having the fireworks open at all beaches but with a designed time limit and that people stationed at the beaches could call the Rangers for permit violations and trash pickup. He also discussed his observations during a recent camping trip at Blockhouse beach and noted the trash was not picked up although staff stopped by to check the bins, and the trash sat all weekend until the staff came back on Monday to pick up the trash bins. He further noted the portable restrooms were not serviced all weekend.

Chairman Burke informed Council that 10 more restrooms were being delivered next week and he had noted that people were dumping their gray water in the restrooms. He further informed Council that the Emergency Response staff was assisting with the restroom cleanup. Councilmember Crutcher noted this should be a routine thing and not just on holiday weekends and that people pull in at midnight when permits were not checked. He discussed this further.

Chairman Burke explained the Tribe needed to pay more for maintenance with increased lake use and needed the Council's support. Councilmember Crutcher suggested the Tribe hire temporary help similar to what the National Park

Service did. Chairman Burke explained if he were to do that he would need the support of the Council as the Tribe needed to put more money into the lake and facilities.

Councilmember Mendes discussed the need for another market rate survey to see what other places charge for lake use as the Tribe may need to increase its lake use fees. Councilmember John noted they also needed to see what the total cost was to maintain the lake and what would be required to provide actual services; that analysis was needed. Councilmember Mendes noted that people would pay to come out to a lake that had no development on it unlike Lake Tahoe. She discussed this further. Councilmember Collins noted the Tribe needed to have the facilities in place if the fees were going to be increased.

A motion was made by Councilmember Mendes to move into Executive Session. The motion was seconded by Councilmember John. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved into Executive Session at 7:16 p.m.

A motion was made by Councilmember John to move out of Executive Session. The motion was seconded by Councilmember Mendes. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 7:26 p.m.

Councilmember John reminded the Council of the High School's upcoming barbecue for its college-bound students.

ADJOURNMENT

There being no further business before the Council, a motion was made by Councilmember John to adjourn the meeting. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The special meeting of July 25, 2011 adjourned at 7:28 p.m.

Submitted by: Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 5th day of AUGUST, 2011, having ten (10) members present, constituting a quorum, by the vote of six (6) for and zero (0) against, with three (3) abstentions.

Minutes attested and concurred by:
/s/Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMIDLAKE PAIUTE TRIBAL COUNCIL REGULAR MEETING MINUTES—August 5, 2011

Members Present:

Wayne Burke, Tribal Chairman		
Mervin Wright, Jr., Vice-Chairman		
Judith Davis	Johnnie Garcia	Sherry Mendes
Irwin Mix	Gordon Crutcher, Jr.	Steven Wadsworth
Leona Collins	Genevieve John	

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the August 5, 2011 regular meeting of the Pyramid Lake Paiute Tribal Council to order at 5:33 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmembers Sherry Mendes and Irwin Mix arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary

APPROVAL OF AGENDA

The following changes were made: Washoe County School District Indian Education Program was added under Presentations; Scrap Metal Application was added under Unfinished Business; Environmental – Trash Bin Purchase, Health Department – Contract for Air Conditioner Repairs, Elder Emergency Request, and a Councilmember Travel Request were added under New Business.

Councilmember Mix arrived at this time – 5:35 p.m.

A motion was made by Councilmember Davis to approve the meeting agenda as amended. The motion was seconded by Councilmember Wadsworth. Votes were 7 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

PUBLIC COMMENT

(Continued on page 35)

(Continued from page 34)

There were no public comments made at this time.

HUMAN RESOURCES – Final Interviews

Present was Lesley Hawley, Human Resources Assistant, on behalf of the Human Resources Manager. Final interviews were scheduled for the Chief of Police and the Tribal Comptroller.

A motion was made by Councilmember John to move into Executive Session to conduct the interviews. The motion was seconded by Councilmember Davis. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Mendes arrived at this time – 5:40 p.m. Vice-Chairman Wright departed the meeting at 7:06 p.m.

A motion was made by Councilmember John to move out of Executive Session. The motion was seconded by Councilmember Crutcher. Votes were 8 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The Council moved out of Executive Session at 8:48 p.m. A brief recess was taken from 8:49 until 8:56 p.m.

CONSENT AGENDA

The following items were listed:

Law Enforcement – Internal Investigations Procedures

Tax Department – Request for Corrections/May 6, 2011 Council Meeting Minutes

Tribal Council Minutes: June 18, 2011; July 1, 2011; July 11, 2011; July 15, 2011; and July 25, 2011.

Councilmember John requested to pull the minutes of July 25, 2011; Councilmember Davis requested to pull the minutes of July 15, 2011.

A motion was made by Councilmember Mendes to approve the remaining items on the Consent Agenda as presented. The motion was seconded by Councilmember Crutcher. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION. **Motion carried.**

Councilmember Davis requested the following correction to the minutes of July 15, 2011: Page 22 – correction of the PUD Board vacancy vote to reflect her vote in favor of the motion and to note Councilmember John's vote against the motion.

Councilmember John requested the following correction to the minutes of July 25, 2011: Page 2, second paragraph – correction under the Environmental Department to reflect Councilmember John asking a question of John Mosley and to reflect that John Mosley responded to the question.

Councilmember Davis requested the following correction to the same minutes: Page 4 – Tax Department to amend her statement as follows: "Since this is not Enrollment funds and is Taxmoney, this may be an administrative decision."

A motion was made by Councilmember Davis to approve both sets of minutes as corrected. The motion was seconded by Councilmember Mendes. Votes were 6 FOR and 0 AGAINST; with 3 ABSTENTIONS (Mix, John, Wadsworth). **Motion carried.**

PRESENTATIONS

Sparks Police Department – Canine Unit Training Request: Letter received. Present was Acting Chief of Police DePoali. He explained that he was contacted by the Sparks Police Department requesting permission to conduct canine water rescue training at the lake. The Sparks Police Department would also be accompanied by the Washoe County Sheriff's Office to participate in the training. The training would be for two hours per day twice per month. Councilmember Mendes asked if the Tribe's department had a canine unit and if they would be able to participate in the training. Chief DePoali responded the department had a canine unit and would be able to participate as well. He explained the department's canine had not yet been recertified although they were attempting to do that now and the canine would be able to train as well.

A motion was made by Councilmember John to approve the request as presented. The motion was seconded by councilmember Davis. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Symbiosis Events – 2012 Eclipse Festival Request: Letter received. Present was Scott Carey, Tribal Planner, accompanied by Karen and Kevin KoChen. Scott Carey provided a brief overview of the previous letter submitted by Symbiosis and the Council's decision to deny the request.

Vice-Chairman Wright asked why the Council was reconsidering this request. Scott Carey explained the discussion from the meeting when the Council's decision was made and that there was a concern that there was going to be too many vehicles at the one area of the lake. He further explained the contact made by Symbiosis to see what could be done to move this event forward and from the tribal staff

standpoint there could be additional revenue and increased tourism and expose the lake to a new demographic.

Scott Carey discussed the work done with Symbiosis and the LLC Board for the event which was scheduled for May 17-21, 2012 to coincide with a solar eclipse. Chairman Burke explained at the time of Symbiosis's initial request the Tribe did not have its Tribal Source, LLC in place and now they did with a due diligence process and planning. He further explained that bringing this back up with that resource to the Tribe was the point. Council heard comments from Carla Molino of the Tribal Source LLC and she further explained the process of their work with Symbiosis to date. Council viewed a presentation from Symbiosis at this time.

Vice-Chairman Wright commented this event would occur right during the spawning run and when the pelicans would be the most active. He explained the Tribe's efforts to restore subsistence fishing and traditional practices and that he did not see how this would coincide, support, encourage or complement anything the Tribe was trying to do with regard to restoring the traditional practice that was so important to the Tribe's identity. He noted that the attendees could be educated about it but that it was the Tribe's efforts to educate its own children about why the Cui-ui harvest was important.

Vice-Chairman Wright further commented he was surprised that the U.S. Fish and Wildlife representative did not inform Symbiosis that this was the time of the Tribe's spawning run and the pelicans would be the most active and would be nesting at Anaho. He further discussed the impacts of this event on the natural environment of the pelicans and that it was not a good time or a good location, and noted that his view may differ from that of the other Councilmembers. Karen KoChen explained the event would take place over 4 nights and 4 days. She discussed access and control over the Pyramid area during the event and the various protocols that would be used.

Chairman Burke informed Council that the IDT and Fisheries were all in support of the event. Scott Carey discussed what was being requested from the Council which was approval to move forward and continuing to review the issues that were brought up during the presentation, along with the LLC Board's steps which was to prepare a letter of intent for consideration at the next Council meeting to move forward formally. He further explained that at the same time they would move forward to work on a special events permit and contract with Symbiosis. He noted that under the regulations there was section that addressed special events and that the Tribal Council could approve special events and include conditions on the permit.

Scott Carey discussed the work done by the IDT in putting together a rough draft of the permit. He requested approval to move forward and continue to negotiate a special events permit as well as a contract and to prepare a letter of intent for consideration at the next meeting to take advantage of the upcoming Burning Man festival to promote the event.

Scott Carey explained the purpose of the contract which was requested by Symbiosis to tie the Tribe and Symbiosis together and protect each other legally and outline specifically what each party's role was going to be with respect to the conditions of the special use permit. He discussed several examples.

At this time Council heard concerns from Lyle Kochamp regarding using the east side of the lake for this event and for Symbiosis to use a different location. He urged the Council to protect the east side of the lake.

Vice-Chairman Wright asked Scott Carey if they considered alternate sites. Karen KoChen explained they had wanted to stay away from the main highway. This was discussed further.

Chairman Burke asked about the letter of intent and noted they would not be able to come to a definite decision on the location at this time. He asked if Symbiosis would be open to having the event on the west side of the lake. Kevin KoChen responded that the site referred to earlier would not be adequate for the festival grounds as it would not be big enough for the camping and would not allow them to isolate the access to make it a viable option. He explained they did go up to Warrior Point as well and again the access was not as good and there was significant vegetation. He noted the environmental disruption would be significantly more in that area. Lyle Kochamp discussed other sites along the lake that could be used.

Councilmember Garcia noted the eclipse would be most visible from the east side of the lake and he asked if this was true. Karen KoChen explained it could be viewed from other locations at the lake as the eclipse would be high enough for visibility in other areas around the lake.

Vice-Chairman Wright commented he understood why there was interest in accessing the Pyramid side during this time and that it was obvious that someone was going to

capitalize on a photograph.

Councilmember Mendes asked if the event had to be on the lake. She discussed another area around the turn from Marble Bluff which had a good vantage point as well and would not be on the lake. Kevin KoChen explained they had driven around the perimeter of the lake and the only viable options were the space they discussed earlier or all the way up on the northwest side, but they understood there were archaeological sites in that area.

At this time Karen KoChen responded to questions from Lyle Kochamp regarding the proposed site and other potential locations for the event. Council heard comments from Alan Mandell about establishing a long-term area and infrastructure for large events at the lake and the potential revenue. Joe Mendes asked if this event was similar to the concert held at the lake previously and if there were already roads in the area that Symbiosis was requesting. Chairman Burke responded he was told that was the same area.

A motion was made by Councilmember John to move forward and consider the concerns that were expressed during the discussion but that they try and come to some type of resolution to continue forward. The motion was seconded by Councilmember Mix.

Before a vote, Councilmember Garcia asked if the letter of intent was going to tie the Tribe to what the resolution would be. Councilmember John explained that Scott Carey was going to have the letter of intent at the next meeting. Councilmember Wadsworth noted that Tribal Source, LLC would be handling the contracts.

Joe Mendes asked if this would be a one-time event or if it would be an annual event. Kevin KoChen explained it was a one-time event but that they were hoping to have a long-term partnership with the Tribe which would also allow them to change the date so that it would not be in conflict with anything. Votes were 7 FOR and 2 AGAINST (Collins, Crutcher). **Motion carried.**

Chairman Burke informed the Symbiosis representatives that they would continue their discussions with Scott Carey. Vice-Chairman Wright requested to be involved as well.

Ghost Posse – Paranormal Investigation Request: Letter received. Present for this item was Scott Carey, Tribal Planner. He introduced Petra Bradt and colleague. Petra Bradt presented her request which was to conduct a paranormal investigation on the west side of the lake and possibly a documentary with interviews of tribal members to discuss their paranormal experiences. The group conducting the investigation would consist of 20 individuals including a medicine man. Petra Bradt responded to questions from Lyle Kochamp about how the investigation would be conducted.

A motion was made by Councilmember Crutcher to deny the request. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (Mix, Wadsworth). **Motion carried.**

Washoe County School District/Indian Education Program – Annual Report: Present was Lynn Manning, Program Coordinator. Council and members of the audience were provided with information containing statistical data of student academic performance for the 2009-2010 school year. Council also viewed a presentation on the data which was discussed. Lynn Manning explained the data she was presenting was for the students enrolled at Pyramid Lake which showed how they did in the Washoe County School District schools. She further explained the data would be used to support their grant reevaluation and how they would spend future money to address the needs.

Council reviewed data from the 2007-2008 and 2009-2010 school years for students enrolled at Pyramid Lake or descended from Pyramid Lake. Lynn Manning discussed the data and explained what it meant. She explained the program tracked approximately 260-280 enrolled tribal member students, and she also explained the special education ratios for the general student population in the District which was 1 out of 6 students, while for Pyramid Lake the ratio was 1 out of 4 students with an IEP which was a very high incidence of IEPs.

Lynn Manning continued to review the data and explained its significance for students enrolled at Pyramid Lake.

Councilmember Collins asked Lynn Manning where the majority of the students represented in the data attended school in the District or if she would be at liberty to say where. Lynn Manning responded that out of the 60 percent of the students that were from Pyramid Lake, the majority of them were at Natchez and 40 percent were at Reno area schools. She continued with her review and explanation of the data.

Lynn Manning informed Council she also had data for students enrolled at the Reno-Sparks Indian Colony and the students not enrolled in any tribe but that she would like to

(Continued on page 36)

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present this data to the Colony and the Nevada Urban Indians first and then provide it to the Tribe. She discussed this further.

Lynn Manning discussed the programs offered under Title VII and the need to address the deficiencies noted in the data, which included a Memorandum of Understanding on attendance. She also discussed the meeting that took place back in April between the District and Tribe to partner and work towards getting students to attend school.

She had sent an email to Jackie Phoenix to remind her to schedule another meeting. Lynn Manning discussed the District's proposal which was submitted to the Tribe for comment.

Chairman Burke discussed his follow up with the principals at Natchez and Pyramid Lake High School and they were in the process of meeting with the principals in the Fernley area to discuss attendance issues. He informed Council that the Tribe recently hired a Juvenile Probation Officer and this person would contact Lynn Manning to follow up. Lynn Manning discussed the collaboration efforts between Lyon County and Washoe County and the Tribe to improve tracking of the students that transfer between districts. She discussed the need to address students that did not have a high school diploma and Pyramid Lake High School's suggestion to set up a satellite school at Pyramid Lake so students could receive their diploma.

Lynn Manning discussed the follow up needed and the surveys that were distributed and needed to be returned to her office. She also discussed the intent of the Title VII program and the Parent Advisory Committee on which Buddiette Salway was the Tribe's voting representative.

Councilmember Mendes asked Lynn Manning about the data that showed the year to year comparisons and if the same testing instruments were used each year and what the variable was as far as cultural relevance. Lynn Manning responded it was the same test every year. She discussed the cultural biasing that occurred with regard to the testing and gave examples of this. She also discussed the development of curriculum that was relevant to all Nevada tribes and would be a state-wide requirement for all students.

Council heard comments from Lyle Kochamp regarding the need for cultural curriculum at the schools. Gina Wadsworth asked if the data included students from Pyramid Lake High School and was informed the data was for students in Washoe County School District schools.

Vice-Chairman Wright commented what they needed to do was find out the best way to encourage increasing the scores and statistics, and to be constructive in accepting responsibility on behalf of the community and try to understand what it was going to take to turn that around.

Council heard comments from Alan Mandell regarding the state standards for social studies curriculum and the efforts to include the history of the Nevada tribes in the textbooks. Lynn Manning discussed this further.

TRIBAL CHAIRMAN'S REPORT – Wayne Burke

Report submitted. Chairman Burke reviewed the items in his report and gave an update on activities.

Sacred Visions Pow-wow: Chairman Burke commended the Pow-wow Committee's work on their annual pow-wow, and thanked all of the community partners and tribal departments for using their resources to prepare the pow-wow grounds and provide assistance.

Interim Enterprise Manager: Council was requested to support the interim appointment of Charmayne George as the Enterprise Manager or direction on how they would like to proceed. This item was discussed previously with various opinions given. Chairman Burke asked the Council to think about it and come to a consensus on how they wanted him to proceed. He requested the Council's support and for the Enterprises to keep moving in the same direction.

Economic Development Fund: Chairman Burke informed Council of his work with the Tribal Planner and the Director of Water Resources in developing a resolution addressing the interest from the economic development fund and that the funds be separated and that there be Congressional action to approve the request. He explained the request and resolution would be submitted through Senator Reid's office for action and would be for the interest to be separated from the economic development fund and released to the Tribe while the Truckee River Operating Agreement (TROA) was in litigation. Chairman Burke informed Council of his discussion with Vice-Chairman Wright and the water team regarding this matter and they were all in consensus that this was a direction the Tribe needed to take. He noted the resolution would be presented to the Council at the next water team meeting.

Vidler Settlement: Chairman Burke and John Jackson met with Assistant Secretary Larry EchoHawk's office last week

and support and action were requested in approving the \$3.6 million plus interest through Congressional approval. The action would request Congressional language authorizing the release of the funds to the Tribe and no decisions regarding the funds had been discussed. Chairman Burke explained the whole water team was involved with the discussion and an update would be provided at the next water team meeting.

Veteran's Affairs: Chairman Burke discussed his meeting with John Hansen of the Disabled American Veterans and staff with the VFW and the Veteran's Hospital to move forward with the possibility of having a tribal veteran's representative who would advocate for medical and educational resources for all veterans. Chairman Burke noted he would be sending letters of support to state and federal government officials requesting support and resources to have a full-time veteran's representative stationed at the Health Clinic but would be accessible to all tribes. Chairman Burke discussed the need for this service being provided to the veterans.

Tribal Source, LLC: Chairman Burke met with the Board and they worked with the Symbiosis group as discussed earlier in the meeting. The Board was also moving forward with discussions on an energy park and truck stop possibly at the I-80 corridor. Once funds were identified the goal would be to have a full-time business office staff to work with the Board and Administration.

Suicide Prevention Conference: Chairman Burke traveled to Arizona to attend the conference at the invitation of the Indian Health Service to give the welcome address for the conference. The conference was held on August 3-4, 2011.

Lake Maintenance: The Tribe had three temporary part-time Ranger positions open and were working to get the positions filled, along with possibly a Ranger Assistant which would not be a POST-certified officer. The Tribe also hired three tribal members for temporary trash cleanup at the lake for the next 90 days. The Enterprises was also hiring on-call positions to assist in the upcoming weeks. Two shades were also going to be installed at the Nixon Store along with tables.

Maintenance had contacted a local sign company for sign installation at Pelican, Popcorn, and Blockhouse as a number of people were putting their jet skis in the water there. Chairman Burke discussed his observations since starting as a part-time Ranger volunteer during the weekends as he had cited a lot of people for trespassing at the Pyramid and boats driving in and around the rocks. He noted it was good to see a lot of tribal members out there and that he did not want to see anyone get hit by a boat. He discussed other problems that were occurring with people parking their boats at the Pyramid and climbing on the rocks and also anchoring their boats at the Pyramid beach and telling him they did not know it was closed or that they did not see the signs. He explained that was the why the signs were being installed as well. The citation was \$230 plus a \$50 assessment fee through the Court.

Pyramid Lake High School: Chairman Burke discussed the send-off dinner that was held for the seniors that were leaving for college in the upcoming weeks. He commended the school for the work done and discussed the dinner that was held.

Inter-Tribal Council of NV (ITCN) Meeting: Chairman Burke discussed the concerns that came up at the ITCN meeting regarding the Indian Health Board of Nevada (IHBN) which was serious as one of the state agencies had informed ITCN that one of the grants awarded to IHBN was being used for salaries. The IHBN was looking at a \$30,000 deficit and several of the tribal leaders were concerned about this. Chairman Burke noted the Tribe had paid its membership dues with IHBN and had a stake in this and had a good working relationship with the tribal leadership who had the same concerns. The ITCN Executive Board voted to take away Inter-Tribal Emergency Response Committee (ITERC) from IHBN and place it directly under the ITCN and the Executive Board also voted to remove two grants from under IHBN and placed under ITCN to be administered by ITERC.

Chairman Burke discussed his concerns regarding IHBN and the lack of deliverables that were to come from IHBN along with where the money was going to. He noted there would be more internal adjustments and the tribal leaders were going to be requesting documentation from IHBN and things may start to run differently at that level. Chairman Burke further noted he did not know what the Health Board's knowledge was of this situation and that it was not going well for IHBN right now. He informed Council he would provide an update as this matter progressed.

Councilmember Mendes noted the Health Board had not received an update from that level for some time now as they were dealing with finding providers for the Health Clinic. Chairman Burke informed the Council he could follow up with a written report on what was going on with IHBN and ITCN. He noted he could also attend the next Health Board meeting and

present information regarding the status of IHBN.

Chairman Burke expressed his appreciation to the Council and the Councilmembers that stopped by his office with their questions.

Community Meeting: Chairman Burke presented a booklet prepared by Councilmember John for the upcoming community meeting scheduled for Friday, September 23, 2011. Councilmember John informed Council that the flyers would be sent out to the senior citizens as a special invitation to them.

She noted if the directors were not already informed they should be working on their presentations.

Chairman Burke discussed the need to get the information out to the community in an orderly manner and the need for the Council to hear and respond to the community's concerns.

Vice-Chairman Wright discussed his comments on Chairman Burke's report regarding the request for release of the interest and his visit to Washington, DC last year where he spoke with Alex McDonough of Senator Reid's office at the Capital with Wendy Helgemo. Vice-Chairman Wright noted he had told them that the Federal government was a party to the TROA and the Secretary of the Interior had already signed the TROA on behalf of the United States and that everything was done. He noted the Interior was insisting there was an appeal contingency when there was no such thing and he had told Senator Reid's office that for the Justice Department to place this obstacle in front of the Tribe's intent on getting the interest, was basically placing doubt on behalf of the United States that this settlement was going to go forward and be completed.

Vice-Chairman Wright explained he was trying to say this in a way to get the Federal government to understand that they were all behind this to encourage implementation and for the Justice Department to stand in the way that it would be a good idea for Senator Reid to contact Attorney General Holder and talk to him about what his solicitors were doing in the Justice Department. Vice-Chairman Wright noted the Tribe was looking at only obtaining the interest and as far as TROA was concerned in the appeal, the principle could stay there and rest upon whether that appeal was finalized and the court ruled.

Vice-Chairman Wright discussed the Vidler settlement and clarified that the Congressional action was to approve a waiver in the legislation to ratify the agreement and once that was enacted by Congress the \$3.6 million plus interest would be released to the Tribe. He explained that this step was not included in Chairman Burke's report as a point of clarification.

Chairman Burke informed Council of a public meeting on August 13th at the Reno-Sparks Colony to address racial violence and related issues. Councilmember Mendes discussed the Enterprises and noted that since the Tribe had an LLC Board, that it would be her recommendation that the Enterprises be overseen by the LLC Board. She further noted that the Enterprise was a business and that businesses did not come to non-profit organizations to ask for money and if the Council was looking for them to stand on their own and move forward, that would be the best fit for them.

Councilmember Mendes informed Council she wanted to put that out there for the Council to consider so the Council would not be strapped with making those types of administrative decisions about leadership in a business that should be standing on its own. She clarified that she saw the Nixon Store as being more of a programmatic or co-op and that the Council had discussed the store before. She discussed the difference between the two stores and noted that if the Nixon Store were stable enough it would be more than just a service to the community then she would consider that they also go under the LLC Board supervision and management.

Chairman Burke commented on his discussion with Councilmember Mendes and expressed his appreciation for her comments. He told the Council they could not run the stores as stores were traditionally run but it was his goal to see the stores bring in money and not lay off staff. He noted if the Council wanted to move towards putting the stores under the LLC Board then the discussions would need to start happening between the Council and the LLC Board to provide the infrastructure for them to do something like that.

Councilmember Mendes noted there was still revenue coming back to help the social programs through taxation and those types of revenue streams but the stores were one of the main reasons the Council had talked about an LLC Board and the oversight of that type of operation.

Vice-Chairman Wright explained the distinction the Council made last year was the Tribe's organization was non-profit and that the Enterprises were for profit with a separation made clear. He further explained that the LLC Board, Gaming Commission and the Tax Commission all had a for-profit objective and if they could keep that distinction between what the tribal organization overall did and what the Tribal Council was responsible for overseeing and looking at the Enterprises

(Continued on page 37)

(Continued from page 36)

and its operation that was for-profit, then with respect to both a decision could be made and seeing how those could be managed in that fashion.

VICE-CHAIRMAN'S REPORT – Mervin Wright, Jr.

Report submitted. Vice-Chairman Wright discussed the items in his report and gave an update on activities.

Vice-Chairman Wright had been working with Finance and preparing information for an upcoming directors training to address federal funding, the OMB circulars, A87, profit and loss, standards of documentation, questioned costs, budgets, the modification process, and procurement. He explained all of these things would be included in the training and that he was looking at one program regarding allowable costs and staffing.

Vice-Chairman Wright noted he had still not yet taken the time to review the minutes of the June 15th meeting to look at the strategy action plan but has had discussions with the Department of Water Resources in determining duties, functions and responsibilities. He explained they were trying to get a clearer picture with the number of grants that were under that department with respect to the objectives of those grants and how staff was attributing their time to the objectives of the grant. He noted that maximizing the use of program funding was important to supporting the objective of creating jobs.

Scrap Metal Application: Vice-Chairman Wright discussed the need for the Council to determine the revenue split as it was left blank on the form. He noted this would be discussed later on in the meeting.

Solar Rebates: The solar rebates were proceeding with Black Rock Solar who was working with the High School to complete some projects.

Tribal Court Arraignments: This was still an issue with the Tribal Court. Vice-Chairman Wright discussed the need for arraignments to occur sooner with incidents involving tribal employees and the potential for placing the employee and the Tribe in a position of liability when there was no disposition on a case if charges were to be filed. He noted that regardless of how the prosecution developed its case there was always the motion for dismissal which was why the judicial system was set up the way it was.

Vice-Chairman Wright discussed the need for those arraignments as it affected employment and employees, and the way they processed the responsibilities of certain employees it was critical that they get the arraignment process done in a timely manner.

Repatriation/NAGPRA: Vice-Chairman Wright discussed the conference call that took place today with Gary Kantley of the Bureau of Indian Affairs Western Region Office and Annie Pardo of the Central Office and provided a report to the Council from the Nevada State Museum. He informed Council the Tribe was working on getting the entire collection of remains that were removed from the reservation from 1966 to 1972 returned back to the Tribe, and that there was approximately 815 cubic feet of collected materials that needed to be transferred back to the Tribe. There was included in the collection were approximately 33 samples of remains that were taken in 1994 to UCLA for destructive analysis without the Tribe's consent.

The Tribe needed to make sure that these remains were included in the items for repatriation and now had to identify a storage or repository facility that they could transfer all the material to while the NAGPRA claim process was being completed. It was reported from the BIA that the Museum was expected to complete their documentation to reunite the human remains with the associated funerary objects by February 28, 2012 or not later than July 1, 2012. Vice-Chairman Wright noted this was a tentative schedule that was being looked at. He noted the BIA had indicated the possibility of controversy over this and he had informed the BIA that the Tribe would address any controversy that may arise from the return of these collections.

Vice-Chairman Wright informed the Council he would be meeting with the NAGPRA Committee to discuss this further.

Ruling 9330: Vice-Chairman Wright informed Council of Don Springmeyer's report on this ruling for the unappropriated water which was in the Tribe's favor. He read aloud Don Springmeyer's memorandum. He explained the ruling denied TCID's application and that all possible timeframes under which this could have been appealed were now over with no appeal filed. Ruling 9330 is officially over and was no longer a threat to all of the Tribe's permits for all of the unappropriated water in the Truckee River.

City of Reno Oxidation Pilot Test: Vice-Chairman Wright reported there would be a presentation on this next Wednesday in Reno regarding what the City of Reno was doing out at Stead regarding the removal of EDCs which were endocrine destructors such as steroids and hormones or other

pharmaceuticals that did not breakdown with treatment. Vice-Chairman Wright informed Council he would be attending the test to observe what was being done at the north valley.

High Desert Recreation (HDR): Vice-Chairman Wright distributed the order from the Interior Board of Indian Appeals granting the Tribe's motion for the appeal bond in the High Desert Recreation case. He explained the Tribe had filed a motion for HDR to post a bond in the amount of the outstanding rent that was owed to the Tribe in the amount of \$67,000 and the bond needed to be posted no later than September 30, 2011. He further explained that the Tribe had filed in Tribal Court and he was informed by the Court that Thomas Bobella had appeared but the case had been rescheduled.

Vice-Chairman Wright noted the Interior Board of Indian Appeals was requiring that HDR post a bond. He discussed the need for the Council to start thinking about what it wanted to do with the Marina when HDR was eventually physically evicted from the facility.

TBAC: Vice-Chairman Wright distributed a report from Michael Hughes regarding the FY 2012 Interior Appropriations Bill House recommendation. He explained the bill still needed to go to the Senate but the summary was provided which showed how the budget looked from the House side for Indian Affairs. He further explained the Tribal Interior Budget Council met this week and should be issuing a report.

OMB Circular: Vice-Chairman Wright discussed the Council's past concerns about not taking out direct program funding for Tribal Council stipends to pay an Indirect-supported cost justification of the Tribe. He explained the time and effort it took to make Indirect cost adjustments in the Indirect cost rate proposal and that it was not practicable to use this practice, and that this was not a practical use of tribal government funds. It would affect the Indirect cost rate in that it would be increased with this practice and the overall Tribe was impacted. In looking at the amount that was budgeted in particular with account 375, 158 program accounts which were for the Department of Water Resources, \$36,000 could put somebody to work and employ somebody. Vice-Chairman Wright noted he was presenting this information straight forward and he wanted to report that. He informed Council they could have further discussions regarding this to give the Council more time to read it further, and encouraged the Council to talk to Finance or to Chairman Burke or himself if they had any questions.

UNFINISHED BUSINESS

Meeting Procedures: Councilmember John provided a revised draft to the Council for review and comment. She asked that the Council provide their comments by August 15th prior to the August 19th meeting. A motion was made by Councilmember Davis to table this item pending further review and comment. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Vice-Chairman Wright commented on the Unfinished Business agenda items and that he had discussed this with the Secretary and it was recommended to keep all unfinished business items on the agenda until the items were completed. He explained this should help facilitate the items more quickly if they kept moving the items from one agenda to the next and when the Council discussed this item on the meeting procedures they could include it in their comments.

Scrap Metal Application: Present was John Mosley, Environmental Director. He presented the draft application and discussed the changes made. Vice-Chairman Wright noted all of the changes that were discussed at the last meeting have been included on this draft of the application. John Mosley discussed the changes further and noted the fax number was not yet changed. Vice-Chairman Wright commented the fax number should be for Tribal Administration since this was where the applications would be sent to. John Mosley explained he wanted something to facilitate the scrapping that had been going on to help make sense of it. He also discussed the research done on licensing fees with the State of Nevada and discussed possible fee amounts.

Vice-Chairman Wright explained it had been suggested to put a fee on the application instead of having a split, particularly since they would be moving from one project to the next the fee could slide from \$300 to \$600 depending on the metal. He discussed this further.

John Mosley commented on people submitting their licenses from the State which would show they were a good contractor, but that the Tribe should not submit to State authority, and that they could even have the LLC Board develop a contracting fee and that the Board could certify and oversee it and exercise some sovereignty. He explained the point of this would be to make sure the individual was in good standing and capable. He also commented that since the

Tribal Source LLC was now in place they could develop their own contracts and apply their own fee.

Councilmember Mendes commented the application was good for non-tribal members and project-specific large removals and that she did not know how this would work for the regular people making money on the side to haul scrap metal out of somebody's yard. John Mosley noted people collected soda cans as well and that it would probably not work for the application. He further explained the application was for large projects such as removing items from the rodeo grounds and the application could be released as part of the RFP. Vice-Chairman Wright asked if a "no" response to a question on the application would constitute a denial of the application. John Mosley explained that was a legal question and the application form had not yet been legally reviewed.

Councilmember Crutcher noted at the top of the application it stated that any applications not filled out completely would be rejected. Councilmember Mendes noted they could probably include a disclaimer on the form. Chairman Burke asked John Mosley if he was going to add a disclaimer then. Councilmember Mendes noted he could probably make that a part of his rules and if it was a part of the requirements then the person would not be able to remove any scrap metal. John Mosley informed Council he could include this as a part of the document.

Councilmember Davis asked if the form was for non-tribal members or for tribal members or for both. Chairman Burke responded it was for both that are doing big metal collection. He asked John Mosley if this was correct. John Mosley responded yes. Chairman Burke explained if it were for tribal property then the form would need to be completed and if it were for non-tribal property the form would not be applicable. John Mosley explained this was not a regulation and that it was just a form that the Administration would use to evaluate different vendors.

Councilmember John asked what the difference was between tribal property and community property and if they were saying that it was going to be private property that it was okay and that they did not need to fill out the form. Chairman Burke explained if it was tribal property, meaning that the Tribe owned it then the individual would have to fill out the form because it would be tribal property. Councilmember John asked if they were saying that people would not have to fill out the form if the property were private property. Chairman Burke responded yes. Councilmember John asked why they would have the distinction then knowing it was tribal property.

Council responded to questions from Lyle Kochamp regarding the ownership of property on land assignments and how the bids would work.

Vice-Chairman Wright explained the issue was the metal reaching the buyer as the buyer had no idea where the metal came from. He discussed the two letters he issued last year for two individuals which verified where the individuals would be getting their materials so they could take it to the buyer and verify that it came from the reservation. Vice-Chairman Wright informed the Council that he understood that one of the individuals took the letter and removed other property from a different location and used that same letter and he could not remember if there was a timeframe on the letter. He noted this was another reason why they had to develop the form. John Mosley explained he included the property line space because that was included in the comments he was given based on minutes from the previous meeting.

Councilmember Davis asked if they were asking the tribal members to fill out the form or if they were going to ask the LLC Board to develop their own, or if they were requiring the tribal members to go out and get bonded through the State. Vice-Chairman Wright responded he was not sure about the Nevada business license question but his concern was to make sure the people had insurance because if they were going to go and remove property and did not have insurance coverage and the Tribe told them to go ahead and do it then the Tribe might be liable if there was an accident.

Vice-Chairman Wright further explained if the person had insurance or if they wanted to go to a third party and bring that person out that had insurance then at least they could say that they did have insurance and would have to provide that as part of the approval. He suggested removing the portion regarding the Nevada business license requirement. John Mosley agreed with this. Councilmember John asked how many of the tribal members that did this actually had insurance. Chairman Burke responded he did not know.

Council heard comments from Lyle Kochamp regarding tribal members trying to make money and that most of the metal around the reservation has been scrapped, that there was not much more left other than what was owned by the Tribe.

(Continued on page 38)

(Continued from page 37)

Councilmember Davis asked if they were still going to include the business license requirement, insurance, bonded through the state, and if this was for tribal members only as John Mosley had talked about having the LLC Board develop a form. John Mosley responded that was just an option he threw out there instead of having State approval requirements but that right now the Tribe did not have anything and that State approval or requirements showed some kind of assurance that the person was a good business person. Councilmember Mendes noted that for non-tribal members the form was good. She suggested for tribal members, and if they were seeing an issue with the process scrapping metal that he talk to the LLC Board and come up with something that was reasonable.

Chairman Burke asked if they were going to add the disclaimer to the questions if they were going to adopt this form for non-members. Councilmember John noted if the form is for non-tribal members then they would not need the tribal member information on the form. Councilmembers agreed with this. John Mosley asked about including tribal member preference. Councilmember John noted they had discussed that this was not for tribal members. Councilmember Mendes commented it would work better for non-tribal members.

Chairman Burke noted they would call the form Non-Tribal Member Application for Scrap Metal Collection and also include the disclaimer to the questions, and remove the tribal member information lines. Vice-Chairman Wright asked if those tribal members would like to take the opportunity to dismantle one of the water tanks for example, if they would enter into a contract with the Tribe and if the Tribe would pay for them to do it because part of this application was to give them the opportunity but at the same time the insurance question was there.

Councilmember Mendes commented they should say that it was for non-tribal members residential and all applicants for work being done specifically for the Tribe because if they put out a project out and it was a big project for a tribal member and if they did not have liability insurance to fall back on if somebody got hurt, then it would fall back on the Tribe. She asked if that was the concern. Chairman Burke responded that was what he heard from the discussion.

Councilmember John requested a legal opinion on the form before it went any further as she did not know how much of the disclaimer was really valid. Councilmember Mendes noted on the big projects they may want to have a contract negotiated so that there was a percentage that went back to the Tribe since it was tribal and not individual property.

A motion was made by Councilmember John to table this item pending legal review. The motion was seconded by Councilmember Wadsworth. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

NEW BUSINESS

Tribal Planning – Film Request/Flight 33 Productions: Present was Scott Carey, Tribal Planner. He presented a commercial film permit and fee waiver request. The project was to film a scene at the lake for a film entitled “The Universe” and the scene would be on the lake to demonstrate a physics theory. The scene would be filmed for one day during the week of August 15-19, 2011. Scott Carey explained the Council’s options which were to approve the request for one filming day and no fee, deny the request outright, or approve the request at a reduced fee suggested at \$240 per day.

Council discussed the fee, why the production company could not pay the fee, and the purpose of the project. Councilmember Crutcher noted the company was for profit as they were going to use the film for classrooms during which students were paying to view this information. Scott Carey explained the company was a private production company for profit and were hired by the History Channel to shoot this episode. Council discussed the filming fee further.

A motion was made by Councilmember Mendes to approve the request at the established filming fee of \$1,000 per day. The motion was seconded by Councilmember John. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Walker River Paiute Tribe Pinenut Festival: Letter received requesting a donation to their annual Pinenut festival. A motion was made by Councilmember John to approve a donation at the group rate. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Environmental Department – Trash Bin Purchase: Report submitted. Present was John Mosley, Environmental Director. The department requested approval to purchase 50 trash bins. Vice-Chairman Wright requested confirmation of funding available for this purchase. John Mosley responded he had a \$10,000 match in the budget. Councilmember Mix asked

if these bins were for the new truck. John Mosley responded yes. Councilmember Mix asked if the truck was purchased. John Mosley responded not yet but that it was on its way as there were some issues that needed to be resolved. Councilmember Mix asked if the truck was being transported to the reservation or if somebody was being sent over to drive it back. John Mosley explained the truck was being transported here.

Councilmember Mix noted the department had two bins on the roll-off truck that should be red-flagged a there was only a chain holding up the gate at 50,000+ lbs. and if that chain broke going uphill and there was a car behind the truck, there would be an accident. He further noted the tires on the trucks were pretty bad and when the trucks dropped off trash at the transfer site they had to help out with the trucks to make sure the trucks remained secure. He asked that the trucks be checked as it was a safety issue for the people around the trucks and also the drivers.

Councilmember Mix discussed the condition of the white curbside truck and the repairs needed. John Mosley responded okay. Chairman Burke asked how long the trucks were in this condition. Councilmember Mix responded it has been a while. He discussed the repairs needed to the trucks. John Mosley explained he only repaired what his employees told him needed to be repaired right away. Councilmember Mix noted he reminded the workers all the time when they came to the transfer site.

Chairman Burke informed the Council that Monday a walk-through would be conducted on all of the trucks and the needed repairs noted. Councilmember Mix noted he would like to be present during the walk-through.

A motion was made by Vice-Chairman Wright to approve the request as presented. The motion was seconded by Councilmember John. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

John Mosley gave an update on the grant application for the water treatment plant and informed Council he had received the grant conditions and would be including this in his monthly report for the August 19th meeting. He further noted the loan portion of the grant was about \$150,000 and the grant portion was about \$388,000, and that the Tribe would be notified of the grant application status. John Mosley noted they would be able to meet the 60-day deadline to be able to award the bid to the low bidder without having to re-advertise and take the risk that the amount might go up. He informed Council an update would be provided at the August 19th meeting.

Health Department – Equipment Repairs: Report submitted. Present was Debbie Barlese, Office Manager for the Health Department. She explained the repairs needed to the Clinic’s air conditioning units which would all be repaired at the same time. Councilmember Davis asked if funding was available for this. Debbie Barlese responded yes. Councilmember John noted the request could be approved and noted that it was sole-sourced with the reason stated as to why they went with just the one bid or sent just one bid for approval.

A motion was made by Councilmember John to approve the request as presented. The motion was seconded by Councilmember Davis. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Mendes commended Debbie Barlese for her work in the interim between Health Directors over the years when she filled in as the Acting Health Director as her reports were comprehensive about what was going on with the Clinic and that she should be recognized for that.

Elder Assistance Request: Request received from Judy Thomas for assistance with utilities. A motion was made by Councilmember Mendes to approve the request at the established rate. The motion was seconded by Councilmember John. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Councilmember Travel Request: Received from Steven Wadsworth requesting permission to travel to Nebraska for a tobacco conference and economic development tour. A motion was made by Councilmember John to approve the request as presented. The motion was seconded by Councilmember mix. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Wadsworth). **Motion carried.**

At this time Council heard comments from Lyle Kochamp regarding the PUD Board meeting he attended, and his concerns regarding the PUD billing.

ADJOURNMENT

A motion was made by Vice-Chairman Wright to adjourn the meeting. The motion was seconded by Councilmember Garcia.

Before a vote was taken, Council heard additional comments from Lyle Kochamp regarding the PUD Board

meeting he attended and his concerns regarding the PUD billing.

Chairman Burke asked that Lyle Kochamp present his concerns to the PUD Board and that the Board submit a written report with their recommendations for the Tribal Council.

Lyle Kochamp also commented on the police and his requests for a restraining order against one of the officers as he needed assistance with this.

Votes on the motion were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The regular meeting of August 5, 2011 adjourned at 11:44 p.m.

Submitted by: /s/ Carol Smith, Tribal Secretary
/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 1st day of **SEPTEMBER**, 2011, having nine (9) members present, constituting a quorum, by the vote of eight (8) for and zero (0) against, with zero (0) abstentions.

Minutes attested and concurred by:
/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///

PYRAMIDLAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES—August 19, 2011

Members Present:

Wayne Burke, Tribal Chairman
Mervin Wright, Jr., Vice-Chairman
Judith Davis Johnnie Garcia Sherry Mendes
Irwin Mix Gordon Crutcher, Jr. Steven Wadsworth
Leona Collins Genevieve John

Before the meeting was called to order, Chairman Burke requested a moment of silence for the family of Jackie Phoenix. A prayer was offered by Anthony Sampson.

CALL TO ORDER

Wayne Burke, Tribal Chairman, called the August 19, 2011 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:35 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Carol Smith, Tribal Secretary, took roll. Councilmembers Irwin Mix and Steven Wadsworth arrived after roll call. All other Councilmembers were present at roll call and a quorum was established for the meeting. Also present was Carol Smith, Tribal Secretary.

APPROVAL OF AGENDA

The following changes were made to the agenda: a third applicant was added to the scholarships from Higher Education on the Consent Agenda; an Elder Emergency Assistance Request, NV Energy Line Maintenance Request, and PL Suicide Prevention Coalition Donation request were added under New Business; the Health Department – Provider Contract was added under Committee/Department Reports – Action Required.

Councilmember John asked if the Comptroller would be present at this meeting as it was noted in her report. Chairman Burke noted this could be included under his report. Vice-Chairman Wright discussed the conversation he had with Sheri Hunter regarding the schedule of reports and meetings.

A motion was made by Councilmember Davis to approve the agenda as amended. The motion was seconded by Councilmember John. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

PUBLIC COMMENT

Ginger Howard: Discussed the complaint she filed regarding a member of the Volunteer Fire Department and her request that this individual step down from the fire department. Chairman Burke discussed the provisions of the fire department’s by-laws and that these would be followed in the matter as the volunteers were not employees of the Tribe. He also discussed the complaint process of the fire department’s Executive Board and that the complaint filed by Ginger Howard would need to be heard by the Board. Ginger Howard discussed the validity of the Executive Board and that the Board was illegal. Chairman Burke noted that the complaint

(Continued on page 39)

(Continued from page 38)

would first need to be heard by the Executive Board and then follow the chain of command if Ginger Howard was not satisfied with the Board's decision.

Ginger Howard expressed her disagreement as she felt the Board was illegal. Chairman Burke responded he would leave this up to the Council but he would step down if the Council decided to hear the matter. He explained the concerns from Ginger Howard would need to be brought to the Executive Board as identified by their by-laws. Ginger Howard asked Chairman Burke if he was referring to the old by-laws or if new by-laws were developed.

Chairman Burke responded he referred to the existing by-laws. He informed Ginger Howard that the Board did schedule a meeting to hear the complaint and that she did not appear at the meeting. Ginger Howard explained the meeting was not set up for her. Chairman Burke explained the Executive Board needed to hear the complaint as they were the governing body under the by-laws that were adopted, and that needed to be enforced. Ginger Howard informed Council she would probably be back because it was not right.

CONSENT AGENDA

The following items were listed:

Wes Williams, Jr. – Invoice/July, 2011

Higher Education – (3) Tribal Scholarships

Councilmember John asked Chairman Burke if he knew when Wes Williams would be completing his review of the Law and Order Code. Chairman Burke responded that Wes Williams had a lot of documents to review as the code was a lot bigger than the last code he reviewed. He noted he could follow up with Wes Williams on Monday as they had hoped to have the new code in place by Burning Man but that logistically that was not going to happen.

A motion was made by Councilmember John to approve the Consent Agenda as presented. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

TRIBAL CHAIRMAN'S REPORT – Wayne Burke

Report submitted. Chairman Burke discussed the items in his report and gave an update on activities.

Chairman Burke discussed the numerous visits from the boards and committees regarding their questions and concerns. He encouraged members of the boards and committee to keep stopping by whenever they had questions or concerns and that he was willing to attend their meetings to learn more about their respective goals and objectives.

Burning Man: Chairman Burke reported on the meeting held with the Burning Man organization and the various tribal departments. He discussed past agreements between the Tribe and the Burning Man organization which were never documented regarding contributions from the Burning Man organization in the amount of \$26,000 that was to be divided between the Police Department and Emergency Response, and that \$13,000 would be allocated to the Tribe prior to the event and then another \$13,000 after the event for a total of the \$26,000 amount. Chairman Burke commented that was unacceptable and that the numbers were very low. He explained these issues were addressed with the BLM as one of the BLM's stipulations in the permit was that the Burning Man organization would meet the needs for public safety.

Council was provided with a copy of the letter from Ray Allen of Burning Man requesting operational costs for the Police and Emergency Response. The two departments came up with a total of \$30,000 because officers were working overtime. The new Comptroller was brought into the discussions and recommended that the Police Department receive \$20,000 prior to the event and that Emergency Response receive \$10,000 for operational costs such as fuel and equipment issues. The money would be allocated to the Tribe prior to the event.

Chairman Burke discussed past issues of the money not getting to the appropriate departments and it was indicated by the Comptroller that she would make sure the money was allocated to the departments. Chairman Burke informed the Council that a contract would be in place with the Burning Man organization and that the Tribe would definitely be requesting more funds next year to make sure that operational costs were covered to meet the demand that came with having the event. He noted the organization was in support of that and were positive. He informed Council that another check would be released to the Tribe in the amount of \$1,000. The Tribe had also requested more traffic signs from NDOT to put out messages to the community but had not yet received a response from NDOT to this request. Scott Carey informed Chairman Burke that NDOT was looking into it.

Councilmember Davis requested a copy of the cost

breakdown that was submitted by the Police and Emergency Response departments.

Suicide Prevention Grant: Chairman Burke reported the Tribe received this grant in the amount of \$700,000 and commended the work of the Suicide Coalition.

Enterprises: Both stores were preparing for Burning Man and getting the stores stocked up.

Fernley Hate Crime: Chairman Burke discussed his conversation with Lisa Bonta and the letter of support that was sent on the Tribe's behalf. He explained he was unable to attend the public meeting held on August 13th due to other commitments and that he was still maintaining communication with the City of Fernley and other tribal leaders. Chairman Burke reported he was told by Lisa Bonta that they were in touch with the Burning Man organization and had told them not to buy anything in Fernley so they wanted to make sure the Tribe's stores could meet that demand.

Closed Area Enforcement at Pyramid: Signs were posted at Pelican and Popcorn to advise boaters and water craft that the Pyramid was closed. Chairman Burke discussed his observations since starting work as a reserve Ranger. He noted he issued approximately \$1,000 in citations for trespassing at the Pyramid and had been told that some of the trespassing citations were dropped in Tribal Court because it was not posted. Chairman Burke needed to confirm this. He noted the signs were posted and they were working on permits that would actually say that the Pyramid was closed and the notice would also be included on the new books that were coming out with a notice advising that persons caught at the Pyramid would be cited for trespassing. The fine was \$230 with a \$50 administration fee. Chairman Burke discussed the problems that were still occurring with boats pulling up to the rocks and people climbing all over the rocks.

Councilmember Mix arrived at this time – 6:55 p.m.

Chairman Burke noted that the Rangers would be out there enforcing the trespassing law. Chairman Burke informed Council he would also be meeting with the judge. Councilmember Mendes noted if the signs were posted they were posted. Chairman Burke explained he knew about the separation of powers and that they did need to maintain that boundary, but that he also wanted to know how the court staff perceived the law and what their intentions were.

Emergency Response Services & IHS Training: Chairman Burke discussed his meeting with Gary Brashears, the Acting Area Director of the Indian Health Service at Phoenix and assigned to northern Nevada; the meeting also included Andrew McAuliffe of the Indian Health Service to get an EMT and paramedic placed at Pyramid Lake. The Indian Health Service has expressed interest in providing free training to the Tribe; the Tribe would also be looking at purchasing or leasing two ambulances. The volunteers out there would have the same authority as REMSA and would be able to transport community members directly to the hospital. Chairman Burke explained if they did move forward this item would be presented to the Council for approval and the Tribe would be in the IHS network and they would be giving the Tribe its stamp of approval as certified EMTs and paramedics and there would be no cost to the Tribe. Chairman Burke informed Council that letters would be sent to the other tribal leaders to advise them of the Tribe's plan which would be a huge service for northern Nevada. He noted he would keep the Council informed as this moved forward.

Councilmember Davis asked Chairman Burke about the training he discussed for the Tribe's EMTs and paramedics and if this training would affect the Health Clinic's funding. Chairman Burke responded no. He explained the Clinic was acting as the gateway for this to happen and they would be using the Tribe's first responders and EMTs to make this happen.

Nevada Skies Treatment Center: Also discussed at the meeting with IHS officials was the Nevada Skies treatment center and the need for a juvenile detention center in northern Nevada and a safe place for youth that were picked up as child welfare cases. They also discussed a wellness center and IHS was interested in having this at Pyramid Lake and the need for additional funds to assist other tribes in getting their juveniles to the facility with transportation and other services. Chairman Burke noted this was a preliminary discussion but IHS seemed to be interested in moving forward with the project and working with the Tribe.

Reno Bighorns Native American Appreciation Night: Chairman Burke discussed the meeting he attended with the Reno Bighorns group which was going through changes and requested that the Tribe assist them with Native Appreciation Night. He informed Council that Scott Carey would be the point of contact for this event and that the Nevada Bighorns had asked for assistance from the tribes in making the event

successful and to advise them on how to do so in a respectful manner for all of the tribes. They also discussed the possibility of having an all-Native basketball tournament at the Bighorns complex.

Economic Development Fund Resolution: Chairman Burke discussed the phone calls made to Mary Conelly's office regarding the possibility of getting the economic development funds released to the Tribe pending the litigation process with the Truckee River Operating Agreement (TROA). A resolution had been reviewed by the water team and sent to Mary Conelly to make sure they were in support of the language in the resolution before it was brought to the Council for official action.

Community Meeting: Council was requested to confirm the date of the community meeting which was tentatively scheduled for Friday, September 23rd. Chairman Burke informed Council that some of the directors had already scheduled vacations as this was a three-day weekend. He also mentioned the Natchez pow-wow might possibly be on the same date and was asked to confirm the date with Natchez. Chairman Burke also discussed the possibility of talking to the Fernley leagues and have the youth teams dressed in uniforms and introduced to the community during the meeting as well to let the youth know that the Tribe supported them.

Lake Maintenance: Chairman Burke discussed the need for establishing a lake operations department that would deal with everything about the lake such as enforcement, regulations, trash cleanup, and security kiosks. He noted the Council may need to look at establishing a budget for this in 2012 as there was too much going on at the lake and a department was needed that could concentrate on lake operations. A meeting was going to be scheduled with staff to discuss the job duties and developing a budget which would be brought to the Council for consideration. Chairman Burke noted he would keep the Council updated as this moved forward.

Chairman Burke discussed the staffing for the Ranger department and informed Council that three additional rangers were being hired to assist with patrols. He noted the three additional positions that were hired to assist with trash at the lake had really helped Lake Maintenance and if the funding was available, he would like to keep the positions on board to increase the operations to ensure the Tribe was taking care of the lake and the surrounding areas. This would also be included in the 2012 budget.

High Desert Recreation: Chairman Burke discussed the notice that was provided to the Council for an order to show cause hearing which was scheduled for September 22nd.

Judicial Department: Council was informed of an email sent by Chairman Burke regarding the passing of Jackie Phoenix. Chairman Burke expressed his appreciation for all of the work Jackie Phoenix did for the Tribe and the Court and discussed the need to keep the court operations continuing and moving forward. He informed Council that Lea Geurts had agreed to fill in as the interim Court Administrator until the position was filled. Chairman Burke also discussed the meeting he had with the court staff and that the court schedule would remain in place and they would keep moving forward with the obligation to have hearings and keep the court moving forward.

Water Team Meeting: Chairman Burke discussed his upcoming travel to Nebraska and informed Council he would not be at next week's water team meeting. He noted if he did hear from Mary Conelly prior to his departure, that the resolution regarding the economic development fund would be presented at the water team meeting if everything was good to go from Mary Conelly.

Councilmember Collins asked Chairman Burke about the hours of operation for the Enterprises and when the Enterprises would be changing their hours to accommodate Burning Man. Chairman Burke responded the hours would be extended starting next week. He explained the stores were still trying to hire security and sales staff and some of the current staff had wanted to take time off to go to Burning Man.

Chairman Burke informed Council of the architectural designs for the potential travel center along I-80 and that he would have the designs available for the Council to review. The travel center would consist of a casino, hotel, and fast food restaurants. Chairman Burke discussed the work of Tribal Source, LLC in developing the project and meeting with the construction company. The LLC was finishing up its due diligence and the next step would be a feasibility study as the studies that were done in past years were obsolete and could not be used.

Joe Mendes asked if there would be additional lighting at the Nixon Store during Burning Man as the lighting was very poor and could result in accidents because it was located at an intersection. Chairman Burke responded he would discuss this

(Continued on page 40)

(Continued from page 39)

with the Enterprise Manager.

Councilmember Wadsworth arrived at this time – 7:09 p.m.

Duane Dunn Complaint: Council heard comments from Duane Dunn regarding his complaint and Chairman Burke discussed the status of the complaint. Duane Dunn commented on the range and the money that was to be used for range improvements and that it was nothing more than money laundering. Chairman Burke explained to Duane Dunn that the complaint was sent to all of the individuals named in the complaint for response and that he needed to confirm that none of the issues in the complaint were related to open court cases. Duane Dunn further commented on the Cattlemen's Association and that the Association did not follow its ordinance and were allowed to do whatever they wanted, yet he had to follow the ordinance or be cited for trespass.

Duane Dunn discussed his concerns regarding the range further and that he had minutes from 2003 that included discussion and deadlines reported by the former Environmental Director that were never followed. Chairman Burke confirmed to the Council that Duane Dunn's complaint was received and included the names of several individuals; he had established a deadline of Thursday, August 25th for responses to be submitted to his office. He further informed Council that the information would be forwarded once the responses were received.

Councilmember John asked Chairman Burke if there was an accounting done of the grant that Duane Dunn kept talking about and how the money was spent. Chairman Burke asked Duane Dunn which grant he referred to. Duane Dunn responded he talked about a lot of different money and he could go over all of it once the Council got their so-called answers.

Chairman Burke explained once the responses were received that Duane Dunn would be sent a letter from his office. He discussed the NAP fund and the directive he issued a few months ago after meeting with the Environmental Department and the Cattlemen's Association as the funds were not to be used unless the request was signed off by himself and both of the groups. He further reported there was no activity on that account as he felt that was the most appropriate thing to do with all of the questions and concerns.

Councilmember Mix commented the money should not be touched no matter who it was until what Duane Dunn was talking about was settled. He further commented that every single year Duane Dunn came to the Council, named off certain people and each year the names were different. He noted that every year one of the Councilmembers was being sued and this year it was his turn and he wanted some answers because he did not have the right to go into Finance and audit but the Chairman and Vice-Chairman did yet the Councilmembers were the ones that took the hit for it. Councilmember Mix further commented he did not know why, but the Council was being hit.

Chairman Burke explained he did not know why either and that Councilmember Mix would have to ask Mr. Dunn that. Councilmember Mix responded the Chairman and Vice-Chairman made budget modifications and the Council did not know what was going on. Chairman Burke explained there was no activity under the NAP funding. He spoke with the Association and Environmental because he had those same questions and the same concerns as Councilmember Mix and he did not like it when people said that the Chairman was taking the money out because he was not a thief and he was not a liar. Chairman Burke further commented he took offense to that which was why the account was frozen and the only time it would be used was after it was discussed and agreed upon by the Association, Environmental and himself.

Councilmember Mix commented that none of it should be used until they figured it out. Chairman Burke explained the Comptroller just started and that she would be able to research all of that information. He commented he had agreed with Mr. Dunn and that they had met on it and he had expressed concerns that Chairman Burke agreed with and that he did spend a Saturday with Mr. Dunn touring the range and areas of concern. He noted that no money had been spent ever since the meeting with the Association and that was the best he could do until all these questions were answered.

Duane Dunn told Councilmember Mix that he was the Chairman's and Vice-Chairman's supervisor which was why he was named in the complaint. He discussed his concerns regarding the use of \$32,000 and what they had all been told by the former Environmental Director.

Chairman Burke explained the NAP funding was completely frozen and would be researched by the Comptroller and that as of right now, no funds were being used from that account. Vice-Chairman Wright discussed the Cattlemen's

Association and noted that even though they were a separate entity from the Tribe, the Tribe needed to get the Association's minutes because there had been a lot of discussion regarding these issues at the Association level and that would be a part of that record also. Vice-Chairman Wright noted the Association has had discussions going all the way back to the Warrior Burn issue.

VICE-CHAIRMAN'S REPORT – Mervin Wright, Jr.

Report submitted. Vice-Chairman Wright presented the items in his report and gave an update of activities.

OMB Circular Requirements: Vice-Chairman Wright discussed requirements of the OMB Circular in allowable and justifiable costs and the training that was to be scheduled for the program directors regarding the requirements of A87 of the OMB Circular.

Tort Claims: Vice-Chairman Wright reported on an accident that occurred and how this had resulted in the need for the Tribe to establish a tort claim policy which was a requirement for all federal funds and 638 grants which were covered by the Tort Claims Act. He discussed this further.

Employee Background Investigations: Vice-Chairman Wright discussed the background requirements of positions in certain departments and the need to ensure that staff was suitable to work in the departments. He noted it was important to make sure that directors understood the policy, particularly the departments that worked with children, the Police department and the Health Clinic, and the need to enforce the policies across the board. He discussed this further.

Employee Training & Certification: Issues had come up regarding the training and education line item with some programs and the issue of paying college tuition through those programs. Vice-Chairman Wright noted that training and education was important for credentialing and certification for departments, but when it came to higher education, the Higher Education program needed to be used, primarily the enrichment portion of the program. Vice-Chairman Wright had been working with some of the departments to make sure that staff did have the credentials and certifications as some of the departments were on the front line representing the Tribe in the region and he wanted to make sure that when it came to the Tribe's representation on these issues, that the staff were not going to be questioned with regard to what they had for their background as far as certification and credentials.

Vice-Chairman Wright informed Council he was working with staff to develop criteria for the profit and non-profit sectors of the Tribe and would be coming forward with ideas on making sure that it was clearly understood.

City of Reno Workshop: Vice-Chairman Wright discussed the information he provided to the Council from the workshop on the indirect potable reuse test results from removing toxins from untreated effluent in groundwater systems. He noted the workshop was interesting and showed there was still a lot of work ahead with the technology that was present as there were some toxins that could not be removed with the present technology such as certain herbicides, pesticides, insecticides, and fertilizers. He further noted the Tribe was continuing to work with the City of Reno on their discharge permit in consultation with the Nevada Department of Environmental Protection. He discussed this further.

Per Capita Reporting Requirements: Vice-Chairman Wright discussed the issue of per capita distribution and the criteria of developing what it was going to take if the Tribe was to move in that direction with tribal revenues that it received. He explained that a formal document would be developed so that everyone was aware of the Tribe's requirements to report to the Internal Revenue Service to make sure that it met all of the criteria.

Repatriation: Vice-Chairman Wright informed Council there was nothing more to report on the Western Region Office of the Bureau of Indian Affairs and the burial collections from the Nevada State Museum. He noted that everything was still on schedule for February and July, 2012 as reported at the previous meeting. He explained that the Tribe was required to find a repository to house the 815 cubic-feet of materials that were removed from the reservation and the surrounding areas between 1966 and 1972. Vice-Chairman Wright reported that the Tribe would receive the inventory by next February, 2012. He discussed the two phone calls he had with the Phoebe Hearst Museum in Berkeley, CA regarding the Tribe's NAGPRA claim for the return of the burial collections that were in Berkeley. He also informed Council of a meeting scheduled for September 20th and he had received a copy of all correspondence that went back and forth since 2007 and a separate packet of information that had raised questions about cultural affiliation.

Vice-Chairman Wright discussed his concerns with how the museums came into possession of some of these

collections as some were sold to them, some were looted, and when there were violations of the law in that manner and an institution was awarded a control and an authority to control it stated to him that the institution condoned illegal activity. Vice-Chairman Wright informed Council he would be forwarding some of the documents to legal counsel as well. He explained it was about facilitating the return of 14 sets of collections and some of these were brought to the Council's attention since 1992 and there were some significant collections at Berkeley. He informed Council that if they wanted to review the report and documents he would provide a copy.

Vidler Settlement: Vice-Chairman Wright informed Council he had started a draft allocation plan for the Vidler funding and long-term planning as he wanted to make sure that when this funding was made available, that the Tribe would have a plan in place. He further informed Council he would provide the document once it was finished and reviewed, and that the plan needed to have measurable performance and manageable results and make sure there was accountability factors applied to it.

Vice-Chairman Wright discussed the need for objectivity and being mindful of the purpose of the Council's responsibility in the conduct of business and being open-minded about hearing what needed to be said.

LLC & Gaming: Vice-Chairman Wright reported on the guidance and advice he had provided to the LLC Board and Gaming Commission. He noted he had not seen much activity from the Gaming Commission and that it might be time to meet with the Commission and find out where they were at with the gaming issues.

High Desert Recreation: This item was reported by Chairman Burke earlier. Vice-Chairman Wright reported there were new issues coming up with regard to the environmental health and safety inspection that was conducted at the Marina by IHS which would be followed up with by the Tribe to see if there was anything that had to be done.

Vice-Chairman Wright asked Scott Carey if the Symbiosis group would be at the meeting. Scott Carey responded yes. Vice-Chairman Wright informed Council he had asked the Secretary to provide them with a copy of the list of concerns he had developed after talking with Kevin KoChen of Symbiosis. Vice-Chairman Wright discussed the meeting that took place earlier in the day with Symbiosis and the NAGPRA Committee and noted he would discuss this further once Symbiosis arrived.

Councilmember Collins asked Vice-Chairman Wright about the item in his report regarding the training and education he had mentioned and that employees were to use the Higher Education program, and if that would apply to non-tribal member staff. Vice-Chairman Wright responded no. He explained that the whole reason the person was hired in the first place was because they already carried those qualifications and had become a question because they were requiring further qualifications. He noted this was fine but that they should not be using direct program funding for this and that it also took the person away from the workplace. Councilmember Collins commented she did not agree with that because if the employee was better in the end and if it would be better for the program then it should be allowable.

Vice-Chairman Wright explained he was dealing with another situation involving training certification with a non-tribal, non-Native person that had resigned their position and had not yet completed the course. He noted the only requirement of the Tribe was that the employee submitted a copy of their certification to Human Resources upon completion of the training. He discussed this further.

UNFINISHED BUSINESS

Environmental Department – Special Events Permit & USDA Grant Loan Terms:

Report submitted. Present was John Mosley, Environmental Director. Chairman Burke distributed a letter received from Terry Sampson-Lopez regarding the special events permit. Councilmember Davis asked about the timelines for the posting and comment period and noted she did not recall the Council waiving the posting timeline requirement. She further noted the permit was not posted until August 8th so to her, the comment period would not end until September 8th. John Mosley responded it was approved on July 15th but was not actually posted by the Secretary until August 8th. He noted it was up to the Council and was not really a regulation just a recommendation since they were in a court case right now for the reason that they did not approve the last permit to go out for posting for 30 days which was the main argument.

Council heard comments from Mitchell Tobey regarding the permits. He also discussed his appeals and explained the purpose of the appeal was because of the way it was handled.

(Continued on page 41)

(Continued from page 40)

He noted his brother's complaint was regarding the water issue and that he could not get a water permit if he owed the Tribe money. He explained that violated the policies for the appellate court and the Law and Order Code and that was what he wanted to bring out before the Council made any decisions. He further explained there were two cases regarding the last permit and the rules and regulations from last year as it went through Tribal Court and was now sitting in appellate court; his brother's case was in appellate court and under the rules of the Law and Order Code, everything was supposed to be frozen.

Mitchell Tobey explained he had asked for the exemption and then challenged it but that a lot of people did not challenge it and it was like they did not care. He further explained his case was in appellate court and he had asked for an exemption from this new permit because it was again violating the same thing he had submitted to the court. He told the Council he did not know if they knew his case was in appellate court and that it would be Vice-Chairman Wright's responsibility to let them know and to make sure they would make a fair decision and not violate the Law and Order Code.

Vice-Chairman Wright commented that maybe no permits should be issued until the matter was settled in court. Mitchell Tobey responded that was not fair. Vice-Chairman Wright told Mitchell Tobey that he had just said nothing should happen because it was in the courts so what is fair is fair. Mitchell Tobey responded that was not what the law said and that Vice-Chairman Wright was making up his own rules. Vice-Chairman Wright responded he was not making up the rules and that he was making a recommendation.

Council heard comments from Alan Mandell regarding the appellate court. He explained that the Tribe had given jurisdiction and authority to the appellate court for appeals and when the appeals got up there they became stayed and the Tribe should not act on anything until everything else was finished. He told the Council if they took action on something at this meeting that would be in violation of what was going in the appellate court already.

John Mosley noted the appeal was for last year's permit and this was for a new permit. Alan Mandell noted it was still regarding the same issue.

Councilmember Davis commented this still had to go through its posting period and then the Council could be updated at that point of what was in appellate court and the status of the case. Debbie Barlese asked if this would also affect the taco stands and noted it would affect every seller. Mitchell Tobey noted the purpose of doing this was to help the people out and that it was stated in the Tribal Constitution which was why this came about in the first place. He further noted if they separated the taco stands from the trash stands then the Tribe violated another law and that would be favoring one or the other.

Councilmember Mendes commented that PUD did not oversee the taco stands and that the food sellers had to be authorized through their health card if anybody were to regulate which they did not, and that would be the IHS because they were the ones that issued the card. She noted the taco stands were fine because they were issued the health card and were not in question. She asked John Mosley if that was correct. John Mosley responded yes. He explained that IHS was a non-regulatory agency but that they did oversee solid waste issues. He further explained that in this case the permit allowed tribal members to accept trash on an approved site and that the ordinance was not in question as part of the appeals, but the permit was a part of the appeal. He noted the ordinance still stood and stated that individuals could only dump solid waste at an approved site which would be at the transfer stations. He commented that nobody should be able to rent bins as that would be a violation of the solid waste ordinance as it stood and that since the Law and Order Code said that any violation of any tribal ordinance would be a violation of the Code that it was covered under law and order as well.

Mitchell Tobey commented if that was true and they were going to the Nixon dump then they would all be in violation. He further commented his stand was clean and that last year PUD had a mess at the Nixon gym as they had left their bins unattended. He further commented that in Wadsworth the bins were right next to the store and that his stand was clean and he did what the rules stated last year and it all went fine. He noted he did not understand why the door was being slammed on them now. He explained they did a service for the Tribe also so the people would not be dumping their trash everywhere. He further discussed the comment made earlier about Environmental not overseeing the taco stands and asked about the location of the trash cans at the food stands. He noted the proposal from Environmental now did not have anything to do with his stand and that PUD was in violation of everything. He further noted that the posting was still for 30 days and by that

time Burning Man would be over and that John Mosley was warned about that last year.

Chairman Burke commented that Burning Man was a time when every community member should be able to make as much money as possible but that the Tribe needed to make sure that it was regulated and providing an area that was appropriate for trash pickup and appropriate for food stands and appropriate for an art show. He further commented this was a time when tribal members should be making as much money as they could and if the Council was able to make an appropriate decision and establish locations and rules for everyone, that he had the utmost confidence that they would be able to come up with a plan that would allow tribal members to safely make money where it was not going to affect the health of others. He noted that a lot of the issues he heard was about the trash and if it was affecting the food vendors or residents. He discussed this further.

John Mosley explained that a part of the permit was that it be done in a safe place in accordance with the ordinance and that it was not to make dictatorship rules or take away tribal member rights or attack the Tribe as it was alleged.

Council heard comments from Florence Coriz, Mitchell Tobey and Duane Dunn regarding the food stands and trash collection. They also questioned why the Environmental Department took so long in posting the permit when it was known from last year that it would be needed for this year. John Mosley responded to questions regarding the ordinance requirements.

Councilmember Collins commented that if John Mosley knew he had a problem last year then something like this should have come up a lot sooner and if it did not hit the 30 day posting then they could not do anything.

The Secretary explained the Council had discussed this and made changes at the July 15th meeting and there had been no follow up from the department regarding the changes until August 2nd and even then the department had asked for the Council's comments on the scrap metal form and not the solid waste permit. She further explained she had asked John Mosley on August 2nd for the finalized version of the permit form and it was received the following Monday which was August 8th at which time the permit was posted.

Vice-Chairman Wright commented it was fair to say that the posting of this permit was not going to happen this year but just to address the issue of having the requirement of a person being current on their bill as part of the criteria for receiving a permit, that had been brought up because tribal facilities were being requested by tribal members for use. He further noted that people were not current on their water bills and yet were asking to use tribal facilities for water and that was one of the reasons why this had come up.

Vice-Chairman Wright noted that as far as food, garbage and water use during Burning Man, everything would need to be separated out so that it could be distinctly applied for that purpose instead of it being all-inclusive to where if a person owed the Tribe for garbage then that person would not be able to use the water. He commented it should be specific to using water and if the person's water bill was delinquent then the person would not get the permit to use the Tribe's water which was the whole reason why that came up. Vice-Chairman Wright noted if he was mistaken in saying that it was all-inclusive then he stood corrected but if it was, then what he suggested was that it be separated so that it could be applied separately.

Councilmember Mix commented there was a fee included for using the facilities and that he did not think what they were talking about with a person owing a bill, should not apply. He further commented that it cost money for the Tribe to maintain the facilities and the fee for the Nixon gym was \$100 and more for the weekend, and that people did pay for the spots up there as Parks and Recreation had set it up a while ago. Councilmember Mix asked what happened to that. Vice-Chairman Wright responded the person paid 1% of what they made so if they made \$100 then they paid the Tribe \$10.

Councilmember Mix asked Vice-Chairman Wright if the Tribe did away with the spaces and did the percentages. Vice-Chairman Wright responded he did not know enough about it to say whether they paid \$100 because all the person was asking for was the water they were not asking to use the gym because they were told they could not. Councilmember Mix noted that was what it was, for Burning Man only and they had to pay a fee for the parking lot area. Councilmember John commented they should have had this conversation in September, 2010.

Chairman Burke commented it was for two weeks and if the tribal members could be safe and if it could be regulated, that the tribal members make as much money as they could and that they do it safely.

Gordon Frazier discussed the closure of the Nixon dump last year and he had asked who gave John Mosley the authority to close the dump and he said his conscience did. He

commented that his conscience got him into trouble.

Council heard additional comments from Florence Coriz, Duane Dunn and Mitchell Tobey regarding the ability to sell and operate stands during Burning Man.

John Mosley commented if the Council allowed solid waste to be collected and if something were to happen then the Tribe would be liable according to case law and that it was up to the Tribal Council if they wanted to accept that liability. Chairman Burke noted the Tribe was ultimately liable for anything that happened with trash pickup. Duane Dunn commented the Tribe was sovereign.

Councilmember Mix responded to John Mosley's comment and noted since he threw that right at the Council about being responsible, that he reported a couple of weeks ago about the bins and nothing was done about it and the department had a person driving that truck which was an accident waiting to happen. He noted he reported that to the department and nothing was done and the truck stopped at the transfer site every single time. John Mosley explained he had asked his mechanic to look at the trucks and that he did not know where the mechanic was at on that, but he would get him out here as soon as possible. He further explained he did not know anything about trucks and would have to depend on someone that was a mechanic and knew about trucks. Councilmember Mix informed John Mosley that he was told to call Councilmember Mix and he waited to get the call and never got one. John Mosley responded all he was saying was that the Tribe was liable.

Chairman Burke asked the Council if they were prepared to take action on this with the information they had. Councilmember John commented for the Council to approve this when it was still in litigation was really not something they could do, but that they needed to establish something such as a statement that the person would do the trash or food stands following safe practices and that they understood what the liability could be. John Mosley noted that was all the permit was intended to be in the first place and that it was stipulations the Council had established and the person agreed to the items on the permit. He further noted that was all it was ever meant to be and that it was never meant to be a legal document as the legal document was already created and that was the solid waste ordinance.

Chairman Burke asked John Mosley if the Council had approved the permit last year. Mitchell Tobey noted it was the same way he did it this year with the posting and that it was not posted for 30 days. Vice-Chairman Wright commented if there was nothing place regarding a permit then even now with what was in front of the Council with regard to a permit- John Mosley interjected and asked the Council if they ever required 30 days on any other type of permit. Vice-Chairman Wright explained all he was going to say was that there was really nothing the Council could do because last year's permit was in appellate court and tied up so they could not do anything there. He noted they could not do anything this year because they would be beyond the timeframe so they were stuck with the ordinance unless the Council wished to have a similar type of permit agreement established for everybody this year but then again somebody could say it was not posted so they would be back in court again.

Vice-Chairman Wright further noted it would only apply to the garbage permits, not the food vendors as the ordinance did not affect the food vendors. Councilmember John noted the food vendors had garbage also. Mitchell Tobey commented it was discriminating and that was the bottom line.

Councilmember Mendes noted it was different because the person was not taking garbage only, they were selling food and there may be a plate leftover that needed to be disposed of. She further noted when people had food sales at the Tribal office people threw their garbage in a garbage can and it was the same deal. She noted when they were talking about bulk garbage pickup that was a different story. This was discussed further.

Mitchell Tobey commented the Tribe was making it harder and harder for people to make money out here. Councilmember Mendes discussed her concerns with allowing trash vendors as it posed a health risk to the community and that she did not agree with allowing it. She further commented that the locations of where the trash was being collected did not sit well with her such as the one across the street from the school where kids went to play. She commented what she wanted to see happen in the end if the Tribe was going to do this which the majority of the Council felt they needed to do this that there be some regulations around it so that the health and safety of the community came first and then the money making came next.

Councilmember Mendes further noted they should have been having this discussion a long time ago right after they

(Continued on page 42)

(Continued from page 41)

closed out last year and that was why she made the comment to the board that was working with all of the Burning Man issues that immediately after Burning Man they have a meeting with everybody to close it out and discuss how it went, and hear comments on what needed to be improved to start working on next year's regulation of how that was going to go.

She further commented this would have included the feedback from the vendors and how the Tribe could support them as well but that she was not sure if it was just the Environmental Director that was supposed to have done that. She noted there was a whole board that was going to work on the Burning Man issues and that she did not know if that ever happened and this was the reason why she said that, and that it was not because she wanted to get punitive with anybody because she knew people worked hard. She further noted this discussion kept coming back and they needed to get it cleared up and if they were going to collectively decide to do this then they needed to get their act together and get it done quicker.

Chairman Burke asked if they were to designate an area for trash pickup if that would be suitable to the Council, suitable to meet the environmental need that way there would be a designated area for trash pickup. He discussed this further.

John Mosley noted all the ordinance said was that it had to be at an approved site so if the Council approved a site then that would be the approved site. Councilmember John asked how many people normally collected trash during Burning Man. John Mosley responded they issued 6 permits last year.

Debbie Barlese discussed her trash collection and that she started paying her PUD bill as she had not paid it before. Discussion followed regarding the approved sites and how it would be regulated. Councilmember Davis asked Chairman Burke for clarification on what he would call a designated site. Chairman Burke responded that John Mosley would meet with the people that wanted to collect trash, come up with a designated spot and bring it to the Council for approval as long as it was away from the food, away from the residents and away from the children. Councilmember John suggested that John Mosley come back to the Council at the meeting on August 24th with options.

Council heard comments from Mitchell Tobey regarding the condition of the Nixon dump and that Environmental was making them follow all these rules and yet the department did not follow the same rules. He also asked what would be considered as an acceptable designated area. Chairman Burke responded that was what would need to be discussed. Vice-Chairman Wright noted it should also be at more than just one site and there should be at least 2-3 sites identified in each area. He discussed this further.

Councilmember Davis commented it would be better if John Mosley met with all of the trash vendors because they all might want to be in Nixon instead of Wadsworth but that the Council would not know that until he met with all of the vendors. Chairman Burke asked the Council if it wanted John Mosley to meet with the trash vendors to come up with designated areas that they felt would be appropriate and bring this item back to the Council at the August 24th meeting. Councilmembers were in agreement with this.

Councilmember Mendes commented that as soon as this year's Burning Man was over she expected to see a plan for where they were going to go next year with all of this so that it was clear and by the month before everyone had their permits and were ready to go. She noted that everyone present would now have to scramble to get their stands together if they could afford to do it and if the Council decided that was what they were going to do at designated sites. Mitchell Tobey commented if the staff had meetings that they needed to let the vendors in on the meetings so they could voice their opinions. Chairman Burke commented he agreed with everything he heard and that there would definitely be follow up with John Mosley on Monday to get going on this. Mitchell Tobey asked if they could apply for the permits now or if they had to wait until Burning Man was practically over before they could do it. Chairman Burke informed everyone that John Mosley would be in touch with them on Monday to come up with a plan for the Council. John Mosley asked that everyone that wanted a trash permit provide him with their contact information.

USDA Grant Loan Terms: John Mosley introduced Barbara Allen from the USDA grant office. Councilmember John asked Sheri Hunter if she had a chance to review the grant application and the terms of the loan. Sheri Hunter responded she did not have time to review the grant but that she did have a conversation with John Mosley regarding the terms of the loan and that it sounded very reasonable. Councilmember John noted there were stipulations in the grant that had to be met by the Tribe and she was concerned about whether or not the department would be able to adhere to the stipulations. Councilmember Davis asked if there was a

deadline for the loan or if they were looking at an immediate deadline for this. John Mosley responded he was looking at the beginning of September because if it was approved by then the Tribe would be able to have IHS take one of the lowest bids otherwise they would have to re-bid the project. He explained that Contracts and Grants reviewed the application and he believed his department could meet the conditions. Chairman Burke asked John Mosley about the date he wanted to start construction. John Mosley responded it was a month ago and he would like to be able to tell the bidder to start work and that he could work on the technical issues about getting the grant loan process done as he was told the whole thing could be finalized by November 30th. Barbara Allen explained if the Tribe was looking at finalizing the loan and needed USDA funds then they would be looking at a two-month frame. She discussed the loan process further.

John Mosley explained they could get the grant and loan finalized and use the IHS money that was already there to begin construction. Councilmember Mendes asked John Mosley if he was working with Contracts and Grants on this and if he was sure he could meet all of the stipulations. Sandra Hicks discussed the meeting she had with John Mosley and Barbara Allen regarding the loan as the department had money from IHS but that it would only cover half of the project costs, which was why they were going to apply through USDA and get a grant and loan for \$334,000 plus the loan of \$150,000 which would be \$1.2 million to finish the project. She further discussed the terms of the loan which was at a low interest rate of about \$6,000 per year for four years but the Tribe was going to pay it off sooner. She informed Council that John Mosley was going to come up with scenarios on how the Tribe could repay the loan.

Councilmember Mendes requested they come up with written scenarios and present those to the Council. John Mosley commented the question was whether or not they could take on a loan and repay it back and the answer was yes. He discussed several ways to repay back the loan. Councilmember Mendes requested that John Mosley provide written options on how the loan would be repaid. John Mosley proceeded to discuss the options and ways his department could reduce costs to repay the loan, such as not buying anymore bins.

Councilmember Mix noted the bins had caught on fire and were very brittle which was illegal to transport on the highways. John Mosley clarified he was talking about the plastic bins. He discussed other scenarios such as asking the Tax Commission to pay off the rest of the loan as the loan repayment would not be due until next year. Councilmember Mendes asked John Mosley if he discussed this with the Tax Commission. John Mosley responded no but that he had talked to individual members about it and they seemed receptive to the idea since part of the Tax Fund Use Plan was to help pay for infrastructure. Councilmember Mendes noted she wanted to make sure that the department would be able to repay the loan because the Tribe did not normally take loans and that there be a plan for payback and that there was money in the bank they would be able to count on to make sure the Tribe met its obligation. She discussed this further.

A motion was made by Vice-Chairman Wright to approve the loan application as presented. The motion was seconded by Councilmember Wadsworth. Before a vote, Councilmember John discussed corrections needed to the resolution in the application as it referred to the Vice-Chairman but that it may be referring to the Tribal Council. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

Planning Department – Letter of Intent/Symbiosis Events: Report submitted. Present was Scott Carey, Tribal Planner. Also present were Karen and Kevin Kochen. Scott Carey discussed the request from Symbiosis Events and the letter of intent which had been recommended for approval, and gave an update on the concerns that were discussed at the last Council meeting during the initial presentation. He informed the Council that the direction he was given at the last meeting was to move forward with the event and work out the issues that were brought up with the event site such as the pelican and cultural resource issues, and that he was to come back at this meeting with a letter of intent.

Council was provided with the proposed letter of intent which had been reviewed by Symbiosis Events. Councilmember Crutcher noted the event was going to be for four days and that bands would be playing 24 hours a day; he asked if there was going to be a curfew. Karen KoChen explained they would have different schedules. Councilmember Crutcher discussed his concerns regarding the noise from the event and that it would disturb the Sutcliffe and Nixon residents. Kevin KoChen responded the site they identified as being most suitable for the event was on the east side and that would be where they would be most able to

isolate the sound. He noted they also had a sound engineer who could provide a map showing how the sound would be dissipated and that it was a concern they paid attention to. Karen KoChen informed Council that they also had updates on their site selection process. She discussed this further and noted that based on the discussions they had with staff and the NAGPRA Committee and that the Willows area would be the best location for the event.

Karen KoChen discussed the NAGPRA Committee's recommendation which was for Symbiosis to go back to the east side and cut off access to the Pyramid. Scott Carey explained they wanted to have a backup location for the Council to consider as the NAGPRA Committee had concerns with the areas that Symbiosis had wanted to use for the event. He explained they would have a cultural resource monitor on site before and during the event. Scott Carey discussed the follow up that was done to address the pelican issue and that he had contacted the U.S. Fish and Wildlife Service. He explained the permit conditions would be based on the recommendations from the Service that would mitigate the impact.

Kevin KoChen noted that the NAGPRA Committee had recommended the east side as there was a similar event held there before and the area was already disturbed and had been populated by a large group of people. Chairman Burke noted the spawning was also brought up and that when they discussed this at the IDT meeting the Fisheries Director had been in favor of the event and the rest of the IDT team did not see an issue with this. Karen KoChen explained that the Fish and Wildlife Service would be coming back with different steps for them to follow and had said it was a good thing that they were looking at this more than eight months in advance so the Service could put together a thorough plan.

Councilmember Crutcher asked about having a curfew on the event when the music would be turned completely off such as midnight. Kevin KoChen responded they were definitely most interested in Saturday night to be able to play music all night but that they would be negotiable on some of the other days. Councilmember Crutcher asked if Kevin KoChen if they were going to have vendors at the event selling alcohol. Kevin KoChen responded this was something they had discussed in possible cooperation with the Tribe in some manner but nothing has been set. Vice-Chairman Wright commented they should not test that out here. Kevin KoChen noted they did allow alcohol at their previous events. Vice-Chairman Wright clarified that Councilmember Crutcher had talked about the sale of alcohol.

Scott Carey informed Council of the draft special events permit that was included in his report and that the permit addressed the concerns that were discussed with an event of this size. He noted it was up to the Council to impose any conditions on the special events permit to protect the Tribe. He informed Council that if they did not want alcohol sales and a curfew it could be added into the permit. He also discussed the proposed letter of intent which would allow them to move forward and would tie the Tribe to Symbiosis more formally but would be non-binding and was basically for them to move forward in negotiating a special events permit and to host a solar eclipse event in May, 2012.

Scott Carey discussed the location of the event on the east side of the lake and that it had come to their attention that there may be cattlemen with cattle in that area and may be affected. He informed Council he would attend the next Cattlemen's Association meeting which was scheduled for September 12th to discuss the event and hear the Association's concerns. Scott Carey noted this was one of the stipulations already included in the special events permit. He explained the timelines of the event and that it would be 3-4 weeks in May, 2012 that may affect the Association.

Council heard comments from Tanda Roberts, a member of Tribal Source, LLC regarding the Board's support of the letter of intent to help move the event forward. She discussed the role of Tribal Source, LLC in negotiating a contract with Symbiosis Events and the process for this. Chairman Burke commented if the letter of intent was approved, then he would ask that they develop a checklist that included all of the appropriate departments to confirm for the Council that they were working with the different departments they needed to work with and to document that the contact was made so they were not leaving anyone out.

Vice-Chairman Wright commented he disagreed with this event. Councilmember Wadsworth commented they have had enough inaction to warrant them trying something and earlier they had discussed how they would repay back a loan and this event could generate revenue to help do that. Councilmember Mendes asked if the LLC Board had recommended moving this event forward. Tanda Roberts responded yes and approving

(Continued on page 43)

(Continued from page 42)

the letter of intent. Councilmember Davis noted the Council did receive the LLC Board's letter of recommendation at the last Council meeting.

A motion was made by Councilmember Mendes to move forward with the letter of intent with Symbiosis Events as presented. The motion was seconded by Councilmember John. Votes were 5 FOR and 4 AGAINST (Crutcher, Collins, Wright, Garcia). **Motion carried.**

Scott Carey gave an update on the upcoming art show that was scheduled for September 4-5 at the Museum and that there were still art and food vendor spaces available at no charge. He had 7 artists and 1 food vendor signed up so far and he would like to get up to 15 art vendors and possibly 5 food vendors.

Meeting Procedures: Council was provided with a draft of the procedures. Councilmember John explained she did not include poll voting or add-ons to the meeting agenda in the procedures and these needed to be included. She noted this was not included in the Constitution and if the Council wanted to have poll voting it would need to be added in the meeting procedures. Councilmember Davis noted that was some of the questions she had as the procedures had stated that once the agenda was established it was established, and also that the membership always had the right to come forward but that they would not be on the agenda when it was given to the Council which was a little contradictory. Councilmember John explained the members could come forward during the comment period on the agenda because right now they did not have that addressed.

Chairman Burke commented they should leave the add-ons on so they would be covered for emergencies. He asked the Council about what would be considered as an acceptable add-on and if it was that somebody waited until the last minute that poor planning on their part would not constitute an emergency on the Council's part. Councilmember Davis noted she had some questions but was not sure who to give them to or if the Council was going to be approving this now. Councilmember John suggested she bring them up now so that everyone could have input on them.

Councilmember Davis reviewed her comments and questions on the procedures. She commented that on Page 2 under meetings they needed to remove the term "regular meeting" and add an "s" for meetings or for unfinished business. She informed Councilmember John she would submit her comments. Councilmember John asked the Council if they wanted her to add phone polls.

Councilmember Mendes commented if they allowed phone polls that there be certain criteria for requests that should not be allowed to be a phone poll such as for contract and grant approvals or things that had to do with the Tribe obligating itself financially. She further commented that a senior request or items that had certain criteria around them could be done in a phone poll if they had to be taken care of immediately. She suggested including a phone poll with criteria.

Councilmember Davis asked Councilmember John about the date she wanted the comments submitted by. Councilmember John responded she would try for the August 24th meeting and have it to the Council for the September 2nd meeting.

Councilmember John gave an update on the status of the ethics code and that she gave Councilmember Mendes a draft. She informed Council she hoped to have a draft of the code by the October meeting for review.

NEW BUSINESS

Wacey Kelly – Donation Request: Letter received. The request was for a donation for the Fernley Football Team. A motion was made by Councilmember Davis to approve a donation at the individual rate. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Wayne O'Neil – Water Tank Removal Request: Letter received requesting permission to remove the small water tank on the hill near the larger tanks and to remove a water tank located on South Hollywood Road. Council discussed the

removal of the tanks for scrapping and the need for controls on this. Council heard comments from John Guerrero and Norman Harry regarding scrapping and insurance coverage.

After discussion, a motion was made by Councilmember John to deny the request. The motion was seconded by Councilmember Davis. Votes were 5 FOR and 0 AGAINST; with 4 ABSTENTIONS (Crutcher, Mix, Wright, Garcia). **Motion carried.**

Council discussed the need to inventory all of the Tribe's property and possibly open it up for bids to remove the property and enter into a contract for removal of the property.

A motion was made by Councilmember John to review all of the Tribe's property for scrap metal, put it out for bid and enter into a contract for removal of the items. The motion was seconded by Councilmember Wadsworth. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Mix). **Motion carried.**

Councilmember Davis requested that the Council be provided with the final list of scrap metal along with the list from last year including amounts received and where the money went to as this information was requested previously and was not provided.

Edna Benner – Donation Request: Letter received requesting a donation to assist with family travel expenses. A motion was made by Councilmember Mendes to approve a donation at the group rate since it was a family request. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (Wright, Crutcher). **Motion carried.**

Autumn Harry – Donation Request: Letter received requesting a donation to assist with education expenses. Autumn Harry was present to discuss her request. A motion was made by Councilmember Mendes to approve a donation at the individual rate. The motion was seconded by Councilmember Mix. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Stan Hooper/MK's Diesel & Auto Repair: Letter received requesting a temporary business license. Chairman Burke read the request aloud. A motion was made by Councilmember Davis to deny the request as the procedures were not followed. The motion was seconded by Vice-Chairman Wright. Votes were 6 FOR and 0 AGAINST; with 3 ABSTENTIONS (Crutcher, Wadsworth, Garcia). **Motion carried.**

Councilmember Davis asked about the tax information and if the business had submitted anything to the Tax Department. Vice-Chairman Wright explained the business had submitted an application for a seller's permit but that the Council first needed to approve the business license before a seller's permit could be issued.

Councilmember Travel/Training Request: Request submitted by Councilmember Crutcher for approval to attend a language conference in Reno. A motion was made by Vice-Chairman Wright to approve the request as presented. The motion was seconded by Councilmember Mix. Votes were 8 FOR and 0 AGAINST; with 1 ABSTENTION (Crutcher). **Motion carried.**

Councilmembers Garcia and Collins also requested to attend the conference. A motion was made by Councilmember Wadsworth to approve the request. The motion was seconded by Councilmember John. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (Collins, Garcia). **Motion carried.**

Elder Emergency Request: Request received from Joann Gates for assistance with repairs to her home's outdoor faucets which ran continuously. A motion was made by Councilmember Mendes to approve the request as presented. The motion was seconded by Councilmember Wadsworth. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

NV Energy Repair Request: Letter and map received requesting permission to complete repairs on the powerline between Nixon and Wadsworth. Chairman Burke discussed the meeting held with NV Energy and the tribal departments regarding the project and the need for repairs as the power lines were old.

A motion was made by Councilmember Davis to approve the request as presented. The motion was seconded by Councilmember John. Votes were 9 FOR and 0 AGAINST;

with 0 ABSTENTIONS. **Motion carried.**

PL Suicide Coalition – Donation Request: Letter received requesting a donation for their upcoming walk. A motion was made by Councilmember John to approve a donation at the group rate. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

COMMITTEE/DEPARTMENT REPORTS – ACTION REQUIRED

Ratification of Poll Vote/Transportation Planning: Phone poll was conducted on August 22-23, 2011 on behalf of the department for approval of a contract complete striping in Wadsworth. A motion was made by Vice-Chairman Wright to ratify the poll vote as presented. The motion was seconded by Councilmember Davis. Votes were 7 FOR and 0 AGAINST; with 2 ABSTENTIONS (Garcia, John). **Motion carried.**

Health Department – Provider Contract: Health Director was not present. Della John, Tribal Administrator presented the department's request in the absence of the Health Director. The contract was for Adrian Emm to provide chiropractor services at the Clinic for the remainder of the year. Councilmember Mendes explained the contract had been reviewed by the Health Board and that the Board had recommended approval. A motion was made by Councilmember John to approve the contract to be effective as of August 19th. The motion was seconded by Councilmember Wadsworth. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

Tribal Comptroller Update: Report submitted. Present was Sheri Hunter, Tribal Comptroller. Councilmember John asked about the over expenditures in some of the budgets and why this was happening. Sheri Hunter explained it had to do with the internal controls which would be reviewed. She discussed the process further. She also discussed the Council's budget for 072A and which needed to be reviewed. She informed Council that the income made from the scrap metal project was \$9,500.

Other Discussion: Della John informed Council of an upcoming visit by a Polynesian church group who would be doing community service projects at the cemetery and the orchard in Nixon. The group would also be hosting a cultural exchange night for the youth.

Councilmember Mix commented on the solar panels and the need for cleaning since the departments were responsible for maintenance of the panels.

Councilmember Wadsworth reminded the Council that Finance would be short on check signers since he and Chairman Burke would be out on travel, and also Councilmember Crutcher would be traveling as well.

ADJOURNMENT

A motion was made by Councilmember Davis to adjourn the meeting. The motion was seconded by Councilmember Mendes. Votes were 9 FOR and 0 AGAINST; with 0 ABSTENTIONS. **Motion carried.**

The special meeting of August 19, 2011 adjourned at 9:30 pm.

Submitted by: /s/ Carol Smith, Tribal Secretary

/cjs

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 1st day of **SEPTEMBER**, 2011, having **nine (9)** members present, constituting a quorum, by the vote of **eight (8)** for and **zero (0)** against, with **zero (0)** abstentions.

Minutes attested and concurred by:

/s/ Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribal Council
///



**NOTICE: Minutes are available on the Tribe's website
or by requesting in writing to the Tribal Secretary.
Allow two (2) weeks for mailing**

Letters to the Editor

The Pyramid Lake Paiute Tribal Newspaper welcomes your "Letters to the Editor."

- ◆ Letters must be 200 words or less. Letters are subject to editing for conformance to the 200 word limit, as well as for libel and taste.
- ◆ Letters must carry a full, legible and signed name of its author. The newspaper staff does not withhold names of letter authors. Pseudonyms are not allowed.
- ◆ Each author is allowed one published letter per newspaper issue.
- ◆ To be published, all letters must have a permanent address and/or a daytime telephone number for verification. **This information will not be published.**
- ◆ Letters addressed to specific parties other than the Pyramid Lake Paiute Tribal newspaper, to readers, letters from other publications, form letters that do not contain original writing content by the signatory or personal complaints outside the public domain are not published.
- ◆ Letters are published in the order which they are received. Promptness of publication depends on the volume of letters received and space availability.

MAIL LETTERS TO:

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 P O Box 256
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Newspaper Submittal for Paper **4th Quarter (Oct-Dec) DEADLINE: Dec 28th—Wednesday @ 12:00 p.m.**

Please complete **this form** and submit with your article.

BE SURE TO:

- Include your name, phone # and address.
- Personals may submit a hard copy of article. Hand written Personals ONLY must be printed legibly.
- **Submitted articles must be saved on CD** in Adobe Acrobat, Publisher, Word or WordPerfect format. (Media will be returned).
- **Articles can be submitted via e-mail to newspaper@plpt.nsn.us.** A hard copy of article must also be submitted by deadline.
- Pictures should be submitted in black & white. (Dark backgrounds do not scan well).
- Digital pictures must be taken with a high resolution for a good quality picture.
- REMEMBER: Pictures represent the quality of the picture submitted.
- Submit all information to the Tribal Manager's Office by deadline

DATE: _____ NEWSPAPER MONTH: _____
 NAME: _____
 PHONE: _____ DEPARTMENT: _____
 TITLE OF ARTICLE: _____
 ITEMS TO BE RETURNED: YES or NO
 IF YES, ADDRESS: _____

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DEADLINES FOR THE YEAR 2011 (Tentative Dates, subject to change): Oct-Dec **Due:** Dec 28th-12pm

This schedule will allow us to get the newspaper prepared, edited, and printed and ready for bulk mailing the first week of each month. The Tribal Manager's office collects your articles and will forward them to the Editor.

Thank you for contributing your articles for our Newspaper this past year. Please continue to contribute to our Newspaper and let the people know about your program or department's activities and accomplishments. Please submit on diskette in Microsoft Word, WordPerfect or Publisher format along with a hard copy of article.

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