



# NUMUWAETU NAWAHANA

“Telling the Indian People’s News” Pyramid Lake Paiute Tribal Newspaper

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## Smith Takes Fifth Place In Oakland — Punt, Pass, and Kick

Nick Smith, 9, is the son of Craig Smith of Pyramid Lake, and Maureen Smith of Fallon. Nick is in the 4th Grade and attends West End Elementary in Fallon, Nevada. In addition to his recent athletic accomplishment in the NFL Punt, Pass, and Kick, he was recently awarded Perfect Attendance and Honor Roll for the 1st Quarter.

The Lahontan Valley News ran an article on November 5, 2008. Credit: LARRY BARKER

Holcombe and Smith both finished in fifth place in their respective competitions, Holcombe in the boys 10-11 year olds and Smith in the boys 9-10 year olds.

“My favorite sport is football. I heard about Punt, Pass, and Kick and I wanted to try out for my first year,” Smith said. “I won in Fallon and I won in Gardnerville so now I’m in Oakland. I think I did pretty well. I think my pass was the best.”

The days events began with the actual competition, which was held at Brookfield Village Park, a neighborhood park about a mile south of McAfee Coliseum where the Raiders play. The competition began at 9 a.m. under cloudy skies. The field was wet and muddy due to heavy rain that fell on Saturday and early Sunday morning. Intermittent showers fell while the players were warming up, but there was no rain during the competition.

Participants were scored on how far they could punt, pass and kick a football. Each participant was allowed one punt, one pass and one placekick off a tee. The combined distance off all three was added together to determine each participants score.

After the competition, the participants and his or her parents waited anxiously while the scores were calculated. A few were elated to find out that they had won while most took the bad news in stride.

Each participant received a plaque award for having made it to the team championship. The day didn’t end with the competition. Each participant and their parents received complimentary tickets to the Raiders game against the Atlanta Falcons. Before the game, they all went onto the field at McAfee Coliseum, where each one threw a pass to the oos, aahhs and cheers of the crowd.

Morgan Dirickson, Chali Heckathorn, Hunter Holcombe and Nick Smith, earned their way to Oakland by winning a local competition here in Fallon and the northwestern Nevada championship in Gardnerville. Photo by Lahontan Valley News

Below: Nick at McAfee Coliseum. Photo by M. Smith



## Solar Energy for the Pyramid Lake Paiute Tribe (PLPT)



Black Rock Solar conducted an initial assessment of the energy use of the PLPT. A similar program was completed at Natchez Elementary School. The Tribe is currently working to identify financial means to complete these projects.

There are 165kW of viable solar installations to be done in Nixon for various tribal offices and facilities, with an additional 24 in three small installations, for a total of 191kW. The rebates that have been issued are for \$4.60 per watt. At

\$6.25 per watt total construction cost, the total cost would be \$1,193,750, of which \$879,000 would be available as rebates. Funding on the order of \$314,750 will have to be raised to do these projects.

Building 191kW of solar would save approximately \$42,020 per year, for a payoff time of eight years at current rates. Note that this calculation was made prior to the recent rate increases by NV Energy, so the payoff date could come sooner. Over the course of the expected 25 year lifespan of the projects, they would save approximately \$1,050,500.

On the four meters at the Pyramid Lake High School, there is huge usage on one meter, smaller use on three others. If we did 10kW each on the CHS and Well, and 35kW on the ball field and 50kW on the main school, the total would be 105kW (\$482,000 in rebates at \$4.60 per watt) with an estimated site host contribution of \$173,250. Annual energy savings would be \$24, 570, for a payoff of eight years.

The Main School meter, however, has a massive energy use, some 282kW worth, and could be eligible for 3<sup>rd</sup> party ownership scenario, should the PUC and Assembly allow it.

It’s also worth noting that in the instances below where the rebate doesn’t fully cover the energy use, an additional rebate application and installation could be done in the following program year to offset that use.

The Tribal Health Clinic use 60kW, but would be only eligible for 30kW (\$138,000 at \$4.60 per watt), and would require site host contribution of \$49,500. Annual savings would be \$7000, for a payback of 8 years.

The tribal offices use 45kW, but would be only eligible for 30kW in rebates ( \$138,000 at \$4.60 per watt), and would require site host contribution of \$49,500. Annual savings would be \$7000, for a payback of 8 years. Please visit their website at [www.blackrocksolar.org](http://www.blackrocksolar.org).

★ Annual  
★ Christmas  
★ Program



★ December 20, 2008

Nixon Gym

Nixon, NV

5 p.m.



... From the Chairman's Office

This comes to you with warm greetings in the holiday season. I hope that each of you are well and are enjoying this time with your families.

I attended the Indian Land Working Group (ILWG) 18<sup>th</sup> Annual Symposium in Tucson on November 10. Two presentations were made; the first involving Indian Water Rights Settlements and the second on Indian Reserved Water Rights. It was great to begin researching Indian water rights and all that the Western States are facing today with increasing demands, climate change, and limited water supplies. Tribes are facing pressures regarding the management of their water rights and water resources.

The ILWG formed an Indian Water Working Group, a sub-committee of the ILWG. Tribe's who have completed water right settlements, in the process of negotiating water rights settlements, and who are considering negotiating water right settlements are collaborating experiences to provide tribes with information and insight to continue their relations in their respective river basins. It is important that tribes unite to tackle the multi-sided water challenges with considering negotiation.

A third presentation was made at the annual ITCN convention in Sparks on November 20. This presentation was titled Indian Water Rights and Negotiating Settlements. Each of these presentations were intended to present the situation surrounding Indian water rights and a Tribe's right to managing and possibly develop their water resources. I will work to get this presentation posted on the tribe's website. Some of the information is included on the last page of this edition.

Climate change and growth are the two leading pressures being applied to water resources in the west. Since the mid-70's global temperatures have risen about 1°F; and since 1998 eight of the warmest years have been recorded with 2005 being the warmest. Climate change brings about droughts, flooding, timing changes for natural events, and species distribution. U.S. Census Bureau projects that the U.S. population to increase by 29% by the year 2030; and Nevada's population to increase from 2.0 million people in 2000 to 4.3 million in 2030, a 114% increase.

The Tribal Council approved a resolution on November 21 requesting the U.S. Bureau of Indian Affairs Western Regional Office to conduct a court review focusing on civil right violations. In conferring with the Tribal Courts it is time that the court operation is reviewed to address the claims of civil right violations. The court has been under constant scrutiny and this review should identify any act that violates the civil right of persons involved with the court system.

The Administration had posted a 'request for proposal' to conduct a feasibility analysis on class II or class III gaming in the I-80 corridor in Wadsworth back in August. There was identified limited funding in the Tax Spending Plan for economic development and the proposal was tabled. The Tribal Council asked that the 2005 travel center feasibility report be reviewed to compare its conclusions to the expectations for gaming development. The report will be reviewed and a report will be presented to the Tribal Council.

The Tribal Council was presented a BIA trust fund 1034 withdrawal form on 11/21 regarding the PL 101-618 interest on the Economic Development Fund for their consideration. The Office of the Special Trustee (OST) has a responsibility to assure investment securities and reported (on 11/18) the balances and the manner in which the investments have been and are currently managed. \$85 million: ~ \$41 million in principal and ~ \$45 million in interest has accumulated as of October 30, 2008.

CitiBank was a recent casualty in the economic crisis of the U.S. economy. The Tribe currently has a balance of \$1.7 million with Smith Barney CitiBank in term of Water Right Acquisition Program funds. OST assures security through the U.S. Treasury and at this point if the interest is released the safest way may be to allow the OST to manage the trust accounts.

The Tribal Council adopted the distribution plan in 2006. This plan states that all minor funds will be pooled in one account this will be to draw higher interest with the overall amount in the pool. When the minor reaches the age of eligibility, their portion will be distributed. The question – does their share include the interest earned? It states the Tribe will be responsible for investing the funds. With

the OST, each account will be separate and when a minor reaches the age of eligibility, they receive their portion plus interest.

The Tribe has a right to withdraw all of its trust accounts from the BIA. This includes the Docket funds and any other trust account managed by the BIA. The OST is the manager on behalf of the federal government and has expressed requirements the Tribe must follow in assuming management responsibilities over trust fund withdrawals. The current U.S. economy does not warrant confidence and whoever comes in to paint a pretty picture it's probably too good to be true.

The Tribal Appropriations Committee has been reviewing 2009 budgets. The total amount requested is ~ \$6.2 million. In 2008, ~ \$2.0 million was approved for allocation. A meeting between the Committee and the Tribal Council is scheduled for December 6 at 9:00 AM.

The 2006 audit was completed and it reports the deficit at \$1.8 million, increasing by \$1 million from 2005. Approximately \$670,000 of this was uncollected Indirect Costs (IDC) from funding agencies. This has an enduring effect to the overall tribal budgeting. From delinquents audits to current no IDC rates the impact all contributed to the regretful state of tribal financial affairs. Because the IDC was not collected, it forces the IDC rate to increase which forces tribal programs under pressure to perform with less money. The IDC is administrative support to manage the grant/contract funds.

The Tribe is currently caught up with grant reporting, and has been collecting all of the IDC that is owed to the Tribe. The obligation was huge because from 2005 the IDC was unrecoverable; in 2006 when the 2006 audit was completed this year, quick work recovered much of the IDC; the 2007 IDC is also being recovered, and the 2008 IDC is being drawn. The audits will be done through 2007, and the IDC rate proposals will be done through 2009.

Economic Development has not been effective. In 2005 that responsibility was assumed by the Vice Chair position. Up until now, conducting a review/cost benefit analysis for funding the Vice Chair position has not been completed. Not funding the position and reinstating the Economic Development Program is under consideration. It will affect the candidacy list but more importantly, cost effectiveness with a limited budget is the goal.

The High Desert Recreation litigation is back on track at the 9<sup>th</sup> Circuit Court of Appeals. The mediation was not successful. The lease provisions will be followed and the tribe recently repaired the leaking roof. The cultural items were put away for this reason, so it may be expected that the items will be put back on display or returned to the tribe. Any revision to the lease (or any lease or sub-lease) must be approved by the Tribal Council.

The Tribal Council is grappling with situations involving estates. The Law & Order Committee will receive a Probate Code to process and implement. The immediate nature of setting this up is critical. Right now due to not having a segregation of responsibility (separation of powers) decisions can be overriding and may not provide timely consideration of ongoing processes within the respective branches of government.

In 1998, discussions took place regarding tribal council members applying for positions within the tribal administration. It is a conflict of interest to work as an employee then serve as a governing official. Furthermore, micromanagement of administrative programs can be prevented by restructuring with defined and distinct delegation of authority or segregation of responsibility.

Rumors will flourish during elections. Please confirm what you "hear" to what you know.

If you have any questions, comments or complaints please do not hesitate to contact my office at (775) 475-1000 x102. Thank you and may god bless.

Mervin Wright, Jr.  
Tribal Chairman



Continued.

## **Consolidated Higher Education Program**

### **CHE Scholarship deadline;**

Deadline date for the 2009 spring semester; November 30<sup>th</sup>, 4:30 PM

### **Scholarships available:**

The Pyramid Lake Tribe, Consolidated Higher Education Program was awarded 10 \$2000.00 Scholarships from Grand Canyon University. Individuals interested contact the Consolidated Higher Education Office for more details. **775-574-0300 Monday through Friday 8:00AM to 4:30PM.**

## **Reminders**

### **Enrichment Scholarship recipients:**

Enrichment Scholarship recipients, please turn in your class schedule information for the 2009 spring semester as soon as possible. This only applies to those students who qualified for tuition and book fees. This only applies to those who received the Enrichment Scholarship that received funding for tuition and books. All others need not to respond.

### **Transcripts/Class Schedules:**

All PLPT Scholarship Recipients; please be reminded to turn in an **Official Transcript** and your class schedules and for the up coming 2009 spring semester. The transcripts should be available to all students' two weeks after the end of each semester. Please check with the institutions administration office.

### **Online Computer Classes:**

Currently we have two computers online for students who are enrolling for on line classes. At this time we have 5 students who utilize the computers for online classes and a host of others who come in to conduct do job searches or to checking email. The computers are a resource for students and to others. **If you need time, please call the CHE Office at 574-0300 Monday through Friday 8:00AM to 4:30PM for computer time and scheduling.**

### **University of Phoenix College Fair;**

We had hoped to have had sign ups for the University of Phoenix this past month, but due to the Inter-Tribal Council of Nevada Convention, it was decided to postpone the event until after the convention. If you are interested, please contact the Consolidated Higher Education Office for more information. As soon as we hear on a new date, we will get the information out to the communities.

**Anthony Sampson**

**Consolidated Higher Education  
Program; Coordinator/Director**

## **JUDICIAL WORKING GROUP SUBMITS THEIR RECOMMENDATIONS TO THE TRIBAL COUNCIL**

There were a number of complaints that had been submitted to the Pyramid Lake Paiute Tribe. Although several of them had already been responded to; there were a few of them that seemed unresolved.

At the July 2, 2008 Tribal Council meeting a group came forward and requested that they be reviewed and action be taken. Vice Chair Eben was not present at this meeting when a motion was made by "Council Member John made a motion for at least three Tribal Council members meet with Law and Order Committee to review the complaints that have not yet been resolved. The motion was seconded by Councilmember Mendes. Votes were taken. Motion carried." It was stated that 10 days should be enough time to accomplish this task.

The Working Group meetings held on July 7, 11, and 17, 2008. A meeting was also scheduled August 28, but was cancelled until September 4, 2008. Final working group meeting was held on October 9, 2008. There were numerous issues that needed to be addressed and ten days was an unfair amount of time. Of these meetings thirteen recommendations to better the Judicial Program and one recommendation of Administrative Action was made by the Working Group, and they are as follows:

All Administrative and Tribal Court Staff shall be familiar with the Pyramid Lake Law and Order Code and the Court Procedures. A signed agreement should be kept on file verifying that all staff had read the code and procedures

All current Pyramid Lake Paiute Tribal Policies and Procedures will be followed **as written** to ensure individual rights or civil rights are not violated; Any Pyramid Lake Paiute Tribal Court policies or procedures that are outdated or do not follow the tribe's Law and Order codes will be amended by the Court Administrator. Amendments will follow the tribe's amendment procedures before any policies go into effect.

All Administrative Court Staff and Court Staff will follow the scope of their job duties as outlined in their job descriptions. Other duties as assigned should be removed from Court Staff job descriptions. If the grant includes other departments, all departments should be made aware of the grant objectives.

All Administrative Court Staff, Chief Judge, Associates Judge, Adult Probation, Juvenile Probation, Advocates, Lay Advocates will sign a Code of Ethics (Approved by Pyramid Lake Paiute Tribal Council 04/18/2008) and Oath of Confidentiality. Signed documents will be kept on file in the Employee Personnel file for regular employees or with the Contract for those contractual employees. For other advocates who practice in our court, theirs should be kept on file in the Court Administrators Office.

All Court Staff should receive training on current Indian Law at the University Of Nevada Judicial College, or some other institution that offers trainings on current Indian Law.

All Administrative Court Staff and Court Personnel will maintain a professional demeanor with all individuals or agencies who utilize the Court Services.

All Administrative Court Staff should have Cultural Sensitivity training.

The Administrative Court Staff will make a binder containing the Pyramid Lake Law and Order Code and Court procedures should be placed in public area where any individual can access it. Copies of the Law and Order Code and Court Procedures will be made available to public at a minimal charge.

All court forms should also be placed in the same area with brief description of how to fill out the form. If there are questions Court Staff should be on hand to answer any questions.

If Tribal Court has a grant, then Staff must be aware of the objectives of the grant and stay within the scope of work outlined in the grant. If other Tribal Departments are mentioned in this grant, it will be the Court Administrators responsibility to inform all department effected.

MOU/MOA should be established between, but not limited to, Court Services and Health Center, High School, Mental Health, Social Services for the protection of all parties. All MOU/MOA will follow Law and Order Code guidelines and protocols before that are enacted.

Advocates should be located in another building outside of the Pyramid Lake Tribal Court Building. It is also recommended that the court Advocate be hired part-time to allow clients more time with their advocate to discuss their cases.

The Working Group recommended a desk audit of the Court Administrator and the Court Staff. The desk audit will be performed by an outside evaluator/consultant.

Administrative Action on one individual recommended by the working group after all of the complaints were reviewed. One oral reprimand to be issued.

**I would like to acknowledge the Working Group for volunteering their time to review these cases, adding comments, and coming to a consensus on the recommendations.**

Respectfully Submitted,  
Carla Eben  
Vice Chairman  
October 17, 2008

## Candidates for Tribal Council

ALVIN "GUS" JAMES FOR TRIBAL COUNCIL During 2008, I experienced several disturbing things about how the current Tribal Administration is operating. If I am fortunate to be elected, I will work with the new Council and New Chairman to help bring eliminate pettiness currently going on, such as:

- terminating employees in direct violation of grant stipulations wherein the Tribe committed to following tribal personnel policies;
- creating division among families and persecuting the have-nots who are not related or not friends of the Administration or Council,
- allowing tribal attorneys to prosecute tribal members in tribal court,
- allowing tribal members to slander those not favored by the Administration or Council,
- and stop secret "investigations" by asking around who did what by the police instead of using fingerprints and other police investigative tool

I will work toward accomplishing the following:

- Immediate 100% per capita payment, without off-sets, to all Senior Citizens of the Water Settlement interest funds which, if not immediately available, secure a loan to be repaid once funds are available from the federal government, the interest to be paid by the tribe,
- Putting all attorneys and consultants on a retainer basis until needed, and eliminating tribal council as he is not needed, and if any attorney or consultant is needed, full justification must be presented and approved by the Council,
- Develop a realistic and workable Economic Development Plan within a month using simple everyday language to be approved by all tribal members in one meeting with no administrative charges going to the Administration and stressing a destination resort at Pyramid Lake,
- Arriving at a 100% payment to tribal members arrived at by dividing the total funds by the total tribal membership, with no funds going as off-sets to the tribal Administration,
- Requiring all police to drive their private cars to a central tribal motor pool to check out a police vehicle, with no exceptions, and requiring all police vehicles to be driven within the exterior boundaries of the reservation,
- Develop a "personnel bump" method wherein any tribal member can challenge any position by taking an unbiased test developed and administered by the Human Resources Dept.,
- and working jointly and tactfully with the Council, Administration, and tribal members to make our reservation a better place to live.

To: All Tribal Members

My name is Duane Wasson and I am running for Tribal Chairman. First off let me start by wishing all readers a Merry Christmas and a Happy New Year. Let me also take time in thanking all past and present leaders of our Tribe. Also the elders that have helped us through the struggles of life. I have a number of concerns that I would like to bring to the attention of all Tribal Members. Concerns for our Health, Welfare, Heritage and Pollution. Guardianship of our waters. I have lived here the majority of my life. Fished the waters of our lake and river. Both are slowly becoming polluted by our neighbors up stream. The Pyramid Lake Paiute Tribe has lived here before the Non-Indians came to this region. Non-Indians saw our lake and wanted it. In order to get it they want to kill us off NEXT!!! but it didn't work. We got our brothers and sisters from across the land to help us fight back. That is just a little bit of history.

My point is that we have been fighting for our land and waters. That fight continues today with a pen. Knowing that we Indians have never managed money they dangle a couple of dollars in front of us and get us to thinking we need to sell our water and land. I'm here to tell all Tribal Members that our water and land are not for sale!! So, please help me in stand in our fight for our way of life. Young and old take a stand. Let's make sure we always protect our Tribe. Let's find ways to become a self-supporting Tribe so we will never look at dollars dangling in front of us for our precious water and land. We need to look into things that will help our Tribe in the long run and no quick fixes.

My topics of concern are: Finance (revenue, economic development, public meetings, law, policy and procedures, investments, employment, maintenance and education) health care (clinic, doctors and drug and alcohol) pollution (open mines, air pollution, contaminated underground drinking water, Mustang and Lockwood open garbage disposal).

Never forgetting our heritage and the power we hold when we stand together as Native people and as a Tribe. Fighting and jealousy resolves nothing. To become strong we need to work together as a Tribe. Never forget where you come from and what you stand for. These issues need immediate attention for our survival. Not just as a Tribe but as Native people.

I feel I am qualified to do this position and have worked along side our Tribal families doing athletics and construction through my years here on the Rez. And I give my thanks to all the people I worked with through the years. I feel confident that along with the council and people of our Tribe together we will become strong. We can make a better life for our people, future generations and surrounding tribes by helping them and them helping us.

I am sorry that not all Tribal members are able to vote yet. But those of you that can vote, I am asking each and everyone of you to please come out and vote. Every vote does count. Let's come together as a people. I feel we are in need of a new voice for our people. I am offering that voice. I will be holding public meetings so be on the lookout for more information.

Thank you, Duane "Suebee" Wasson Pyramid Lake Paiute Tribal Member # 244

### To the Pyramid Lake Tribal Membership;

I submitted an article in our tribal newspaper regarding my running for the Vice Chairman's position.

I would like to thank all of you who have responded to me with words of encouragement. Thank you and God bless you all. Many have asked me concerning my platform in why I am running.

My response to our membership is we are living in unsure times. With all that is going on around us, the talk of recession and the US government bailing out a failing economy, leaving the burden on the taxpayers! We as a tribe need to consider how serious this economy is changing, and take a serious look at the accountability of our current programs and government.

We must also become entrepreneurs of business. This is how we are going to survive this changing economy; we must create and assimilate into business cooperatives. We must evolve in order for us to survive. We can not return back to the ways of past business ventures. We need to move forward.

We must look into businesses that will give back to us now. Businesses that will provide income revenue, businesses that will help us gain financial stability. Businesses that will help us become self sufficient.

We must begin building a stable economy while protecting our resources and consider how this change is going to affect our next generations to come. With economical change comes social changes, we must also consider how this change will affect us socially.

It has been disheartening to hear non-Indian telling us to build a resort by the lake, why should we exploit our beautiful lake so others other than our membership reap the benefits of our natural resources. These issues are for our membership to decide, and not some who think they stand to gain from our economic development. We can create tourism in ways that won't disrupt the natural beauty of a God given resource.

I have said "We Must" quite a few times in this article, because it's what I believe in, and that is "We the people of the Pyramid Lake Paiute Tribe. In closing, while at the polls this December, consider this, "Have we become an economical self sufficient tribe" "Have we moved forward or have we been at a stand still" "Do we want to just rely on government grants to exist" "or" "Do we want change"

**God bless you and have a great holiday season.**

**Respectfully submitted by;  
Anthony Sampson Sr.**

**Elect; Anthony Sampson Sr. for Pyramid Lake Paiute Tribal, Vice Chairman**

Dear members of the Pyramid Lake Paiute Tribe,

I would first like to take this opportunity to thank you. It is your involvement in the upcoming elections that will decide how the Tribe will operate in the future. Being a young member of this Tribe I feel that the new four year terms are what is needed to further enhance our operations. With that being said I would like the opportunity to be seated on the Tribal Council. Your votes in favor of me are a step in the right direction. A step for the future as it shows that a young person is ready to accept the responsibility associated with making important decisions. Such important decisions will ultimately affect not only your future, but your grandchildren's and great grandchildren's future. One of the teachings that we educate upon the children of the tribe is that a young person should respect their elders. I take this to heart and feel that the best way for me to show respect for my elders is to show that I will make a great councilman and protect what they have fought to keep. I will fight to make sure that their efforts that they intentions continue to thrive, for the betterment of the Tribe.

From the Office of the Vice Chair

I would like to take this time to Thank the everyone for all of the support during my year as your Tribal Vice Chairwoman. Looking back at desk calendar, I find countless meetings, training and travel, community events and presentations. This year started off a little bumpy as the Tribe had been operating without a Vice Chair for several months. The position was under consideration for not being a paid position. There was a few staff who reminded me that this was the case, through it I kept moving forward and assumed the responsibilities of the Vice Chair. Scared and excited about being elected to this wonderful opportunity to serve my tribe.

Serving my community and my tribe came easy to me because I had a number of role models within our family who were on committees, boards and Tribal Councils spanning generations. I grew up always being reminded of the struggles that our ancestors had to endure for us to be where we are today. I was raised by my Grandmother Esther who served for many years on our Tribal Election Committee. She taught me to always be open-minded, speak the truth, and act from the heart. She was very fair in her treatment of people around her. She had an enormous love for relatives and instilled in me that community should always stand together. Yes, there would always be the few negative people in our paths, but look beyond them and remember the bigger picture. I grew up here on the reservation; my fondest memories were made here.

After the death of one of my children I left the reservation, and lived in Reno and then moved to Southern California. While in Reno, I had served on Parent Policy Council for the Community Service Head Start Program and the Transitions Pilot Project. After moving to southern California, I was on the Executive Board of the Region 187 American Youth Soccer League in Moreno Valley California. While in Moreno Valley I was also on the Parent and Community Advisory Councils for the Moreno Valley Unified School District. I was also an active Member of the California Association of Bilingual Educators (CABE) during the entire time I worked for the School District.

I returned home in 2001, and began working at Natchez School and later applied a job with the Tribe. I worked at the Pyramid Lake Museum Visitor Center as the Cultural Resources Aide. While at the Museum, I learned about the expectation of working within the means of government grants and within Tribal budgets. Another job quality that I was able to utilize as I moved into the office of Vice Chair.

In closing, I would like to Thank my family, the elders of the community, and friends who supported me as I throughout this year. I would like to acknowledge the staff who didn't roll their eyes at me when I asked for background information. I would like to acknowledge the Program Director's for all of their hard work in making services available for our community and our Tribal membership.

***I have submitted my name for the upcoming Tribal Election on December 27, 2008. Once again I am asking for your support to be re-elected Pyramid Lake Tribal Vice Chair. I humbly ask for your support.***

***No'o E Numudooe/All my Relations,  
Carla Eben  
Candidate for Vice Chairman  
of the Pyramid Lake Paiute Tribe***

It is time for another tribal election ....

It is time for us to vote for new or old leadership ...

It is time for us say yes or no to ballot questions, and or amendments that mayor may not affect our daily lives ...

We have all heard a lot of candidates talk about "change" this year. What is change?

I don't see "change" that affects our tribe, other then we become more poor, and more comfortable in maintaining a mundane tribal government. Our Tribal Government must be able to build and provide security and protection to our elders and children. We cannot keep using an eight track philosophy to secure our future in a satellite generation.

I only see significant "change" if the younger generations of men and women rise to the occasion and take on leadership positions in the tribal government, departments, and committees.

It is time for more then a change, it is time for us to *uilre it, to the limit* ...

Our Tribe needs a shot of adrenaline, it needs to move into a new direction with new leadership. It is time to learn from the failures and triumphs of others and let our new warriors- men and women apply new ideals embracing our heritage and traditions.

In my opinion ....

It is time for this tribe to turn to new leadership. I challenge all of us to expect more, work harder, and embrace our tribal heritage. We are the largest reservation in northern Nevada, its time for us to become an example for both native tribes and state jurisdictions. I believe we can become stronger if we learn to manage our own affairs

and concentrate on making what we have better.

A few words about me. ..

My name is Wayne Burke. I was born in Reno, and live in Nixon. I graduated from Manitou Springs High School and enlisted in the Untied States Marine Corps. I worked in juvenile corrections while attending college in Nebraska, graduating with a general education degree. After college I attended the law enforcement academy in Carson City, and worked for the Pyramid Lake Tribal Court. After a year of working for a poorly managed court system, I quit and left to work for Lyon County. I have dedicated my time with working with adolescents who struggle with substance abuse, social issues, and other high risk behaviors.

My time away from my job is spent spending time with family, mends, scuba diving and owning my own art studio- Holymen, Warriors, Dancers.

So, to my family, friends, and those who worship, fight, and dance with honor, BELIEVE ....

Wayne A. Burke, *candidate for Pyramid Lake Tribal Council*

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## CLAYTON SERVICAN FOR VICE-CHAIRMAN

PYRAMID LAKE PAIUTE TRIBE ELECTIONS December 2008

Clayton Servilican 505 Palomino Road Nixon, NV P.O. Box 562 Wadsworth, NY

(775) 574-0114

### ONE PEOPLE

Throughout the past few years it has been my honor to serve as a Councilman for our Tribe. It is my belief that our Tribe has so much potential for success to benefit each tribal member; and with the right leadership we could go forward. Being honest is the best policy. We expect and deserve that the tribe's fiscal department be in order. There should be no secrets. Everyone should have free access to tribal council minutes. No one should hinder any honest tribal member. This reservation is entrusted to us and we must protect the rights of our people, protect the land and protect our water rights. We must protect our reservation from people that take advantage of us and exploit the Tribe for their personal gain. Your input has always been important to me and your voice has always been welcome. The Chairman, Vice-Chairman and Council are not above the tribal members. We are all equal. You are our boss. At times it may appear that some of us have forgotten our Oath of Office, but, I know that I am here to serve you, the People. Personal gain is not on my agenda. Our Tribe has many issues that need to be resolved. Like I've always said, I'm only one Councilman. Teamwork and open communication have been our weak points. To be elected as Vice-Chairman I need your support. If elected as Vice-Chairman, we can work together for the best interest of all Tribal Members. My door will always be open to you. I make no promises, but state that we need to come together as one Tribe, one People, for the good of all members and for the survival of our Tribe.

Let's work to get the Economic Development Plan reviewed and passed. The future of the Tribe is dependant on it.

- It's easy to complain and to be negative. Let's work together, let's take our concerns to the table with documentation and work for solutions.
- Being honest with each other will be the first step on moving forward.
- Keep aware of what's going on with the Tribe, we need checks and balances.
- Let's work to make sure that our senior citizens needs are being met.
- To promote the educational success of our young people is apriority.
- Work for the truth, fairness and justice for all.

### CHANGES

- As you go to the voting booth to decide whom will represent the Tribe, ask yourself, "Am I tired of seeing the Tribe not going forward? Am I tired of seeing the Tribe in a rut?" Ifyou want positive changes to happen for the Tribe, I ask for your support and vote, together we can make those positive changes. I have always stood up for the Tribal Member and have always defended our reservation, that is the reason why I have had so many questions. How else will we find the truth ifwe don't ask questions?
- We don't live in the past anymore and cannot change yesterday. We can strive to be honest from this day forward. Change is a constant in our lives, change in and of itself isn't inherently bad, unless change deprives people of what they hold most dear: God, their lives and lives oftheir loved ones as well as their heritage and their homelands.

## Candidates for Tribal Council — Continued.

- Vote for someone who has shown themselves to be honest, vote for someone who has personal integrity, vote for someone with experience in Tribal issues, vote for someone who is open-minded, vote for someone who can ask the tough questions, vote for someone whose ethics are unquestionable and vote for someone who will always put your best interests first, never their own interests. God bless you and your family during the holidays and the coming year 2009! May God bless our Tribe. Thank you for your vote. Clayton Servilican

### Mervin Wright, Jr. for Tribal Chairman

#### “Advancing Leadership”

I seek re-election and I want to share the strides completed and the continued engagement with the challenge facing the tribe. Serving 20 months; stopping the uncontrollable spending and the mismanagement of tribal funds was major. By December 2008, the 2006 and 2007 audits and the 2007, 2008, and 2009 Indirect Cost Rate proposals will be completed. The Tribal staff and the Tribal Council deserve recognition for their diligence and support.

Many controls have been instituted to bring accountability with budget and financial responsibility. Enforcing policies has been brought to a level where the Administration will not circumvent or go against policy, laws, or business objectives. Optimization is business fundamental and increasing tribal revenue opportunities have begun.

Enforcing policy has not been a popular thing to do, but it is the right thing to do. Funding agency sanctions and restrictions was common; and now the tribal operation is more legitimate and without underhandedness.

Economic development has not produced for a number of reasons.

- Developing a business council and/or corporation
- Implement the Economic Development Plan
- Increasing Council terms to four years; because changing direction every two years is not progress
- Educating the Council to avoid holding up ideas
- Financial order will provide a better means to justify tribal financing opportunity

The model of the Tax Spending Plan is reasonable for the Tribal budget to collect and hold tribal revenue for future budgeting. Spending tribal revenue as quick as it is earned prevents operating toward a balanced budget.

Constitutional change is a leadership responsibility to afford the opportunity for membership participation in the Secretarial Election process. The changes are proposed to increase sufficiency and efficiency, and most importantly voter participation.

Tribal natural resources are invaluable:

- Maximizing use of tribal water resources
- Enforce water quality standards
- Implement TROA
- Assure resource preservation and conservation to meet overall Tribal objectives
- Encourage alternative energy development

Technology is critical in the professional realm of general tribal resource management. Having technical and socio-economic understanding of the overall tribal welfare can address critical management issues moving us toward self-sufficiency and self-reliance.

Education is the key for all generations. From preschool to post secondary education, our tribal members can achieve success from communal support. I will do what is necessary to continue to support our reservation communities and our youth through their education endeavors and will continue motivate post-secondary education choices.

The social challenges require accepting choices we make. Each decision brings about consequences and we must recognize the good or bad consequences of our decisions. Factual understanding is important and must be the basis for what we know and believe.

Preserving cultural and traditional knowledge is important for the continued preservation of the Tribe. All resources touch upon our culture, and it is important that we use traditional knowledge demonstrating our teachings to younger generations.

I have personal interests with singing traditional songs, playing handgames, attending ceremony, and enjoying music. I have volunteered on Fernley's American Youth Soccer Organization (AYSO) Board for four years. I have coached in AYSO for five years, and have been a referee for six years.

I grew up in Nixon on the PLIR, a graduate of PLHS class of '82, received a B.S. in Agriculture Engineering in 1990 from CSU, Chico, and received a M.S. in Hydrology in 2006 from UNR.

I thank you for your support and will appreciate your continued support. Please vote on December 27, 2008.

The following is provided from the Constitution and Bylaws and from the Tribal Election Ordinance.

#### AMENDMENT II CONSTITUTION AND BYLAWS

Article III, Section 4, of the tribal constitution shall be amended to read as follows:

“Councilmen shall hold office for a term of two years or until their successors are elected, except that at the first election of Councilmen under this Amendment to the Constitution, the five candidates receiving the highest number of votes shall hold office for two years and the five candidates receiving the next highest number of votes shall hold office for one year. Thereafter, every year five Councilmen shall be elected for a term of two years.”

Article IV, Section 1, of the tribal constitution shall also be amended to read as follows:

“The first election of a tribal council under this Amendment shall be called, held and supervised by the present tribal council within 30 days after the ratification and approval of this Amendment, and thereafter elections shall be held every year on a date to be determined by the Pyramid Lake Paiute Tribal Council and announced at least 30 days in advance. The election date shall fall between December 26 and 30.”

Date: Feb. 23, 1962

#### AMENDMENT III

Article III – GOVERNING BODY, shall be amended in its entirety to read as follows:

Section 1. The governing body of the Pyramid Lake Paiute Tribe shall consist of a chairman, vice-chairman, and eight (8) councilmen, and shall be known as the Pyramid Lake Paiute Tribal Council.

Sec. 2. The entire tribal council, including the chairman and vice-chairman, shall be composed of ten (10) members, and shall be elected through secret balloting by the eligible voters of the tribe.

Chairman and Vice-Chairman. The chairman and vice-chairman shall be elected through popular vote and each shall serve for a term of two (2) years or until their successors are elected. Candidates for the offices of chairman and vice-chairman shall be members of the Pyramid Lake Paiute Tribe, twenty-five (25) years of age or older at the time of election (see Bylaws, Article II – QUALIFICATIONS FOR OFFICE), and must have lived continuously on the Pyramid Lake Reservation for not less than one (1) year immediately preceding his announcement of such candidacy. The chairman and vice-chairman may serve two (2) terms in succession.

Councilmen. The councilmen shall be elected by eligible voters of the Pyramid Lake Paiute Tribe and shall serve for a term of two (2) years or until their successors are elected; except that at the December election following the adoption of these amendments half of the councilmen receiving the highest number of votes shall serve a two (2) year term and the remaining half shall serve a period of one (1) year. Candidates for councilmen shall be members of the Pyramid Lake Paiute Tribe, twenty-five (25) years of age or older, and must have lived on the Pyramid Lake Reservation for not less than one (1) year immediately preceding his announcement of such candidacy. All councilmen shall serve any number of terms in succession.

All Candidates. Persons who were serving in the Armed Forces, attending formal education or vocational training, or persons who were hospitalized for much length of time thereby making it necessary for these people to temporarily leave the Pyramid Lake Reservation will be exempt from the residency provisions outlined in Article II, Section 2 (a) and (b) of the constitution and bylaws. The decision of the eligibility of candidates by the tribal council shall be final.

Sec. 3. The tribal council so organized shall elect from within its own members or from other members of the tribe a secretary, treasurer, and such other officers and committees as it may determine necessary.

FEB – 6 1973

AMENDMENT IV

Section 2 of Article IV – NOMINATIONS AND ELECTIONS shall be amended to read as follows:

Sec. 2. Any qualified voter of the tribe who is twenty-five (25) years of age or older may announce his candidacy for chairman, vice-chairman, or councilman by notifying the secretary of the tribal council, in writing, of his candidacy at least fifteen (15) days prior to the election. It shall be the duty of the secretary to post the names of all candidates who have met the requirements at least ten (10) days before the election. FEB 6,1973

**AN ORDINANCE**

Governing the conducting of elections of the Pyramid Lake Indian Reservation  
**ELECTION CODE**

**CHAPTER 9.01 GENERAL PROVISIONS**

9.01.010 Title. This ordinance shall be known as the Pyramid Lake Indian Reservation Election Ordinance.

9.01.020 Authority. This Ordinance is adopted by the Pyramid Lake Paiute Tribal Council pursuant to the provisions of Article II and Article IV, Section 1,2,3,4, and Article VIII of the Constitution of the Pyramid Lake Paiute Tribe and Article III, Section 2 & 3 of the By-Laws of the Pyramid Lake Paiute Tribe.

**CHAPTER 9.02 ELECTION BOARD**

99.02.020. Duties and Responsibilities of the Election Board. The Board shall be in charge of all election procedures including the administration of special elections except as otherwise specified in the Constitution and By-Laws of the Tribe.

9.02.030. Duties. The Board shall:

(a) Prepare a list of qualified voters and post the list on the reservation at least forty-five (45) days prior to the date of the election.

1.The Election Board shall investigate the residence of any person on the list of qualified voters whose residency has been questioned by a written challenge from another Tribal member, or upon the Election Board's own motion, by notifying the person in writing that his/her name will not appear on the final Eligible Voter's list unless the person establishes residency on the Reservation for at least one year by submitting to the Election Board one of the following, or other documentation deemed sufficient by the Election Board, by the deadline provided in the notice:

i. If living in MHOA/Rental Home of the Pyramid Lake Housing Authority: An affidavit from the Tribal member stating how long he/she has lived at the residence and a written statement from the Executive Director of the Pyramid Lake Housing Authority or representative thereof stating how long the member has continuously resided at the residence.

ii. If living in a Home Not owned by the Member: An affidavit from the Tribal member stating how long he/she has lived at the residence and either (a) an affidavit from the homeowner stating how long the Tribal member has resided at the residence; or (b) a copy of the Tribal member's driver's license showing residence.

iii. If living in a Home that the Member Owns: An affidavit from the Tribal member stating how long he/she has lived in the home signed by two witnesses who are not immediate family members; or a copy of at least two (2) bills which show the Tribal member's name, address, and date showing at least one year of residency on the Reservation.

(b) Submit to the Tribal council the list of qualified voters, the Tribal council shall approve the list of qualified voters fifteen (15) days prior to the election. The approved list of qualified voters shall be used at the polls.

(c) Prepare ballot forms for use at the polls. Candidate's names shall be listed according to the date and time the Tribal Secretary receives the letter announcing candidacy. The number of ballot forms prepared shall be equal to the number of qualified voters plus twenty (20).

(d) Supervise all elections as follows:

1.Hold the place of voting open between the hours of 6:00 am to 6:00 pm without intermission on the day of the election.

2.Maintain the orderly conduct of all persons within and surrounding the polling place and request the Brand of Law & Order to assist, if needed.

3.Have the responsibility of permitting only those on the qualified voters list to vote.

4.Require each voter to sign the voter's register before receiving a ballot. Any person whose name does not appear on the approved qualified voters list will not be given a ballot. No person shall be allowed to vote by absentee voting or to vote more than one time.

5.Be responsible for the safe keeping of the ballots and ballot box.

6.See that each voter is permitted to mark ballot in privacy. After ballot has been properly marked, the voter will cast ballot into the ballot box.

7.Tally the ballots at the close of the polls shall be done in private by the Election Board.

8.Upon completion of tally and total, the Report of Tribal Election form will be certified by members and posted immediately. Board will certify two (2) originals, one for file and one for BIA, and copies will be posted.

9.All tribal elections for officers and councilman shall be canvassed and certified by the Board within one day after such election.

10.All election materials shall be kept by the Election Board under lock and key for thirty (30) days in the event of an appeal or order of recount. The ballots will be placed in an envelope, sealed, and placed with the voters' register book in the ballot box and locked. The ballot box shall be secured at the tribal administration office. The Election Judge shall follow through on all procedures. The Election Judge will present results at the next regular council meeting.

11.The Election Judge will act as arbitrator to settle any disputes. In the event of the Judge's absence, Election Clerk will settle disputes.

**CHAPTER 9.03 CONDUCT OF ELECTION**

9.03.010. Eligibility to Vote. Any member of the Pyramid Lake Paiute Tribe who is twenty-one (21) years of age or older and who has maintained a legal residence for at least one (1) year within the exterior boundaries of the Pyramid Lake Reservation shall be entitled to vote.

9.03.020. Eligibility to Hold Office. Candidates for office must be a qualified voter of the Tribe who is twenty-five (25) years of age or older, and must notify the Tribal Secretary of their candidacy, in writing, fifteen (15) days prior to the election.

9.03.021. No currently seated Council Member who has not completed his/her full-term shall run for Chairman or Vice-Chairman without first submitting a resignation (effective 2<sup>nd</sup> Council Meeting in January following subject election) of their currently held Council seat.

Nominations.

9.03.030. Candidates for election shall announce their candidacy in writing to be presented to the Tribal Secretary before 4:30 pm fifteen (15) days prior to the election. The Tribal Secretary shall post the names of all candidates at least ten (10) days before the election.

9.03.032. The Tribal Council shall certify the legality of such nominations.

Calling of Elections.

9.03.040. The Tribal Council shall call the election of officers and councilmen at least thirty (30) days prior to the date of all elections in accordance with Article IV, Section 1 of the Constitution.

9.03.050. Electioneering. No electioneering will be permitted within two hundred (200) feet of the voting place during the hours the polls are open.

9.03.060. Spoiled Ballots. If, during the tallying of the votes, the members of the Election Board are unable to determine the intended choice of the voter from the ballot, that portion of the ballot shall be rejected. The Election Board will reject a portion of a ballot if a voter:  
Votes for more than one (1) Chairman

Votes for more than one (1) Vice-Chairman

Votes for more than four (4) Councilmen

Only the portion of the ballot that is improperly filled out will be rejected; the remainder of the ballot will be counted.

9.03.080. Unused Ballots. Ballots unused at the end of the voting shall be clipped together, marked "Unused" in ink and returned to the ballot box at the end of the tallying.

9.03.090. Tie Vote. In the event of a tie vote, the ballots shall be recounted immediately by the Election Board. If the tie vote is confirmed, the Tribal Council shall determine an equitable method of election.

Appeals.

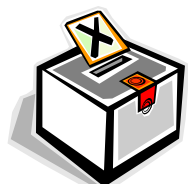
9.03.100. Appeals shall be heard by the Pyramid Lake Tribal Council at the next Regular or Special Tribal Council meeting and the decision of the Council shall be final.

9.03.111. Any appeal protesting the conduct of the election or the election results shall be presented within seventy-two (72) hours following the posting of election results (time will be recorded on it) to the Tribal Secretary and none shall be considered thereafter.

9.03.112. Special Elections. The conduct of Special Elections outlined in Article VIII and IX of the Constitution and By-Laws of the Pyramid Lake Paiute Tribe shall be the same as the election of the Council, except where constitution provides differently.

9.03.133. Time of Special Election. A special election shall be scheduled not more than sixty (60) days from the time the Tribal Council calls the election. If the next regular election is no more than one-hundred twenty days (120) days from the call of the special election, the special election shall be held with the next regular election.

# 2008 PLPT ELECTION DAY



*Below is the 3rd Draft of Qualified Voters for the upcoming 2008 Pyramid Lake Paiute Tribe's Election.*

*It is the responsibility of the individual adult Tribal Member to verify and notify the Election Board of any additions, errors or changes to their individual name or qualifications. Any additions, changes or correction need to be submitted in writing to the Pyramid Lake Paiute Tribe, Election Board, PO Box 256, Nixon, NV 89424-0256 by December 12<sup>th</sup> @ 4:30 p.m.*

## 3<sup>rd</sup> Draft as of November 18, 2008

<b>P</b>	ABEL, Trenda	CEJA, Tyler	DUNN, George	HANCOCK, Joanna	JAMES, Terrence
	AKAKA-SMITH, Bonnie	CENTENO, Bonnie W.	DUNN, Gerald Casey	HARRINGTON, Debra	JAMES, Theodore Jr.
	ALBRIGHT, Susan	CEROCKE, Loretta	DUNN, Janice	HARRIS, Elena	JAMES-SMOKEY, Jody
	ALECK, Ben	CHRISTENSEN, Dina	DUNN, Kaylea	HARRIS, Pamela	JOE, Dianna
	ALECK, Benson	CHRISTENSEN, Jeff	DUNN, Kimberly L.	HARRIS, Simon	JOHN, Albert
	ALECK, Betty	CHRISTENSEN, Karen	DUNN, Laverne	HARRY, Carolyn	JOHN, Alicia L.
	ALECK, Ellen	CHRISTENSEN, Lela	DUNN, Loren Sr.	HARRY, Charlotte	JOHN, Christine
	ALECK, Ronald	CHRISTENSEN, Sharon	DUNN, Michael	HARRY, Debra	JOHN, Della
	ALLEN, Jeanette	COLLINS, Leona	DUNN, Myrna	HARRY, Edward	JOHN, Fred
	ANAYA, Annissa	COPELAND, Alicia	DUNN, Nathan	HARRY, Eugene	JOHN, Genevieve
	ANDREWS, Ivan	COPELAND, Elmira	DUNN, Patrick	HARRY, Kellie	JOHN, James
	ANDREWS, Paula	COPELAND, Ralph Jr.	DUNN, Ralph B.	HARRY, Norman	JOHN, Janice
	ARAGON, Esther	COURTNEY, Christine	DUNN, Rosalie	HAWLEY, Rodney	JOHN, Joshua Allen
	ARTHUR, Troy	CRUTCHER, Gordon Jr.	DUNN, Roy	HAWLEY, Vinton	JOHN, Mathew
	ARTHUR, Venus	CRUTCHER, William	EAGLE, Sandra	HEGLUND, Carrie	JOHN, Stanley
	AUGUH, Rochelle	DARROUGH, Cassandra	EAGLE-LAMBERT, Rebecca	HENRY, Delvin	JOHNSON, Elizabeth
	BARLESE, Armellio	DARROUGH, Mary Rose	EBEN, Carla	HENRY, Leah	JOHNSON, Steve
	BARLESE, Dawn	DAVIS, Alfred	EBEN, Harrison	HENRY, Lionel	KANESHIGE, Shirley
	BARLESE, Dean	DAVIS, Alvarita	ELLINGSON, Shannon	HENRY, Norman	KAYE, David
	BARLESE, Debbie	DAVIS, Amanda	ELY, Dorothy	HENRY, Phyllis	KAYE, Valda
	BARLESE, Janine	DAVIS, Andrew	ELY, Edward III	HENRY, Shelly	KEEVER, Sharon
BARLESE, Jeanne C.	DAVIS, Clayton	ELY, Fannie	HENRY, Tonya	KELLY, Lynnette	
BARLESE, Marty	DAVIS, Clifford	ELY, Sherry	HENRY, Wendell	KILLSBACK, Rochelle	
BARLESE, Orville	DAVIS, Cyrus Jr.	FLOREZ, Kevin	HERNANDEZ, Karen K.	KINALE, Rosemary	
BARRON, Frances	DAVIS, Cyrus Sr.	FOX, Kenneth	HICKMAN, Belita	KOCHAMP, Ardyth	
BATRES, Vicki	DAVIS, Janet	FRAZIER, Dayann	HICKS, Brenda	KOCHAMP, Burchard	
BEGAY, Carolyn	DAVIS, Jason	FRAZIER, Gordon	HICKS, Cheryl	KOCHAMP, Lyle	
BELLEW, DeShonna	DAVIS, Joshua	FRAZIER, Justin	HICKS, Daniel R.	KOCHAMP, Rhonda	
BENDER, Florinda M.	DAVIS, Judie	FRAZIER, Kathleen	HICKS, Darren	KRELLER, Lindsay	
BENNER, Edna	DAVIS, Kyle	FRAZIER, Kathy	HICKS, Gladys	LARA, Anthony G.	
BIGPOND, Alida	DAVIS, Lisa	FRAZIER, Levi Jr.	HICKS, Troy	LARKS, Jackie	
BLACK, Lori	DAVIS, Phillip	FRAZIER, Mary A.	HOUTEN, Beverly	LEFTHAND, Virginia	
BLINDMAN, Wakan Waci	DAVIS, Randy	FRAZIER, Melissa	HOUTEN, Cynthia	LEYVA, Flip	
BLOSSOM, Althea	DAVIS, Russ	FRAZIER, Norman	HUNTER, Colburn	LEYVA, Jason Wayne	
BLOSSOM, Lindsey	DAVIS, Sylvia	FRAZIER, Richard	HUNTER, Curtis	LEYVA, Joseph	
BLOSSOM, Michelle	DAVIS, Victoria	FRAZIER, Roxanne	HUNTER, Gordon	LEYVA, Richard M.	
BONTA, Loretta	DAVIS-BLACKOWL, Rita	FRAZIER, Vernelda	HUNTER, Sheri	LEYVA, Richard W.	
BRADY, Harriet	DECKER, Loren	GARCIA, Darrell	IMUS, Darlene	LEYVA, Robert E.	
BRAZZANOVICH, Beverly	DEGARMO, Christopher	GARCIA, Dora	JACKSON, Boyd V.	LIGHT, Forest	
BROWN, Donna L.	DEGARMO, Denise	GARCIA, Dwight	JACKSON, Dara	LIGHT, Kodie	
BURHUS, Priscilla	DICK, Edward Jr.	GARCIA, Johnnie	JACKSON, Dusty	LIVINGSTON, Kamilyn	
BURKE, Leticia	DODD, Gordon	GARCIA, Loretta	JACKSON, John	LIVINGSTON, Marsha	
BURKE, Wayne	DODD, Mary	GARCIA, Sandra Rae	JACKSON, Norm	LIVINGSTON, Tamara	
BURNS, Jannell	DODD, Rosalyce	GARCIA, Sandra W.	JACKSON, Richard	LIVINGSTON, Tennille	
BURNS, Jennie	DODD, Winona	GARCIA, Wendy	JAMES, Alvin	LIVINGSTON, Trisha	
BURNS, Julia	DOMINGUEZ, Dehan	GATES, Joann	JAMES, Delia	LLAMAS, KIMBERLY	
BURNS, Ralph	DUNCAN, Elaine	GONZALES, Enrique	JAMES, Donald	LOPEZ, Bernard	
CALICO, Cleveland	DUNN, Althea	GONZALES, Natalia	JAMES, Eric	LOPEZ, Quinten	
CALICO, Virginia	DUNN, Andrea	GREENE, Flora	JAMES, Jessica	LOWERY, Alana J.	
CALVIN, Dean	DUNN, Angey	GUERRERO, Billie Jean	JAMES, Lester	LOWERY, Elwood	
CALVIN, Erin	DUNN, Anita	GUERRERO, Glorene	JAMES, Reynelda	LOWERY, Janine	
CALVIN, Justin	DUNN, Christine	GUERRERO, John	JAMES, Richard	LOWERY, Judith	
CATHA, Alberta	DUNN, Darrell	GUERRERO, Robert	JAMES, Robert	LOWERY, Lenora	
CATHA, Albertina	DUNN, Duane	GUERRERO, Ron	JAMES, Robert Eyan	LOWERY, Melinda	
CAWELTI, Jacqueline	DUNN, Gaylan	GUERRERO, Willie	JAMES, Steve	LOWERY, Natalie	

**#**

**3**



# December 27, 2008 6am-6pm/Nixon Gym

## VOTER'S QUALIFICATIONS:

1. Pyramid Lake Tribal Member
2. Age: 21 (by December 12th) or older
3. Resident of the PLPT Reservation for at least one (1) year
4. Deadline to add, delete or change name—December 12 @ 4:30 pm

## CANDIDATE'S QUALIFICATION:

1. Pyramid Lake Tribal Member
2. Age: 25 or older
3. Resident of the PLPT Reservation for at least one (1) year
4. Deadline to submit name for candidacy December 12th @ 4:30 pm

LOWERY, Ray	NEWMOON, George	SAMPSON, Ceira D.	TAYLOR, Daraleen
LOWERY, Violet	NEWMOON, Isabella	SAMPSON, Steve	TETON, Bernita
LOWERY, Wallace	NEWMOON, Monika	SAMPSON, Terrylee	TETON, Jess
LOWERY-CHANNEY, Patricia	NISH, Weylon	SANDER, Gina	TETON, Marilee
LOWERY-DIAZ, Dorian	NUGENT, Karen	SANDER, Jolyne	TETON, Phelan
LUCAS, Kim A.	OAKIE, Nadine	SANDER, Richard Duane	THOMAS, ElizabethH
LUCAS, Leatha	OAKIE, Patricia	SANDER, Shaunee	THOMAS, Harry
LUCAS, Marcy	O'DAYE, Bonnie	SARABIA, Elizabeth	THOMAS, James Jr.
LUCAS, Michael	O'DAYE, Eldon	SARMIENTO, Melinda	THOMAS, Judy
MANDELL, Darrell	O'DAYE, Lawrence	SCOTT, Amelia	THOMAS, Kevin E
MANDELL, Kirsten	O'DAYE, Theresa	SCOTT, Benson	THOMAS, Martha
MANDELL, Lawrence Jr.	O'DAYE, Vincent	SCOTT, Diane	THOMAS, Seymour
MANDELL, Sarah	O'NEIL, Ross	SCOTT, Imagene	THOMPSON, Nicholas
MANDELL, Steve	O'NEIL, Victor	SCOTT, Jay	TOBEY, Carman Jr.
MARRIETTA, Toni	O'NEIL, Wayne	SCOTT, Peggy Sue	TOBEY, Carman Sr.
McCAHILL, Michelle	PADDY, Harold	SCOTT, Ricky	TOBEY, Mitchell Sr.
McCAULEY, Cora	PADILLA, Janet	SERAWOP, Teresa	TOBEY, Randolph
McCAULEY, Linda	PANCHO, Estella	SERVILICAN, Clayton	TOBEY, Victor
McCAULEY, Richard	PANCHO, Frank	SHAW, Curtis	TOBEY, Wilfred
MCCAULEY, Tim	PANCHO, Gwendolyn	SHAW, Delores	TOBEY, Wilma
McCLUSKEY, Arlene	PANCHO, Marie	SHAW, Denise	VALVERDE, Andrea
McCLUSKEY, Heidi	PAUL, Paula	SHAW, Gary	VALVERDE, Anita
McMASTER, Arlene	PAYA, Cheryl	SHAW, Karen	VELAZQUEZ, Jose
McQUEEN, Karole	PEREZ, Marleen	SHAW, Marvin	WADSWORTH, Berneys
MELLENDEZ, Larry	PESHLAKAI, Clyde	SHAW, Michael	WADSWORTH, Gina
MELLENDEZ, Laverne	PETE, Michael	SHAW, Rhonda	WADSWORTH, Gordon
MELLENDEZ, Marcello	PETE, Theresa	SHAW, Vernon	WADSWORTH, Joanie S.
MELLENDEZ, Sonja	PHOENIX, Albert	SHAW, William	WADSWORTH, Lorraine
MERRILL, Charlotte	PHOENIX, Boyd	SHAW-DOBRAWSKI, Joan	WADSWORTH, Marcia
MILLER, Kenneth	PHOENIX, Floyd Jr.	SMITH, Bernadette	WADSWORTH, Steven
MILLER, Ruth	PHOENIX, Kenneth	SMITH, Carol	WADSWORTH, William Jr.
MILLER, William N.	PHOENIX, Leroy	SMITH, Cecelia	WADSWORTH, William Sr.
MITCHELL, Desmond	PHOENIX, Leroy II	SMITH, Cleveland	WASSON, Duane
MITCHELL, Jason S.	PHOENIX, Richard	SMITH, Craig	WELTE, Elena
MITCHELL, Jolene	PHOENIX, Samuel	SMITH, DaNelle	WILLIAMS, Anthony
MITCHELL, Randa	PHOENIX, Winona	SMITH, David	WILLIAMS, Charlene
MITCHELL, Unadelle	PLYMPTON, James	SMITH, Deborah	WILLIAMS, Cheryl
MIX, Irwin	PLYMPTON, Verna	SMITH, Douglas M.	WILLIAMS, Gaylene
MIX, John	POAFPYBITTY, Bea	SMITH, Gloria	WILLIAMS, Karen L.
MIX, Mark Jr.	POLEVIYUMA, Rita	SMITH, Gregory	WILLIAMS, Kenneth
MIX, Michelle	PRIMEAU, Allen	SMITH, Jenifer	WILLIAMS, Kristi
MIX, Owen	RAMBEAU, Anita	SMITH, Joann R.	WILLIAMS, Leroy
MIX, Penny	RAMBEAU, Norman Jr.	SMITH, JoJo	WILLIAMS, Lesley
MOLINO, Carla	RAMBEAU, Shannon	SMITH, Kelly	WILLIAMS, Miranda
MOORE, Darrell	RAMOS, Barbara	SMITH, Leo	WILLIAMS, Natasha
MOORE, Jennifer	RAMOS, Marlon	SMITH, Leon	WILLIAMS, Sharon Elaine
MOORE, Karen	RIVERA, Audrey	SMITH, Manuel	WILLIAMS, Stanley B II
MOORE, Michelle K.	RIVERA, Leonard	SMITH, Melonie	WILLIAMS, Tex
MOORE, Michelle Lynn	ROBERTS, Tanda	SMITH, Stanley	WINNEMUCA, Janine
MOORE, Millie	ROBERTSON, Lori	SMITH, Wilbur	WRIGHT, Kathleen
MOORE, Mitchell	RUIZ, Sherry	SMITH-HENRY, Felina	WRIGHT, Mervin Jr.
MOORE, Stacey	SALVINI, Lolita	ST. PIERRE, Arlene	WRIGHT, Mervin Sr.
MOORE, Tina	SAM, Roger K.	STRAWBUCK, Jolene M.	WRIGHT, Terrence
MOORE-EDMO, Rebecca	SAMPSON, Anthony	STUMP, Anniisa M.	WRIGHT-GIBSON, Pamela
NEVAREZ, Michelle	SAMPSON, Anthony Jr.	TAPIJA, Arena	WRIGHT-GONZALEZ, Candace

## NOTIFICATION to all 21 year olds

as of December 12, 2008

If you want to be added to the 2008 Voter's List, it is your responsibility to notify the Election

Board by **December 12, 2008.**

Send a short letter including your legal name, birthdate, Tribal ID # and current address

ABEL, Quinn
BARLESE, Misty
BILL, Timothy Jr.
BLOSSOM, Jordan
BRADY-MARTINEZ, Racine
BRYAN, Tasheena
CARDUCCI, MARLO
DAVIS, Brian
EAGLE, Adrienne
FELLOWS, Conrad
FRANCIS, Alex
GREENE, Kyle
HENRY, Desirae
HENRY, Steven
HOUSTON, Justin
HUNTER, Charlene
KELLY, Delanie
KOCHAMPANASKEN-CHRISTY, Carisa
KOCHAMPANASKEN, M'Kenzy
LEYVA, Denae
LOVE, Joshua
LOWERY, Jonathan
LOWERY, Vincent
MELLENDEZ, Justine
MILLER, Virginia
MIX, Dominick
O'NEIL, Randell
PHOENIX, John
PHOENIX, Robert
RANSOM, Jordan
RIDER, Danielle
ROGERS, Joseph
ROYER, Teresa
RUIZ, Sophia
SAMPSON, Tahnaya
SHAGINOFF, Melissa
SKENANDORE, Natalie
STONE, Ambrosia
SUGGET, Andrew
TOBEY, Talen
WRIGHT-BRYAN, Kathleen

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**From the Environmental Department:**

**Burn Permits:**

The risk of wildfire has somewhat decreased and permits are now being issued to burn weeds. Please keep in mind that the threat of wildfire has not disappeared and it is important to maintain control of your burning. Anyone interested in obtaining a burn permit can stop by and fill out an application.

**Residential Curbside Service Holiday Schedule:**

We will be closed for business on the following holidays:

**Thanksgiving**                    **Thursday, November 27, 2008 & Friday, November 28, 2008**  
**Christmas**                        **Thursday, December 25, 2008**  
**New Year's Day**                   **Thursday, January 1, 2008**

**WHEN WILL CURBSIDE BE PICKED UP?**

DATE	SUTCLIFFE	NIXON	WADSWORTH
<b>Thanksgiving</b>	Tuesday	Tuesday	Wednesday
<b>Christmas</b>	Tuesday	Tuesday	Wednesday
<b>New Year's Day</b>	Tuesday	Tuesday	Wednesday

(Please have your bins ready during that week of the holiday.)

For more information, please call the PLPT Solid Waste Department at 775-574-0101 x 12 or 13.

**Transfer Site Schedule:**

**Nixon**                                **First Saturday & Third Friday of each month**  
**Wadsworth**                        **First Friday & Second Saturday of each month**

The transfer sites will be open from 8:00am to 12:00pm, and a Solid Waste staff member will be on-site to provide any assistance.

**Public Utilities Update:**

The Public Utilities District has been critically assessing current projects, activities and its service to the public. These items however come with a huge cost. We've begun by assessing the financial elements. These include financial evaluations of payment history, billing, and operational and maintenance expenditures for domestic water, curbside service, and transfer station costs. We currently have Loren Decker and Johnny Dunn who are dedicated to dealing with solid waste (transfer station, lake management, and curbside service) while sewer, domestic water and treatment are maintained by Eric Ingraham. These individuals are dedicated to providing these services to all three communities.

The goals that we are currently developing through these assessments are accurate accounting of the Public Utilities District and how service is currently provided. Billing and reconciliation of payments have been a great undertaking. Therefore, we are working diligently to credit each person who has paid their bill through their own diligence and responsibility. You will be seeing a bill shortly that will show your payments and current balance.

As any Tribal program, we are dedicated on delivering quality service for the customer base we currently have. If you are an employee, payroll deductions are a simple way of making payments and accurate accounting within Finance is provided. We will also be sending out an informative brochure of how the Public Utilities District functions and costs that are being incurred on a daily basis. If you should have additional comments and suggestions on how we can improve service to you, please give John Mosley, Environmental Director a call at (775) 574-0101 x13. If you require curbside service, a form can be filled out and a curbside bin will be provided to you expeditiously. Thank you for your patience in developing a better service to you.

**Wood Cutting Permits:**

The PLPT Environmental Department does not issue wood cutting permits. Please contact Della John for information regarding these permits. Also, please remember to cut and gather wood from dead trees. Cutting live trees not only impacts delicate eco systems, but also generates more smoke which effects air quality. Trees are important to this land, to help keep the river banks stable and prevent erosion. They are also important because when there were Cottonwood forests long ago, those trees kept the river cool and they were able to support the fish that are so important to our people. Please do not cut green trees!

**Workplace Conflict Resolutions**

From the guy who thinks his desk is his living room/kitchen/bedroom to the manager who asks for (then steals) your ideas, every worker faces workplace conflict. (And if you don't, let me know where you work -- I want an application.)

As offices become more diverse in age, talent and ethnicity, conflict is inevitably prevalent in the workplace. Employees don't know how to understand each other based on their individual workplace behavior.

Depending on their behavioral traits, some employees may not appreciate a fast-changing environment because of the need to naturally process through information. Others' behaviors may be perceived as being demanding and being 'told' what to do. Every employee has unique behaviors,

which, if understood in a team environment, can reduce conflict."

If clashes at work aren't reduced, vital parts of business are affected. For example, conflict causes a distraction, which decreases productivity and is also a demotivator. Conflict also causes procrastination because your mind isn't focused on the end goal. Disagreements are taken personally; it causes resentment toward co-workers or the company as a whole.

When conflict is taken personally, it can shut down communication, cause intimidation, de-motivate, cause health issues if not dealt with, and the lack of interest to complete a mission or common goal.

However, some conflict can be healthy if you properly deal with situations to reach a proper resolution. But, this can only be done if you know how other people effectively deal with differences.

Here are five examples of conflict you might face in the workplace:

**Being told what to do rather than asked.** This causes tension, and employees become defensive.

**Employees who have different communication styles.** One employee may need specific information while the other may just need the basics. Each will shut down when there is too much (or too little) information.

**Different behavioral back-up styles.** For example, someone may deflect controversy for a while, but when put under too much pressure, he or she may become confrontational. Others may take offense to the back-up style, which causes conflict.

**When there is not a clear vision or mission.** This usually means wasted energy and money spent in a workplace.

**Unclear job expectations** are sure to cause conflict for the manager and the employee.

Make use of the following tips to resolve conflict at work:

**Choose your battles.** How important is the dispute *really*? Does it truly affect you, and is it a chronic problem? If it's a one-time incident or mild transgression, let it pass.

**Expect conflict.** Friction will occasionally emerge in the course of human relationships -- it's natural. Don't fear it -- rather, learn to spot the symptoms early and see opportunity in the resolution.

**Use neutral language.** Avoid judgmental remarks or sweeping generalizations, such as, "You never respond to my e-mails." Use calm, neutral language to describe what is bothering you. For example: "I get very frustrated when you don't return my messages because I never know if you've received important information." Be respectful and sincere, never sarcastic.

**Practice preventive maintenance.** Avoid retreating to the safety of withdrawal, avoidance or the simplistic view that your co-worker is a bad person. These are defense mechanisms that prevent the resolution of conflict. Instead, focus on the problem, not the person. Never attack or put the other person on the defensive.

**Listen actively.** Never interrupt the other party. Really listen and try to understand what the other person is saying. Let him know you understand by restating or reframing his statement or position, so he knows you have indeed heard him.

**Get leverage on yourself.** When disputes between you and a co-worker appear without resolution, get leverage. Ask to be held accountable. This brings your performance evaluation into the equation without taking away your responsibility for resolving the conflict. This is hard to do, but remarkable change can happen when you are held to task.

We would like to congratulate all of the newly hired employees and wish them luck in their new positions.

Susan Horvat, Clinical Registered Nurse  
 Annissa Frazier, Community Health Worker  
 Rosanne Pang, Licensed Practical Nurse  
 Arlene Austin, 21<sup>st</sup> Century Coordinator  
Again Congratulations to all!!!!

We would also like to take a moment and wish everyone who will be celebrating a birthday this month a very Happy Birthday!

**December Birthdays**

Bonnie Smith	Gina Sander	Bonita Natonabah
Galen Barlese	Terry Bohl	Ralph Burns
Alexander Cerda	Karen Christensen	Christopher DeGarmo
Stacey Dickey	Gordon Dodd	Duane Florez
Lea Guerts		

Human Resources Department                    775-574-1000

HR Staff:                    Billie Jean Guerrero, HR Manager, ext. 120  
    Cloria "CJ" Barnes, HR Assistant, ext. 119

**Report on  
Juvenile Accountability Project # 2005-JR-FX-K004**

In Spring of 2005, The Pyramid Lake Tribal Council approved the submission of the 2005 Tribal Juvenile Accountability Discretionary Grant. On the resolution, it stated "funding under this program would allow the Tribe to reduce criminal offenses committed by juvenile through accountability-based programs and would allow the Tribe to enhance and strengthen its juvenile justice system to ensure proper monitoring and accountability of juveniles who have committed offenses on the Pyramid Lake Indian Reservation." Tribal Resolution number PL 42-05 was voted on and passed by Council on May 18, 2005-8 in favor-0 opposed. The Grant as submitted with the blessing of the Pyramid Lake Paiute Tribal Council.

The Juvenile Accountability Project # 2005-JR-FX-K004 was accepted by Chairman Harry on September 27, 2005. The grant was awarded to the Tribe, in the amount of \$297,575. The length of the grant period was October 1, 2005 though September 30, 2008. The TOTAL three year budget is as follows:

Personnel	\$211,770
Fringe Benefits	\$ 59,298
Travel	\$ 9,720
Equipment	\$ 0
Supplies	\$16,800
Construction	\$ 0
Contractual	\$ 26,280
Other	\$14,400
<hr/>	
Total Direct Cost	\$338,268
Indirect (not allowed)	\$ 0
Total Project Cost	\$338,268
<hr/>	
Federal Funds Approved	\$297,575
Non-Federal Funds (BIA)	\$40,69310-12% OF TOTAL GRANT
Program Income	\$ 0

The Grant objectives were to:

**Promote the Effective Administration of the Juvenile Justice of the Tribe-**This

included the establishment of court that would provide efficient and expeditious process for juvenile offender, enhancing monitoring and supervision to ensure accountability of juveniles in the court system. It was also to enhance the prosecution efforts by increasing processing and relieving backlogs of the system. In order to achieve this the Tribe needed to hire court personnel to handle juvenile cases, and that is where most of the money was allocated, \$211,770 to salaries which included: Juvenile Prosecutor at 50 % of salary paid by this grant, Juvenile Defense Advocate 50% of salary paid by this grant, Juvenile Probation Officer 75% of their salary paid by this grant, and Court Clerk 75% of salary paid by this grant. This was the ratio for the duration of the grant's three year period.

**Promote Education and Awareness of Tribal official into Issues of Juvenile Crimes and Delinquency-**This would include tribal officials who are involved in issues where juveniles criminal and delinquency occurs. Juvenile Probation Officer worked with the Pyramid Lake High School. Juvenile Probation provided two sessions for Students, Staff, and Parents at the Pyramid Lake Jr/Sr High School. Gang Unit did a session in 2006 and a Rapper from Atlanta did a presentation at the in 2007. Court Staff were also a part of the Child Protective Team.

**Establish Juvenile Court Programs on Cultural and Traditions of the Paiute**

**People to Foster Healthy Development-**This objective may have been hard to accomplish, as the Tribe does not have a Cultural Preservation Department. There is a Language Department, and for a short while Paiute was taught at the high school in the Dropout Prevention Room. Traditions were not a part of the program, just language.

**Establish a Tribal Advisory Board on Juvenile Justice Accountability issues**

Due to issues of confidentiality, this objective was met by the Court Staff being included in the Child Protective Team which meets monthly. CPT includes but is not limited to Mental Health Personnel, Court Staff, Social Services/Human Services, Local Schools Officials and Police Officers. Juvenile cases within the system may be discussed at this level. Again, due to the level of confidentiality, minutes can not be kept or made public. If community members were involved in this process, the Tribe could not ensure items discussed would remain confidential.

In conclusion, I find that the Juvenile Accountability Project grant met the majority of its objectives, mainly by establishing a separate court system. A separate court building would have been nice, but as you see from the budget, there was no money allocated for construction. The majority of the grant dollars were spent on Personnel, and Fringe Benefits. While many of our tribal grants are bases on number of possible clients served, it is usually a high estimate of actual participants of a program. The Grant was projected to provide service to 589 juveniles, there were only 61 juvenile cases recorded, but this does not take into consideration the number of contacts made under this project.

The Pyramid Lake Paiute Tribe will be returning money that was not spent at the conclusion of this grant. It was money that was not spent on salaries when the Juvenile Judge, Prosecutor and Advocate were changed from salaried employees to contractual employees, as per recommendation of IRS Julie North (?).The amount to be returned is unclear at this time, as all of the grant money was not spent.

The Court Administrator submitted her narratives, statistics and additional information to the granting agency. Receipts for her narratives are on file, she explained that when a narrative is insufficient or lacks information, the granting agency requires resubmission. Resubmission of a report was never required during the three year grant cycle.

Respectfully Submitted,

Carla Eben  
Vice Chair  
Pyramid Lake Paiute Tribe  
October1, 2008



## NEWS YOU CAN USE FROM THE CONTRACT HEALTH SERVICES OFFICE

As many of you are aware, Contract Health Service (CHS) monies are decreasing each passing year. Currently the Schurz Service Unit is paying outstanding bills going back to October 1, 2007. They are utilizing the 2009 (fiscal year) first quarter funds to cover the older bills. The second quarter monies become available in January 1, 2009 so many outside providers are asking that we schedule referred patients after January 1, 2009. However, the Service Unit will have to use those monies to pay the previous outstanding bills (1<sup>st</sup> quarter).

The Indian Health Services has made it clear that they will only be covering referrals that are life and limb (priority one). If you have another level of care being referred out, you the patient will be liable for payment of any balances due to the doctor you are seeing.

This is why many of you are receiving denial letters from the Schurz Service Unit. Following is the process for appeal. As per the CHS pamphlet language:

“If payment is denied, a denial letter will be sent to you by the CHS Program. This denial letter will give the reason for denial and explain your rights to appeal the decision.

You have 30 days from the receipt of the denial letter to appeal at the local level, if you have additional information that was not already provided to the CHS Program. The local level must respond in writing within 30 days of the receipt of your appeal.

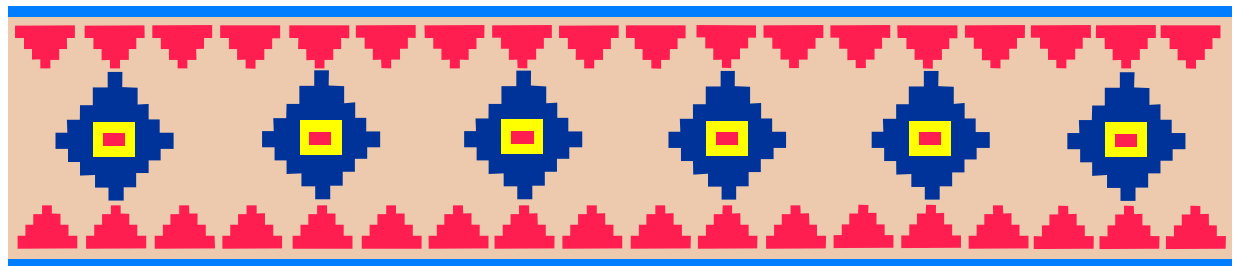
If you are not satisfied with response from the local level, you may send a letter of appeal (within 30 days) to the second level (the I.H.S. Phoenix Area Director). The Area Director's office must respond, in writing within 30 days.

Your final appeal may be made to the Director of the Indian Health Service (within 30 days of receipt of the response from the Phoenix Area Director). The decision from the office of the Director of the Indian Health Service constitutes the final administrative action; there are no further appeals.”

The local level mentioned above, refers to the Schurz Service Unit. For more information or to write to your service unit, here is the contact information:

Contract Health Service Program  
Schurz Service Unit  
PO Drawer A  
1025 Hospital Road  
Schurz, Nevada 89427

Phone: (775) 773-2345  
Fax: (775) 773-2426  
Toll-Free: 1-800-843-5790 (NV Only)  
Toll-Free: 1-800-772-7228 (NV Only)  
Office Hours: Monday – Friday 8:00 am to 4:30 pm.



Further, I.H.S. CHS is stating that if you are eligible for Medicaid/Medicare and do not at least apply, they may not cover your costs in connection with outside doctor visits. So, if you are not sure if you are eligible for Medicaid or not, contact Athena Lamebull at Pyramid Lake Health Clinic (574-1018).

If any of you have outstanding bills that you are receiving, or bills that have gone into collections related to approved referrals from this clinic, please bring them in and we match them up with the referral and send them on to Schurz Service Unit for review.

Bonnie A. Smith  
CHS Clerk, PLTHC

### **TRIBAL COURT NEWS** **OCTOBER/NOVEMBER 2008**

#### **ACTIVE WARRANTS**

Rachelle Auguh	Jeremy Baker	Dustin Barlese	Phelon Brown	Cynthia Christensen
Brandon Comes Flying	Trisha Dunn	Conrad Fellows	Garrett Fellows	Gibson Fielder
Joanna Hancock	Annette Henry	Frank Henry Jr	Kendal Henry	Boyd Jackson V
Sebastian Jackson	Bryan Johnson	Rayfield Kelly	Royce Kochampenasken	Teresa Lenoir
Robert Leyva	Duane Lopez	Quinten Lopez	Kevin Melius	Cecelia Phoenix
Veronica Rodarte	Teresa Royer	Lonnie Savage	James Shaw	Shawn Shaw
Reed Skenadore Jr	Everette Smith	Reuben Smith	Rochelle Talas	Shepard Taylor
Skyler F. Taylor	James Thomas Jr (2)	Jonathan Thomas	Juanita Thompson	Patrick VanBrundt
Melissa Vasquez	Maynard Victor	Walter Washington	Damon Williams	

The Tribal Court accepts voluntary appearances to resolve warrants on any Tuesday at 3pm. Please bring with you \$25 to quash your warrant when you appear before the Judge or contact the Defense Advocate at 574-1094 on Tuesday to discuss a voluntary appearance. Also, any individuals who have warrants due to non-payment or failure to appear on Traffic Citations please contact court staff and determine amount owed. The Court will accept full payment in lieu of going to jail on a traffic warrant.

#### **Hearings held in October 2008**

October 7, 2008 – Jury Trial Held 9 – 5:15  
October 8, 2008 – 9 civil hearings and 1 citation  
October 14, 2008 – 9 criminal hearings and 5 civil hearings  
October 1, 2008 – Juvenile Court Held (3 hearings)  
October 15, 2008 – Juvenile Court Held (6 hearings)  
October 21, 2008 – 6 criminal hearings, 1 civil hearing and 15 citations  
October 28, 2008 – 6 criminal hearings and 10 OSC hearings

#### **Hearings held in November 2008**

November 4, 2008 – 9 Criminal Hearings  
November 5, 2008 – 7 civil hearings @ 9am  
November 5, 2008 – Juvenile Court Held (5 hearings) @ 1:30pm  
November 18, 2008 – 19 criminal hearings, 1 civil hearing and 1 citation  
November 19, 2008 – Juvenile Court Held (6 hearings)  
November 25, 2008 – Jury Trial Held @ 9am

**Nixon soldier stationed in Combat Outpost Lowell, Afghanistan.**

On Saturday, November 1, 2008, Jeremy W. Wright, Army Medic Specialist, son of Terry Wright, e-mailed his sister, Samantha, letting her know he was okay after Taliban mortar rounds struck the U.S. camp, killing one and seriously injuring another. Combat Outpost Lowell is a company-size American and Afghan position in Nuristan Province, near the Pakistan border. This outpost plays a remote role in the counterinsurgency efforts in Afghanistan. The camp is to disrupt the Taliban and foreign fighters on a route to Pakistani tribal areas and tying up Taliban forces far from more populated areas. It is one of the United States' most front-line positions in the war now in its eighth year. The New York Times published this encounter on November 1, 2008, A Frantic Hour With The Wounded. A Warning, a Blast, a Fight to Save an Afghan Life. The news article and photos cited the lead American Army doctor and his medical team desperately trying to save the life of an Afghan military support. An excerpt from the New York Times read, "Forty-five minutes passed. No helicopter, Jamaludin was kept alive by another Medic Specialist Jeremy W. Wright, 20, who kept him breathing by pumping an oxygen bag." Other NYT excerpts, "At about 65, the rotors could be heard in the valley. By then the medics and Captain Rodriguez were ready with Jamaludin, now bandaged and strapped onto a litter, to run across open ground." "The Taliban were waiting for them. As the medics loaded Jamaludin onto the helicopter, the mortars and fighting started again. The first round landed wide. The loudspeaker was barely audible over the roar of the Blackhawk's rotors. Incoming! Incoming! It said." "As Captain Rodriguez and the medics ran clear of the rotor blades, the helicopter shuddered, rose and lurched forward to gather speed for the run past the hills. Everyone bounded from bunker to bunker back to the aid station. An hour or so later, the call came in. The helicopter had reached the next base. Jamaludin was in surgery. He was alive." On Monday morning, Jeremy's aunties e-mailed the NYT article to other relatives and family friends. One auntie wrote, "Please pray for my nephew, my brave nephew. Jeremy is my brother Terry Wright's son." Another auntie wrote, "I am so proud of him, but at the same time, so scared for him, he makes us all proud." The Wright Family wish to pay our honor and respect to those who served in the military in times of peace and war. Our Honor and Prayers go out to our warriors who are currently serving our country during this perilous time of war. On Sunday, November 2, 2008, a blessing ceremony was held on the Terry Wright Ranch for the new family addition, Lilly Ann and her mother Samantha Wright. Submitted by: K.V. Wright

Judicial Continued.

**IN THE PYRAMID LAKE TRIBAL COURT IN AND FOR THE  
PYRAMID LAKE INDIAN RESERVATION  
WASHOE COUNTY, NEVADA**

<b>In the Matter of:</b>	)	<b>CASE NO: PL.CV.TT.2008-0064</b>
	)	
<b>RONALD SMITH</b>	)	<b>NOTICE TO TRANSFER HOUSE TITLE</b>
<b>Decedent,</b>	)	
	)	
<b>Filed by:</b>	)	
<b>RHONDA LYNN SHAW</b>	)	
<b>Petitioner.</b>	)	
	)	

**NOTICE IS HEREBY GIVEN** that RHONDA LYNN SHAW has filed a Motion to Transfer Title of a home located at 2515 Desert Flower Lane, Sutcliffe Nevada (4-4 S1) from her deceased father's name, Ronald Smith, to the legal beneficiary of Ronald Smith, who is an enrolled member of the Pyramid Lake Paiute Tribe.

**NOTICE IS FURTHER GIVEN** that any person having objection to the transfer as aforesaid shall file written objection with the above-entitled Court within ten (10) days after date of the last publication of this Notice, to wit: October 20, 2008, and after publication in the tribal newspaper.

Done and dated this 21st day of October, 2008

Jeraldine Magee, Court Administrator  
Pyramid Lake Tribal Court, P.O. Box 257, Nixon, NV 89424 {221 Nixon Hwy 447}

NOTICE: the Pyramid Lake Paiute translation on the lower right side of this poster for "read". Charlotte Harry, PL Language Coordinator did the translation and I sent it to the Tulsa, Oklahoma Library project. Notice, there is another Northern Paiute translation on the left side: Jumetu. That translation was sent in from the Warm Springs Library in Oregon.

Currently the Tulsa Library is using the graphic for library plastic bags.

<p>Wiyanitsha (WANARAMA) Agindaaso (OJIBWE)</p> <p>Ah'thah'dahgah (PONCA)</p> <p>Dadee hooda kidikus (PAWNEE)</p> <p>Hochefo (CHOCTAW)</p> <p>Nāpātōtathowa (SAUK)</p> <p><b>read</b></p> <p>T.A.ꞖꞖ (OSAGE)</p> <p>Gilgilapx (WASQ'U)</p> <p>Ittimanompoli (CHICKASAW)</p> <p>Nush'-t-us tsi'-ba'-wha (CADDO)</p> <p>Ohonvyetv (SEMINOLE) IAPꞖꞖE (CHEROKEE)</p> <p>TULSA CITY-COUNTY LIBRARY</p>		<p>more from <b>Charlotte Harry:</b></p> <p><b>Neakwu: going to read</b></p> <p><b>Neahoo: already read</b></p>
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**New materials:**

**DVDs:** I have ordered these two classic movies after finding out young people today have never even heard of them: *Never Cry Wolf* and *Little Big Man*. *Never Cry Wolf* is about a government researcher, who is sent to research the "menace" of wolves in Alaska, but learns about the true beneficial and positive nature of the species. *Little Big Man* is what I consider one of the best westerns from the 70s. Jack Crabb, played by Dustin Hoffman, recounts being captured and raised by Indians, becoming a gunslinger, marrying an Indian, watching her killed by General George Armstrong Custer, and becoming a scout for him at Little Big Horn. Chief Dan George plays his grandpa.

These DVDs will be available to be checked out. But, there will be a late fee of \$5, if not brought back within one week. Also, *Bury My Heart at Wounded Knee*, a recent HBO release and, *In Search of History, Navajo Code Talkers*.

	<p><b>Library New Winter Hours:</b></p> <p><b>Tue &amp; Wed 2-5 P.M. Saturdays 10 A.M. - 5 P.M.</b></p> <p><b>Thanks, Linda McCauley, Tribal Librarian 775-574-0301</b></p>
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Below are names of persons who wrote checks to the I-80 Smokeshop and have been returned by their bank. Payment must be made by either a money order, cashier's check or cash. Please call the I-80 Smokeshop at (775) 575-2181.

Abel, Nancy L.  
 Alejos, Mario  
 Auguh, Colleen  
 Auguh, Rachelle Y.  
 Bettencourt, Manuel  
 Brazzanovich, Beverly A.  
 Brown, Laureen G.  
 Bryan-Pulido, Ivy R.  
 Burns, Janell  
 Cook, Russell W.  
 Davis, Joshua S.  
 Davis, Judith  
 Davis, Marie E.  
 Dodd, Winona E.  
 Dunn, Angela Faye  
 Dunn, Conrad F.  
 Fox, Kenneth M. & Lowery, Melinda E.  
 Frazier Grace I.  
 Frazier, Melisea M.  
 George, Shaunee S.  
 Henry, Ethel M.  
 Henry, Denise  
 Henry, Kendall V.  
 Henry, Shelly M.  
 Hunter, Daniel  
 Jackson, Dara L.  
 James, Georganna  
 Kever, Daniel R. & Patricia M.  
 Lee, Lorenzo & Marilyn  
 Leyva, Todd R.M.  
 Lowery, Dorian B.  
 Lowery, Lenora F.  
 Lowery, Natalie J.  
 Lucas, Marcy  
 Manning, Robert & Carrie  
 McCloud, Jolene C.  
 McClusky, Heidi  
 Mix, Jill A.

Morsette, Desiree D.  
 Newmoon, George H.  
 Pete, Dennis & Corrine R.  
 Pete, Lili Ann & Thomas, Jr. James W.  
 Phoenix, Michael L.  
 Ramos, Charlotte & Winap, Marvin  
 Romo, Keri L.  
 Sander, Jolyne  
 Serawop, Monica W.  
 Smith, Bernadete & Gregory  
 Smith, Colleen  
 Smith, Deyson N.  
 Smith, Leo & Ginger  
 Smith, Melonie Y.  
 Smith, Natalie  
 Thomas, Jr. James  
 Thomas, Kevin E.  
 Tierney, Marie  
 Tobey, Jason  
 White, Michelle L.  
 Williams, Lawrence P.  
 Williams, Leanna M.  
 Williams, Leslie D. & Quintero, Robert  
 Williams, Melinda  
 Williams, Natasha  
 Williams, Shari D.  
 Williams, Shona



**News Release  
 SOCIAL SECURITY**

SSA Press Office 440 Altmeyer Building 6401 Security Blvd. Baltimore, MD 21235 410-965-8904 FAX 410-966-9973

Social Security Announces Nationwide Launch of Compassionate Allowances Process Will Fast Track Applications For People with Cancers and Rare Diseases Michael J. Astrue, Commissioner of Social Security, today announced the national rollout of the agency's Compassionate Allowances initiative, a way to expedite the processing of disability claims for applicants whose medical conditions are so severe that their conditions obviously meet Social Security's standards.

"Getting benefits quickly to people with the most severe medical conditions is both the right and the compassionate thing to do," Commissioner Astrue said. "This initiative will allow us to make decisions on these cases in a matter of days, rather than months or years."

Social Security is launching this expedited decision process with a total of 50 conditions. Over time, more diseases and conditions will be added. A list of the first 50 impairments -- 25 rare diseases and 25 cancers -- can be found at [www.socialsecurity.gov/compassionateallowances](http://www.socialsecurity.gov/compassionateallowances)

Before announcing this initiative, Social Security held public hearings to receive information from experts on rare diseases and cancers. The agency also enlisted the assistance of the National Institutes of Health.

Compassionate Allowances is the second piece of the agency's two-track, fast-track system for certain disability claims. When combined with the agency's Quick Disability Determination proc-

ess, and once fully implemented, this two-track system could result in six to nine percent of disability claims, the cases for as much as a quarter million people, being decided in an average of six to eight days.

"This is an outstanding achievement for the Social Security Administration," said Peter Saltonstall, President of the National Organization for Rare Disorders. "It has taken Social Security less than a year to develop this much-needed program that will benefit those whose claims merit expedited consideration based on the nature of their disease. Disability backlogs cause a hardship for patients and their families. Commissioner Astrue and his staff deserve our thanks for a job well done."

"Unfortunately, many hardworking people with cancer may not only face intensive treatment to save their lives, but they may also find themselves truly unable to perform their daily work related activities and as result, may face serious financial concerns, such as the loss of income and the cost of treatment," said Daniel E. Smith, president of the American Cancer Society Cancer Action Network. "The Social Security Administration's Compassionate Allowances program will help streamline the disability benefits application process so that benefits are quickly provided to those who need them most."

"This is America, and it simply is not acceptable for people to wait years for a final decision on a disability claim," Commissioner Astrue said. "I am committed to a process that is as fair and speedy as possible. The launch of Compassionate Allowances is another step to ensuring Americans with disabilities, especially those with certain cancers and rare diseases, get the benefits they need quickly."



Petersen will lead conservation agency in Nevada

RENO, Nov. 12 – Bruce Petersen has been selected to serve as the state conservationist for the USDA's Natural Resources Conservation Service in Nevada, according to Sara Schmidt, regional assistant chief for the agency.

Petersen brings 22 years of experience with him to Nevada. He started as a soil conservation technician in Minnesota, working his way up to soil conservationist then district conservationist. He also worked for several years as a technician for conservation districts in Minnesota and Wisconsin. "His field experience has given him a good background in all sides of our agency," said Schmidt, "including the technical, engineering and Farm Bill program areas."

He has worked for the NRCS in Wyoming for 11 years, serving most recently as assistant state conservationist for operations. From 2001–2006, Petersen had responsibility for state-wide oversight and leadership of all Farm Bill programs. In 2006, he also assumed the duties of partnership liaison to strengthen the relationship with conservation districts and the Wyoming Association of Conservation Districts.

"My experience working for conservation districts has given me first-hand knowledge of the importance of our partnership," said Petersen. "Strengthening the relationship between NRCS and districts, and with other partners in Nevada, will be one of my highest priorities."

Petersen has a Bachelor's of Science in geography from Minnesota State University and studied Agricultural Business Management at the University of Minnesota.

He will assume his new position in mid-December.

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On October 30<sup>th</sup>, the Sunshine Club held an assembly to give out certificates to students who attend Pyramid Lake Jr./Sr. High School. There are four (4) categories the Sunshine Club chose, which they felt the students needed to be rewarded for. These categories were: No Referrals, Perfect Attendance, Honor Roll and Role Model. Staff and Teachers nominated a student who they saw as a Role Model for all other students. For each category, the student's names were put in a can and a name was drawn. Winners are as follows:

Category	Student Name	Grade	Item Won
No Referrals	Myron Wadsworth	8	Movie and \$10 cash
Perfect Attendance	Sean Murray	7	2 Movie Tickets
Honor Roll	Elizabeth Castillo	12	MP3 Player
Role Model	Ector DeLuna	11	Cell Phone

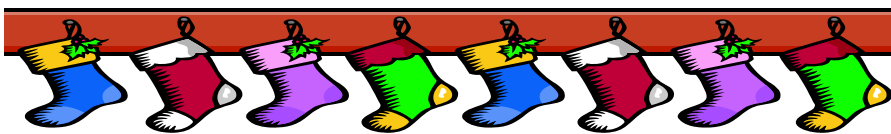
The Sunshine Club will be holding an awards assembly each quarter for these categories. As you know, we also hold birthday parties for those students who have a birthday in that month. We have held parties for those students born in July, August, September and October. We have yet to set a date for November's birthday party. If you have any questions, please feel free to call the High School and talk to Jenny Cortez, Andrea Alejos, Rose Barlese or Ione Crutcher.

## "2008" Christmas Slam Jam Youth Co-Ed Basketball Tourney



Hungry Valley Gymnasium-Sparks, NV  
December 12<sup>th</sup>-14<sup>th</sup>, 2008

Awards will be given to the following:  
1<sup>st</sup> place, 2<sup>nd</sup> place and 3<sup>rd</sup> place,  
All-stars and MVPs



Entry fee: \$150.00 per team

Please call Brenda at 425-4379 to sign-up your team or for more information....



*Native Tacos, 50-50 Drawing, Raffle, Candy Canes & misc. crafts and blankets for sale.*

### CONGRATULATIONS NOAH SERVILICAN!

After many, many hours of classes, practices, tests throughout the years, miles and miles of running, sparring, board-breaking, community food drives, reading, writing, sit-ups, all the exercises, over 5,000 push-ups in the six weeks before the test, then The Test Day! October 25, 2008, then it was your turn to go before the judges, you performed with knowledge and strength and confidence because you believed in yourself. You had done your part. Congratulations on earning your Black Belt!

"When you bow deeply to the universe, it bows back; when you call out the name of God, he echoes inside you."

We are so proud of you.

Love,  
Mom and Dad



**PYRAMID LAKE PAIUTE TRIBAL COUNCIL  
SPECIAL MEETING MINUTES  
September 19, 2008**

**Members Present:** Mervin Wright, Jr., Tribal Chairman Sherry Ely  
Mendes Janet Davis  
Gordon Frazier Jason Davis  
Johnnie Garcia Judith Davis  
Genevieve John Clayton Servilican  
Carla Eben, Vice Chairman

**CALL TO ORDER**

Mervin Wright, Jr., Tribal Chairman, called the September 19, 2008 special meeting of the Pyramid Lake Tribal Council to order at 6:30 p.m. in the Tribal Chambers, Nixon, Nevada.

**OPENING PRAYER**

Tribal Chairman Mervin Wright, Jr. gave the opening prayer.

**ROLL CALL**

Roll was taken by Gina Wadsworth, Tribal Secretary. Councilmember Johnnie Garcia arrived at 6:35 p.m. and Councilmember Genevieve John arrived at 6:37 p.m. All other Tribal Council members were present at roll call and a quorum was established for this meeting.

**APPROVAL OF AGENDA**

Chairman Wright stated there were several requests that need to be added to the agenda. The requests are as follows: donation requests from Kellie Harry and Eugene Harry, Sr.; Charter/Guide License requests; and a request for advertisement space. A motion was made by Councilmember Janet Davis and seconded by Vice Chairman Eben to approve the meeting agenda as amended. Votes were all in favor, **motion carried.**

**PUBLIC COMMENT**

There were no public comments made at this time.

**CONSENT AGENDA**

The following items were on the Consent Agenda: Hester & Zehren Invoice and Wes Williams, Jr. Report and Invoice. Councilmember Jason Davis made a motion to approve the Consent Agenda. The motion was seconded by Councilmember Mendes. Votes were all in favor, **motion carried.** Councilmember Judith Davis asked for clarification that the invoices are reviewed by the program directors for verification on the items that are being discussed. Chairman Wright replied yes, John Jackson receives the invoices at the same time they are received in his office and Gina's office.

**HUMAN RESOURCES** – Billie Jean Guerrero, Human Resources Manager

**Grievance Hearing:** Billie Jean Guerrero, Human Resources Manager, explained the grievance and process. The Personnel Committee held a hearing on July 28, 2008 to hear the grievance. The employee disagreed with their decision and wished to proceed to the next step which is the Tribal Council. Councilmember Judith Davis and Gina Wadsworth, Tribal Secretary, excused themselves from this portion of the meeting.

A motion was made by Vice Chairman Eben and seconded by seconded by Councilmember Judith Davis to move into an executive session. Votes were all in favor, **motion carried.**

The Tribal Council moved into an executive session at 6:37 p.m. and following the grievance hearing, moved into an open session at 7:55 p.m.

**Personnel Policies and Procedures:** Councilmember John stated she spoke with Billie Jean about the Personnel Committee's duties with regard to grievances and thought it may be better to have a grievance committee to hear grievances. The grievance committee would be selected by the members having to meet some type of criteria when a grievance is filed. Billie Jean said it has been discussed previously as far as having an independent panel and a primary concern would be confidentiality. In the proposed draft, grievances are covered the way it is currently being done other than the timelines. Chairman Wright said it was discussed when he started in March. Billie Jean said she has an outline that would basically work towards a grievance committee, but it would affect other areas of the policy. She was hoping to get the policies approved and continue to make it as a work in progress.

Billie Jean said the High School will be audited next month and one of the requirements is making sure the background investigation policy is in place. She did hear from Personnel Securities Consultants and they indicated it looks within the legal framework according to the authorities in place and they would be able to accept this so we can have fingerprints processed through that organization.

Chairman Wright said the recommendation is to approve the policies and amend as necessary.

Councilmember Judith Davis said on 10-2(j), it reads "employees who are absent from

work without notice to their immediate supervisor, no-call no-show, will be considered as having voluntarily resigned." Billie Jean said this is a standard policy and the current policy states three consecutive days. Employees have the responsibility to report to work and supervisors need their employees to be there to work. If an employee can't call in or can't show up, it's called abandonment of position. It is the employee's responsibility to call within the two hours before or after the start of work.

A motion was made by Councilmember Jason Davis and seconded by Councilmember Servilican to approve the Personnel Policies and Procedures. Votes were 8 for and 1 opposed, with no abstentions. **Motion carried. RESOLUTION NO. PL 64-08** Councilmember John made a motion to direct Billie Jean Guerrero to develop a draft process for a grievance committee. The motion was seconded by Councilmember Servilican. Votes were 8 for and none opposed, with 1 abstention. **Motion carried.**

**UNFINISHED BUSINESS**

**Pyramid Lake Health Clinic** – Cindy Curley: Cindy Curley, Health Director was present along with Steven Wadsworth.

**MOU with Treatment Center:** Cindy reported that since the last Council meeting changes to the MOU were requested. Councilmember Janet Davis asked if the Treatment Center has seen the document. Cindy said Leslie Steve has read the document and if the Council approves the MOU, then it would be sent to Phoenix for their review and action. Chairman Wright said the changes that were submitted by the Council were made. Vice Chairman Eben made a motion to approve the Memorandum of Understanding with the Nevada Skies Youth Wellness Center/Regional Treatment Center and the Pyramid Lake Tribal Health Clinic. The motion was seconded by Councilmember Jason Davis. Votes were all in favor, **motion carried.**

**Health Insurance Concerns:** Cindy said she was asked by the Health Board to state what attempts that have been made to resolve the issues with Health Plan of Nevada (HPN). A list of chronological events was distributed. Cindy then read a letter that had been distributed to the Tribal Council.

Chairman Wright reported there was a meeting with Todd Wilson who had said he was contacted by two employees from the Health Clinic. Todd was authorized as a broker to gather information to get costs together. Todd did say that one of the biggest problems we have is not having a permanent doctor. Chairman Wright said he doesn't believe HPN is causing that problem at the Clinic. It may be true they can verify the numbers, but in speaking with Robbin there are a number of concerns with the way the accounting is being reported. He told Todd that the Tribal Council has the authority to terminate the contract with HPN, but if that is done tonight, we don't have a backup plan and there is no company ready to execute a contract with the Tribe.

Councilmember Servilican asked if this was all the information that they receive. Chairman Wright said there are a number of factors that can complicate claims and collection and those factors have to be taken into consideration. Not all of the employees are with HPN and a lot the of patients at the Health Clinic also don't have HPN, yet they are going through the claims process.

Chairman Wright said the recommendation from the Health Board and Health Director is to change insurance companies. But they are still trying to gather all of the information together.

Cindy clarified that HPN has been stating that the locum tenens has contributed to issues with revenue. The case with HPN, the locum tenens are not the issue and in order to get around this problem, the Health Clinic is listed as the provider. Chairman Wright said this affects the employees who have this health plan and a lot of the patients at the Clinic are not under this health plan.

Councilmember Judith said when this first came up, it was going to be looked into and the Council was supposed to have the information and have other options available if the Council was going to make the decision to change health plans. It seems a lot of the employees have spoken. Councilmember Servilican said in the Chairman's report it says the budget numbers are not verifiable in our Finance Department. Chairman Wright said the report he received stated there were concerns about the way the accounts are set up. Cindy said that Robbin had looked at their books and said she was impressed.

Councilmember Garcia said he had been able to see that the Health Clinic has been bending over backwards to work with HPN and it's been dragging on and that's why they sent the letter from the Health Board.

Vernelda Frazier, speaking as an employee, said she spoke with Human Resources and they were not told the Council wanted to see the survey and it was not forwarded to them. At some point, you need to start listening to the employees and you are responsible. Chairman Wright said if the focus of the attention is on him, that's fine, but the decision lies with the Council. He spoke with Billie Jean about the surveys and it was an oversight on his part. This is already gone out to bid and the brokers will pull the information together, but we won't get anything for a couple of weeks.

**NEW BUSINESS**

**Ralph Dunn Lease and John Guerrero Lease:** Chairman Wright stated there was a meeting this morning with John Guerrero and Ralph Dunn, along with the Realty Department and Water Resources to discuss the status of the hay land leases in Wadsworth and the delinquent and past due payments. The lessees concern was the underlying issue of water delivery and ensuring that the diversion dam was repaired timely. The question came up about a decision by the Tribal Council in 2005 to waive the fees. The minutes were researched and nothing could be located about the waiver of the fees. He asked the Tribal Council if they could remember if this actually happened and that it be on the record in order to clarify the question on cancellation of the leases or the effort to obtain the past due payments.



Continued.

Councilmember Jason Davis said the flood was in 2005 and it wiped out the diversion dam and at that time there was no money for repairs. He believed the Council did waive the fees. Councilmember Mendes said she does remember some discussion about that and recalls they were unable to make a profit if they couldn't irrigate and the Tribe had no money for repairs. John Guerrero said there was nothing in the minutes about the discussion and there was no motion or decision of the Council.

Chairman Wright said the Tribe acknowledges the work on the leases is an improvement and the biggest improvement is the drainage that used to occur at Hermann Ditch. Prior to the laser leveling, the water was brown and was a direct discharge. The Tribe initiated a process to bring all leases and agreements current.

The BIA is aware that the cancellation process has started and they are yielding to the Tribal Council with regard to a decision that is made. The meeting this morning focused on coming to a resolution and a payment plan. It is obvious that without water you won't have a quality crop. With a delay in irrigation, quality is decreased. Ralph's intention was to produce quality hay. John has livestock and other intentions and objectives associated with his lease.

The more important situation is with regard to NRCS EQIP contracts. Both John and Ralph have entered into agreements with NRCS for EQIP contracts. As far as the contractual relations between Ralph and John and the NRCS, the Tribe should not prevent, restrict or cause any damage to that relation. Ralph had stated he was going to provide his contract with NRCS and John indicated he would do the same. With regard to the dam repair back to 2002, the Tribe has spent approximately \$18,000 and each year it ranges from \$800 to \$6,000 to repair the dam. The Hermann delivery system is not the best and it is very old. Once it gets to the north side of the freeway, the whole system has improved based on the work they have done.

Chairman Wright said John is here tonight to get a decision from the Council on the fees that are due to the Tribe and to see if the payments can be reduced and if that is the decision of the Council, they can develop a payment plan. Both John and Ralph have agreed to pay some amount. We would then notify the BIA that the issue has been resolved.

John Guerrero said at the meeting today, they talked about the lease agreement and he wanted to know why he received a 10-day period and Ralph got a 30-day notice. Also, it was said that he was not working with the Tribe, but he has letters stating otherwise. He appealed to the BIA and has written letters. About being in compliance, he runs his family's cattle and corrals other family member horses. He said the 10 days is up and he was told by Gina Sander that it was already up. He is willing to pay and doesn't want to lose the place. He put in for EQIP contracts and is 90% done. He said the Tribe notified NRCS and now there are holds on the checks. He irrigated once in June and once in July, twice in August. He only used 2% of the water in July. The irrigation system could work if the ditches were cleaned. They flushed water and have had very little help from Water Resources and came to the Tribal Council several times. He has never heard from anybody and there is nothing in the minutes. His 10-day notice said he was in violation of section 4-15 and he doesn't sublease. In March 2005 he paid half of the lease.

It was asked if the Tribe is responsible to get water to the land. Chairman Wright said it doesn't state in the lease that the Tribe is obligated to do that, but because it is a ditch system that is what they have tried to do. The irrigation program only receives \$3,000 from the BIA for O&M and \$4,000 has been spent on the Indian Ditch.

Chairman Wright said it comes down to the payments. The contention raised was that if the payments were made, they may have had enough money to repair the dam. The question for the Tribal Council is if they are in support the leases. Administration will abide by the decision of the Council and the BIA would be notified. John reiterated that he has been working with the Tribe.

Chairman Wright said John needs confirmation that he is in good status with the lease. If the Council believes that is the case, then the BIA will be notified and the process to terminate the lease can stop. John said they did ask the Council if they should turn the EQIP contracts back or will the water be supplied and the Council said they would receive the water, so they went ahead with the contracts. He said if he loses the lease, he will still have the EQIP contract and he does have loans out there to get work done on the property. Councilmember Mendes clarified that John is asking the Council to state that the lease is still good and it would continue.

Councilmember Jason Davis made a motion to recognize the lease and that John Guerrero and Ralph Dunn are in good standing. The motion was seconded by Councilmember Frazier. Votes were all in favor, ***motion carried.*** Chairman Wright said the BIA will be notified. As far as NRCS, this would be worked out and John said the NRCS would accept a letter.

Councilmember Jason Davis asked how the Realty Department supersedes those leases without first coming to the Council before executing termination. It should have come to the Tribal Council first to determine if the leases are out of compliance before getting to this drastic measure. Chairman Wright said all leases come before the Tribal Council and are administered by the Tribal Administration and John Jackson, because of the irrigation O&M, assumed responsibility. John Guerrero stated that when the leases were first started, the leases had been with Realty and they kept asking for money and he brought it before the Tribal Council in 2001. The Council then put John Jackson in charge of the leases and in the past few years he was supposed to look into the leases.

Councilmember Mendes asked who would be put in charge of renegotiating the lease and Chairman Wright said the delegation of that authority should be done tonight. Councilmember Jason Davis said it should probably go back to the Realty Department. John said he wanted to clarify that he was working with the Tribe.

Councilmember Jason Davis made motion to delegate Chairman Wright to renegotiate the lease payments for John Guerrero and Ralph Dunn. Vice Chairman Eben seconded the motion. Votes were all in favor, ***motion carried.***

**NCAI Resolution:** Chairman Wright stated in order to keep the Tribe in good standing with the organization he would recommend approving membership with NCAI. Councilmember Janet Davis made a motion to approve the resolution to join NCAI. The motion was seconded by Councilmember Garcia. Votes were all in favor, ***motion carried.***  
**RESOLUTION NO. PL 65-08**

**ITCN Donation Request:** The ITCN 43<sup>rd</sup> Annual Convention will be held November 17-20, 2008 at the Nugget. They are requesting a monetary donation or raffle item. Councilmember Janet Davis made a motion to donate an annual fishing permit. The motion was second by Councilmember Judith Davis. Votes were all in favor, ***motion carried.***

**Eugene Harry, Sr. and Kellie Harry Requests:** Kellie Harry and Eugene Harry, Sr. submitted requests for a donation. Both Kellie and Eugene have qualified for the Indian National Finals Rodeo in team roping. Councilmember Judith Davis made a motion to donate individual rate for Kellie Harry and Eugene Harry, Sr. The motion was seconded by Councilmember John. Votes were 7 for and none opposed, with 2 abstentions. ***Motion carried.***

**Charter Licenses:** Jim Hartfiel and Chris Grellman were present to request renewals of their charter licenses. The licenses are for Hog Charter and Just Rite Fishing. A motion was made by Councilmember Jason Davis and seconded by Councilmember Frazier to approve charter licenses for Hog Charters and Just Rite Fishing. Votes were all in favor, ***motion carried.***

**Request for Advertisement Space:** Chairman Wright said he spoke with Eagle Eye Fishing Charter and Tour Guides and they are requesting to use the space on the water tank located behind the Marina in Sutcliffe. The proposal is to pay \$50 per month for a 4'x6' space for 12 months, with an option to continue if needed. Councilmember Judith Davis asked if this was one of the properties that are under the Realty program. Chairman Wright said with regard to advertisements and leases, the Tribe would be leasing the space. We are currently reviewing the billboard lease issue. The Realty department has assumed the lead on the billboard issue and is working with the Finance Department and legal counsel. This came up at the same time and no other department would take the lead. Councilmember Judith Davis said she doesn't see where one of the community water tanks falls under the Realty Department. This had come before the Tribal Council and there was a motion to not include the water tank.

Councilmember Judith Davis made a motion to deny the use of the water tank in Sutcliffe for advertisement space. The motion was seconded by Councilmember Servilican. Votes were 4 for and 4 opposed, with 1 abstention; resulting in a tie vote.

**Discussion:** Sherry Ely Mendes said she did go through the process and did speak with Gina Sander who said it could be an option for advertisement space and she didn't see a problem with the request. Chairman Wright said soon after the discussion between Realty and Sherry, he forwarded the request to the Tribe's legal counsel about use of the tank. Legal's response was that he didn't see a problem with it because the water tower is not part of the Marina lease and the Tribe does maintain the water tank and the question was if this could disrupt the process of the mediation. Councilmember Judith Davis said it needs to be for the record that the advertisement for the Marina was put on the water tank by the Tribe. Chairman Wright said he did inform legal counsel and it can't be an issue with High Desert Recreation.

Chairman Wright broke the tie and voted no on the motion. ***Motion fails.***

Councilmember Jason Davis said his concern is if you allow one person to do this, you will get more requests and the water tower could be full of advertisements. Councilmember Judith Davis said her concern is the other water towers.

Councilmember Janet Davis made a motion to table the request until the advertisement policy is completed. The motion was seconded by Councilmember Jason Davis. Votes were 8 for and 1 opposed, with no abstentions. ***Motion carried.***

#### **COMMITTEE/DEPARTMENT ACTION REQUIRED**

**Judicial** – Jeraldine Magee: Jeraldine Magee, Court Administrator was present along with Lea Guerts. Chairman Wright stated the last time this type of discussion was held, the Tribal Council moved into an executive session. Councilmember Jason Davis made a motion to move into an executive session. The motion was seconded by Councilmember Frazier. Votes were all in favor (Councilmember Mendes out of the room during the vote). ***Motion carried.***

The Tribal Council moved into an executive session at 9:55 p.m. and returned to an open session at 10:37 p.m.

Councilmember Jason Davis made a motion to not accept the recommendation from the Tribal Court on exclusion of a non-Tribal member from the Reservation, but to give a one time ultimatum that if this person comes back to the Reservation and commits another crime, then the recommendation can be revisited for a decision. The motion was seconded by Councilmember Frazier. Votes were 8 for and 1 opposed, with no abstentions. ***Motion carried.***

**Water Quality Standards** – Dan Mosley: Dan Mosley, Water Quality, stated he is requesting approval of the final Water Quality Standards revision. The original Water Quality Standards were approved in 2001. In 2007, revisions to the Standards were being recommended and a public comment period and public workshops were held. The comments were reviewed and responded to only on the comments to the revisions. Once approved by the Tribal Council, the Standards will then go to the EPA for approval within 60 days.

Councilmember Servilican made a motion to approve the revisions to the Water Quality Standards. The motion was seconded by Councilmember Garcia. Votes were all in favor, ***motion carried.*** **RESOLUTION NO. PL 66-08**

Chairman Wright thanked Dan for all his hard work and energy for this effort.

**Finance Department** – Robbin Scholl: Chairman Wright reported Robbin injured her back today and will not be here tonight. A summary for the audit is included with her report that includes timelines and deadlines. The CFO Group expects the 2006 audit to be done by October 15<sup>th</sup> and that the files are organized to the point where they don't have to reconstruct anything. There are some journal entry adjustments that have to be made because of the way they were entered.

Robbin did have the ESS proposal. She spoke with Mark Holzer who reviewed the agreement and changed everything to the Tribe. Fisheries had agreed to pay the initial amount and they would be reimbursed. Councilmember Janet Davis said this never came before the Board. She said Dan was told if the Tribe was going to handle the contract, then everything has to go through the Tribe.

Chairman Wright said this will be an improvement to the system and there is enough funding to cover the cost in the contingency line item. The additional revenue that is projected will have to support our Ranger Program and more rangers should be hired. We have experienced an increase in users at the Lake, but because we only have two rangers, the enforcement is not effective.

Councilmember John asked how we are on the expenses versus projected amounts. Chairman Wright said the Tribe is not in the red or operating in the deficit. He and Robbin did talk about meeting with the Tribal Council. Councilmember Judith Davis said she would like to see a breakdown for the General Fund departments and if these programs are able to make it to the end of the year. Chairman Wright said once the audit is complete, we will have a better understanding. The intention is to review all of the budgets.

Councilmember Janet Davis made a motion to approve the contract with Electronic Storage Systems, Inc. The motion was seconded by Councilmember Servilican. Votes taken were 8 for and 1 opposed, with no abstentions. ***Motion carried.***

**TRIBAL CHAIRMAN REPORT** – Mervin Wright, Jr.: Report submitted. Chairman Wright stated he has one request for approval to travel to San Francisco for the EPA Region 9 conference that will be held October 13-17. Councilmember Jason Davis made a motion to approve the travel request. The motion was seconded by Councilmember Judith Davis. Votes were all in favor, ***motion carried.***

**Enterprises:** Chairman Wright reported there has been discussion involving the audit and financial responsibilities of the Enterprises. He included an attachment on the Enterprises resolution and information. Because of the audit, interest was expressed in having the Enterprises audited. A memo was issued today to the Smokeshop stating that every entity reports to the Tribe and the Tribal Council is the oversight governing body of the Enterprises and everyone ultimately reports to the Council. Doug Coleman had reported that an audit is not possible for 2006, 2007, and 2008 because current auditing standards issued by the American Institute of Public Accountants state that policies and procedures be effective, monitored and documented. If these elements cannot be tested the auditors will conclude that internal controls are not effective and that an audit is not possible. It was determined there are no internal controls with the Enterprises and therefore an audit is not possible. He informed the Enterprises that they need to cooperate with the Finance Department in providing reports to the Tribal Council. An inventory is planned for December 31<sup>st</sup> at the Enterprises in order to start on the right track. The memo was for I-80 management to know they need to report all financial information.

**VICE CHAIRMAN REPORT** – Carla Eben: Vice Chairman Eben reported she submitted the recommendations from the working group to the Tribal Council. There were 13 recommendations being made. Vice Chairman Eben read recommendations: 1) All administrative and Tribal court staff shall be familiar with the Pyramid Lake Law & Order Code and the Court procedures. 2) All current Pyramid Lake Paiute Tribal Policies and Procedures will be followed to ensure individual rights or civil rights are not violated; any Pyramid Lake Paiute Tribal court policies or procedures that are outdated or do not follow the Tribe's Law & Order Codes shall be amended by following the Tribe's amendment procedures. 3) All administrative court staff and court staff will follow the scope of their job duties as outlined in their job descriptions. 4) All administrative court staff, Chief Judge, Associate Judge, Adult Probation, Juvenile Probation, Advocates, Lay Advocates will sign a Code of Ethics (approved by Tribal Council 04/18/2008) and Oath of Confidentiality. Signed documents will be kept on file at the Tribal Courthouse. 5) All court staff should receive training on current Indian law at the University of Nevada Judicial College or some other institution that offers training on Indian law. 6) All administrative court staff and court personnel will maintain a professional demeanor with all individuals or agencies who utilize the court services. 7) All administrative court staff should have cultural sensitivity training. 8) The administrative court staff will make a binder containing the Pyramid Lake Law & Order Code and court procedures should be placed in public area where any individual can access it. Copies of the Law & Order Code and court procedures will be made available to public at a minimal charge. 9) All court forms should also be placed in the same area with brief description of how to fill out the form. If there are questions court staff should be on hand to answer any questions. 10) If you have a grant, then staff must be aware of the objectives of the grant and stay within the scope of work outlined in the grant. 11) MOU/MOA should be established between, but not limited to, court services and Health Center, high school, mental health, Social Services, for the protection of all parties. All MOU/MOA will follow Law & Order Code guidelines and protocols before that are enacted. 12) Advocates are located in another building outside of the Pyramid Lake Tribal Court building. It is also recommended that the court advocate be hired part-time to allow clients more time with their advocate to discuss their cases. 13) The working group discussed the option of doing desk audits of all administrative court staff.

Jolyne Sander said not all of the recommendations from the working group were included in this report. She would like to comment on some of the recommendations that were just read. Under #1, the court staff should also keep in mind that what is written in the Law & Order Code, is the law. As far as amendments to policies and procedures, the amendments need to be done by the Court Administrator because that is part of her responsibility. Under #3, the job descriptions were discussed and where it states "other duties as assigned," this should be stricken from the job descriptions because it is too broad. The job descriptions also need to be updated. The working group was unclear whether all staff has signed the Code of Ethics. An oath of confidentiality has to be signed by all court staff. The documents should be on file at court house and it should be kept with their contracts and in the personnel files for those who are employees.

Jolyne said item #10, departments and/or programs mentioned in a grant should be made aware of the objectives of the grant. Under item #13, the working group is recommending that desk audits be completed. They discussed asking an outside agency to conduct the desk audits since the Vice Chairman was not familiar on how the court operates. It is recommended that proper administrative action will be taken against those warranted so that a paper trail on infractions can start.

Jolyne said she spoke with Sandra Hicks, Contracts & Grants Administrator, on the grant and because it involves personnel issues, she would like to move into a closed session. Chairman Wright said he and Sandra have discussed the grant. The grant is ending on September 30 and the juvenile probation officer has been notified his job will be ending. The deadline for an extension was missed.

Sandra Hicks, Contracts & Grants Administrator, said it is a 3-year grant and ended last month. The Tribe received \$297,575 and the match was \$40,693 which is a cash match. The match has to be paid through Tribal funds to be in compliance with the grant. The general ledger shows a balance of \$111,000 and no extension was requested. The grant had been resubmitted to the funding agency, but she is not sure if it is going to be re-funded. The main concern was the amount of money that was not expended. There were some issues with the scope of work. Reports were submitted to the Department of Justice but the reports were vague and did not include very many statistics.

Councilmember Judith Davis asked who monitors the grants and Chairman Wright replied that it is the program director. Last year the responsibility was being placed back on the directors. A lot of the programs are not familiar with the grants because they did not know about the goals or objectives.

Jolyne asked about the juvenile probation officer and Chairman Wright stated he had been directed by the Tribal Council to not be involved with the courts. Jolyne then asked Vice Chairman Eben if there is any knowledge as to what the Administration plans on doing as far as the juvenile probation officer's position and does the Tribal Council know if those juveniles will be under the adult probation officer. Chairman Wright stated that he doesn't believe the Tribal Council came prepared with the information to be able to know that answer. Vice Chairman Eben stated she is only hearing some of this tonight.

Jolyne stated they reviewed the recommendations and she thinks the Council needs to make a decision on the recommendations. Chairman Wright responded by stating the Tribal Council received the report tonight, plus there were some changes done verbally. Councilmember Mendes asked Vice Chairman Eben if this report was a draft and she replied yes.

Councilmember Servilican made a motion to table the recommendations that were listed in the report from the working group. The motion was seconded by Councilmember Jason Davis. Votes were 8 for and none opposed, with 1 abstention. ***Motion carried.***

It was stated by an audience member that the rumor about an elder being pepper-sprayed during court is still in the community. Chairman Wright stated he would like to clarify that this incident did not happen. If this had happened, everyone in the court room would have felt the effects of pepper spray.

Councilmember Servilican stated he would like to see the Chairman supervise the judicial program and made a motion to rescind the previous Council motion that removed the Chairman from the supervision of the judicial program. The motion was seconded by Councilmember John.

**Discussion:** It was stated that the motion should also state to bring the judicial program back into compliance.

Votes on the motion to move supervision of the Judicial Program to the Tribal Chairman were all in favor, ***motion carried.***

Chairman Wright stated that the propaganda that was put on the windshields of cars at Natchez Elementary during the pow-wow was with no taste and no class. Councilmember Janet Davis said the principal is going to address this, but it needs to be kept out of the school.

#### **ADJOURNMENT**

A motion was made by Councilmember Frazier and seconded by Councilmember Garcia to adjourn the meeting. Votes were all in favor, ***motion carried.***

The meeting adjourned at 12:20 a.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

**PYRAMID LAKE PAIUTE TRIBAL COUNCIL  
REGULAR MEETING MINUTES  
October 3, 2008**

**Members Present:** Mervin Wright, Jr., Tribal Chairman Sherry Ely Mendes  
Janet Davis Gordon  
Frazier Jason Davis Gene-  
vieve John Judith Davis Clayton  
Servilican Carla Eben, Vice Chairman

**Members Absent:** Johnnie Garcia

**CALL TO ORDER**

Mervin Wright, Jr., Tribal Chairman, called the October 3, 2008 regular meeting of the Pyramid Lake Tribal Council to order at 7:00 p.m. in the Tribal Chambers, Nixon, Nevada.

**OPENING PRAYER**

There was no opening prayer.

**ROLL CALL**

Gina Wadsworth, Tribal Secretary, took roll call. Councilmember Janet Davis arrived at 7:04 p.m. and Councilmember Johnnie Garcia was absent from the meeting. All other Tribal Council members were present at roll call and a quorum was established for this meeting.

**APPROVAL OF AGENDA**

Chairman Wright stated the following requests need to be added to the agenda: Nevada Day Handgame, Johnnie Garcia, 3D Logistics, Senior Request and a resolution from the Contracts/Grants Administrator. A motion was made by Councilmember Jason Davis and seconded by Councilmember Frazier to approve the meeting agenda as amended. Votes were all in favor, ***motion carried.***

**PUBLIC COMMENT**

Individuals making comments were Lyle Kochamp, Carman Tobey, Jr., Michelle Ruize, Ed Ely, III, Rosalyce Dodd, Gary Schmidt, and Duane Wasson.

**SPECIAL PRESENTATION** – Enrollment Committee (Sylvia Davis, Judith Davis, Dora Garcia, and Cheryl Hicks): The Enrollment Committee wanted to acknowledge Dora Garcia for 31 years of service to the Pyramid Lake Paiute Tribe. On behalf of the Pyramid Lake Paiute Tribe a certificate was presented to Mrs. Garcia and a plaque from the Enrollment Committee.

**CONSENT AGENDA**

**Tribal Council meeting minutes of September 5, 2008:** Councilmember John stated on page 6 of the minutes it should read "Pyramid Lake Tribal Health Clinic." Also on page 8, the word should be "here" and not "jeer." Vice Chairman Eben said on page 8 under the Water Rate Schedule, the name should be "Randa" and not "Randy". Also, Judy Thomas stated she "has an ancestor from Pyramid Lake" and to delete "is an ancestor from Pyramid Lake." It should also be noted that Judy Thomas is not federally recognized anywhere.

Councilmember John made a motion to approve the September 5, 2008 Tribal Council meeting minutes with the corrections. The motion was second by Councilmember Janet Davis. Votes were all in favor, ***motion carried.***

**NEW BUSINESS**

**Jessee Santos Request for Donation:** Chairman Wright said Jessee Santos sent a letter requesting a donation to assist with her expenses while traveling to London, England to perform in the 2009 New Year's Day Parade. Jessee was selected as an All Star Cheerleader at Bishop Manogue High School. Councilmember Jason Davis made a motion to donate the individual rate to Jessee Santos. The motion was seconded by Councilmember Judith Davis. Votes were all in favor, ***motion carried.***

**Handgame Request:** A letter was submitted by Angey Dunn requesting a donation for a handgame tournament that will be held during the Nevada Day weekend. Councilmember Mendes asked that a list of expenses be submitted. Councilmember Jason Davis made a motion to donate \$2,350 out of the sponsorship line item. The motion was seconded by Vice Chairman Eben. Votes were all in favor, ***motion carried.***

**Johnnie Garcia:** Johnnie Garcia submitted a letter requesting permission to travel to Phoenix, Arizona to attend the NCAI conference on October 19-24, 2008. The Tribal Secretary stated there were not enough funds in the travel line item. Councilmember Jason Davis made a motion to deny the request for travel. The motion was seconded by Councilmember Servilican.

*Discussion:* Chairman Wright stated Robbin Scholl will be giving a financial update later on in the meeting and he suggested tabling the request until then. Councilmember Jason Davis then rescinded his motion to deny the request.

A motion was made and seconded to table the request from Johnnie Garcia. Votes were all in favor, ***motion carried.***

**3D Logistics:** Chairman Wright stated the Tribe was contacted by Denise Moyle who submitted a letter requesting permission to use land at Big Bend Ranch for a transfer station for hauling hay. The Tax Department and Environmental Department have been involved.

Denise Moyle explained that she is looking for a site for a transfer station. She would be hauling the hay from central Nevada which would then be offloaded at this location and then reloaded back on to trucks that would haul the hay to California. She is looking for a parcel of land that is flat to offload the hay and storing it for about 24-72 hours. She has been working with Gina Sander in locating an area and there is an area between the two corrals near the RV park that could work. She would be responsible for fencing the area if it would be needed.

Councilmember Jason Davis stated if the Tribe is going to have some sort of financial responsibility to upkeep the property, then there should be a lease agreement. Denise said she spoke with Gina Sander about a lease for a year so they are not locked into something. Councilmember Jason Davis clarified that they are looking for approval to move forward with the agreement.

Councilmember Jason Davis made a motion to move forward with the agreement with Denise Moyle of 3D Logistics. The motion was seconded by Councilmember Frazier.

*Discussion:* Councilmember Judith Davis asked if the Victim Services Program and the Treatment Center were made aware of this agreement. Gina Sander said she could speak with Mary Dodd about this project. Chairman Wright said Gina would meet with Victim Services, Tax Department and the Treatment Center to determine the impacts of the project.

Votes taken on the motion to move forward was 7 for and 1 opposed, with no abstentions. ***Motion carried.***

**Senior Request:** The Secretary stated Albert Phoenix submitted an emergency senior request but he had already received an allocation this year. The request is for \$147 to replace the water heater in his home. After a brief discussion, several Councilmembers would donate money for the water heater.

**COMMITTEE/DEPARTMENT ACTION REQUIRED**

**Enrollment Committee** – Carol Smith: Carol Smith, Enrollment Officer, was present with several items for Tribal Council action. She thanked the Tribal Council for allowing some time on the agenda for the presentation to Dora Garcia.

*Approval of Two Applications for Regular Membership:* Carol reported the Enrollment Committee is recommending approval of two applications for regular membership. Councilmember John made a motion to accept the recommendation from the Enrollment Committee for approval of the two applications for regular membership. The motion was seconded by Councilmember Servilican. Votes were all in favor, ***motion carried.*** **RESOLUTION NO. PL 68-08**

Chairman Wright then read the names of the individuals approved for regular membership: Cesar Caden Camarillo and Lucinda Sue Hay Valles.

*Relinquishment Request:* The Enrollment Committee is recommending approval of a voluntary relinquishment submitted for a minor. Councilmember Jason Davis made a motion to accept the voluntary relinquishment. The motion was seconded by Councilmember Janet Davis. Votes were all in favor, ***motion carried.*** **RESOLUTION NO. PL 69-08**

*Schedule Disenrollment Hearing:* The Enrollment Committee is recommending approval of a draft Notice of Hearing to schedule a disenrollment hearing for one individual who is dually enrolled. Councilmember Jason Davis made a motion to schedule the disenrollment hearing for November 7, 2008 and to approve the notice of hearing. The motion was seconded by Councilmember Servilican. Votes were all in favor, ***motion carried.*** Carol reported that as of tonight, there are 2,742 members and 337 deceased members and a total of 2,405 living members.

**Higher Education** – Anthony Sampson: Anthony Sampson, Higher Education Coordinator, was present with two requests.

*Transfer of Funding:* Anthony stated he is requesting approval to transfer funding for a student. The student was originally approved for funding to attend TMCC, however due to the unavailability of classes, the student was not allowed to register. The student is requesting to transfer the funds to Lassen Community College. The Education Committee is recommending approval of the request. Councilmember Judith Davis made a motion to approve the transfer of funding for this student. The motion was seconded by Councilmember John. Votes were all in favor, ***motion carried.***

*Appeal from Student:* Anthony stated a student was appealing the decision for denial of a CHE scholarship for not meeting the scholarship deadline. The student was not present. The application was incomplete. The policies state each student must submit an acceptance letter or class schedule with their application and this was missing from the student's application. He stated he made several attempts to contact the student in letter form and phone calls in order to advise the student of the needed documentation and he did send an email to the student about this meeting. Councilmember Jason Davis made a motion to uphold the Education Committee's recommendation. The motion was seconded by Councilmember Judith Davis. Votes were all in favor, ***motion carried.***

## Committee Vacancies

**Law & Order Committee:** Chairman Wright stated there are two vacancies on the Law & Order Committee and 2 applicants are interested in serving on this Committee. There were two individuals in the audience who would like to submit their name for this Committee. The Tribal Council discussed the deadline and the ability for a person to submit their name at the Tribal Council meeting. Councilmember Janet Davis made a motion to repost the vacancies on the Law & Order Committee. The motion was seconded by Councilmember Servilican. Votes were all in favor, ***motion carried.***

**Gaming Commission:** The Pyramid Lake Gaming Commission currently has two vacancies and there are four applicants: Anthony Sampson, Sr., William Wadsworth, Steven Wadsworth, and Gina Sander. The Tribal Council was instructed to vote for two people. Anthony Sampson, Sr. received two votes; William Wadsworth received 6 votes; Steven Wadsworth received 6 votes; and Gina Sander received 2 votes. William Wadsworth and Steven Wadsworth were appointed to the Pyramid Lake Gaming Commission.

**Contracts/Grants Administration – Sandra Hicks:** Sandra Hicks, Contracts/Grants Administrator, was here requesting approval of a resolution for a STOP grant submittal. Mary Dodd was unable to attend the meeting. The Violence Against Women Grant is funded through the State of Nevada Office of the Attorney General. There is no match required. Councilmember Servilican made a motion to approve the resolution for grant submittal. The motion was seconded by Vice Chairman Eben. Votes were all in favor, ***motion carried. RESOLUTION NO. PL 67-08***

**TRIBAL CHAIRMAN REPORT – Mervin Wright, Jr.:** Chairman Wright said Robbin Scholl, Comptroller, will give an update before he gives his report.

**Finance Update – Robbin Scholl, Tribal Comptroller:** Robbin distributed the fourth quarter projection report for the General Fund and explained the different amounts. She explained the license plate money had been posted to different accounts and the State has been adamant about this money being in its own account.

Robbin compared the 2007 and 2008 permit revenue and determined that there was a 7% decrease. She was real conservative in the projections. The Tribal Council discussed the format of the report and Robbin stated she would develop a report that is easier to read.

The Accounting Supervisor position was discussed. At the last Tribal Council meeting she attended, the Tribal Council had asked her to fill the position and this is a temporary appointment.

Robbin said she is still locating money and fixing errors. There were a lot of things that were not completed and the General Fund should be fine until the end of the year. More information will be available in October. Councilmembers Mendes and Judith Davis would like to review the budgets for each program.

Robbin said she has been sending financial reports to directors who request a report and she sends the reports via email. Chairman Wright stated there are some employees who use personal email accounts but these accounts are not official. Councilmember Judith Davis said the email accounts used must be the official account, because if an employee leaves, Technology would have the information.

She reported the 2006 audit is moving smoothly and is nearing completion.

**Travel Request for Johnnie Garcia:** Robbin stated there is money available in 072 which is Indirect funding that was not input into the computer. Councilmember Jason Davis asked if the money is available. Robbin stated the money will be transferred. Councilmember Servilican made a motion to approve Johnnie Garcia's request to attend the NCAI Conference in Phoenix. The motion was seconded by Councilmember Jason Davis.

**Discussion:** Councilmember John said the Tribe is in a deficit and are we going to continue to spend money. Robbin stated the Tribe is not in a deficit today.

Votes taken on the motion to approve Johnnie Garcia's travel were 5 for and 3 opposed, with no abstentions. ***Motion carried.***

**Indian Land Working Group Travel Request:** Chairman Wright stated he was invited to attend the 18<sup>th</sup> Annual Indian Land Working Group from November 10-13, 2008 in Tucson, Arizona. This is follow-up from the meeting that was held in Billings. He was asked to present the water rights settlement agreements versus negotiation, based on the Tribe's experience and what we just went through. Councilmember Frazier made a motion to approve the travel to Tucson, Arizona. The motion was seconded by Councilmember Jason Davis. Votes were 6 for and none opposed, with 2 abstentions. ***Motion carried.***

**Resolution on Enterprises:** Chairman Wright stated this resolution is regarding the Enterprises and the financial responsibility including audit requirements. The resolution states the Enterprises will be subject to the audits from 2009 and forward. The auditors have spoken to Duane Florez about the inventory that will occur on December 31<sup>st</sup>.

Councilmember John asked if the financial policies will include audits and Chairman Wright said he did receive copies of other entities' policies. She thinks the financial management policy need to be in place before this type of resolution is done and rather than piecemeal everything, it should be done at one time. Chairman Wright agreed with that.

**Health Insurance:** There was a meeting held with the A&H insurance broker and Health Plan of Nevada (HPN) and they are taking the next steps with regard to addressing the concerns and issues. The intention was to gather the information together and not to leave out the Health Clinic. He did meet with Cindy Curley today about what they are going to do with HPN. The next step is to meet with the Clinic, HPN, A&H, Human Re-

sources, and Administration.

**ITCN Poll:** Chairman Wright stated he received a request from the Inter-Tribal Court Appeals requesting a vote on grant funding from the Nevada Legal Foundation. He could make the decision, but no matter what he does, it may end up being an issue. He would allow the Council to decide what to do. Councilmember Janet Davis said because we don't have anything in place right now for an appellate court, so we should probably support this. Vice Chairman Eben said she did attend the interviews for the appellate court judges and received a packet of funding information for appellate courts and this same funding is available to tribes. The consensus of the Tribal Council was to approve the request.

**VICE CHAIRMAN REPORT – Carla Eben:** Vice Chairman Eben stated that her first request was approval of the Judicial Working Group's recommendations, but the report is not complete and another meeting will be scheduled for the working group. This item will remain tabled.

**Request to attend NCAI Conference in October:** Vice Chairman Eben said she is requesting approval to travel to Phoenix to attend the NCAI conference on October 19-24, 2008. Chairman Wright stated he will be attending the EPA Region 9 Conference during the same week and the Tribal Secretary will also be out that week. There was discussion about having the Vice Chairman in the office while the Tribal Chairman is out.

Councilmember Servilican made a motion to deny the request for travel. The motion was seconded by Councilmember Jason Davis. Votes were 6 for and none opposed, with 2 abstentions. ***Motion carried.***

Councilmember John made a motion to appoint Johnnie Garcia as the delegate to NCAI for the Tribe. The motion was seconded by Councilmember Judith Davis. Votes were 7 for and none opposed, with 1 abstention. ***Motion carried.***

**Grant Report:** Vice Chairman Eben stated she met with Jeraldine Magee, Court Administrator, to discuss the juvenile accountability grant. The grant was approved on September 27, 2005 for the amount of \$297,575. The grant period was October 1, 2005 through September 30, 2008. The grant's objectives were: 1) to promote the effective administration of the juvenile justice of the Tribe; 2) promote education and awareness of Tribal officials into issues of juvenile crimes and delinquency; 3) establish a juvenile court program on cultural and traditions of the Paiute people to foster healthy development; and 4) establish a Tribal advisory board on juvenile justice accountability issues.

In the review of the grant, Vice Chairman Eben informed the Tribal Council of her findings: 1) The Tribe hired court personnel to handle juvenile cases which is where most of the funding was allocated. The percentages are as follows: juvenile prosecutor 50%; juvenile defense advocate 50%; juvenile probation officer 75%; and court clerk 75%. 2) This objective included Tribal officials involved in issues where juvenile criminal and delinquency occurs. Juvenile probation provided two sessions for students and parents. 3) This objective was difficult because the Tribe does not have a cultural preservation department. 4) This objective was met by having court staff being included in the Tribe's Child Protective Team which met monthly and due to issues of confidentiality minutes were not kept and meetings were not open to the public.

Vice Chairman Eben stated her conclusion was that the grant met the majority of its objectives by establishing a separate court system. The Tribe will be returning money to the funding agency which was not spent at the end of the grant. This was money not spent on salaries when the juvenile judge, prosecutor, and advocate were changed to contractual per recommendation of the Internal Revenue Service. All narratives, statistics, and additional information were submitted to the funding agency.

## ADJOURNMENT

Councilmember Janet Davis made a motion to adjourn the meeting. The motion was seconded by Councilmember Mendes. Votes were all in favor, ***motion carried.***

The meeting adjourned at 10:50 p.m.

Submitted by,  
Gina Wadsworth  
Tribal Secretary

## SPECIAL TRIBAL COUNCIL MEETING OCTOBER 17, 2008

<b>Members Present:</b>	Mervin Wright, Jr., Tribal Chairman	Johnnie Garcia
	Carla Eben, Vice-Chairman	Janet Davis
	Judith Davis	Clayton
Servilican	Sherry Mendes	Genevieve John
	Jason Davis	Gordon
Frazier		

## CALL TO ORDER

Tribal Chairman Mervin Wright, Jr. called the October 17, 2008 special meeting of the Pyramid Lake Paiute Tribal Council to order at 6:35 p.m. in the Tribal Council Chambers, Nixon, Nevada.

## OPENING PRAYER

Chairman Wright explained this agenda item would be addressed as it was at the last meeting, and encouraged those present to follow their own beliefs.

## ROLL CALL

Roll call was taken by Carol Smith, Acting Secretary. All Tribal Council members were present at roll call and a quorum was established for the meeting.

## APPROVAL OF AGENDA

A senior request was added under Unfinished Business. The presentation from 3D Logistics was removed from the agenda. A motion was made by Councilmember Janet Davis and seconded by Councilmember Garcia to approve the meeting agenda with the noted changes. Votes were all in favor, *motion carried*.

## PUBLIC COMMENT

*Terrylee Sampson:* Request from Terrylee Sampson to be added to the agenda for a presentation regarding the court. Councilmember Mendes amended the motion and seconded by Councilmember John to approve the meeting agenda and add a presentation from Terrylee Sampson under New Business. Votes were all in favor, *motion carried*.

*Duane Dunn:* Duane Dunn discussed his concerns regarding the range fences and the enforcement of trespass laws on the range. He also discussed issues with the Cattlemen's Association and funding discrepancies from the past projects administered by the Environmental Department.

## CONSENT AGENDA

The following items were approved under the Consent Agenda: 1. Invoice – Robert Maddox and Associates; 2. Invoice – Hester and Zehren. The third item from Human Resources was moved and placed under Committee/Department Reports – Action Required. A motion was made by Councilmember Judith Davis and seconded by Vice-Chairman Eben to approve the items on the Consent Agenda with the exception of item no. 3. Votes taken were all in favor, *motion carried*.

## UNFINISHED BUSINESS

*Senior Emergency Request:* Chairman Wright presented a request from Phyllis Henry which had been recently approved by Council. The amount quoted from the vendor was lower than the actual amount invoiced upon delivery of propane. The amount of \$45.00 needs to be paid to the vendor. There is a total of \$793.98 left in this line item. A motion was made by Councilmember Janet Davis and seconded by Councilmember Frazier to approve payment of the difference in the amount of \$45.00 provided the paperwork is in order. Votes were all in favor, *motion carried*.

Vice-Chairman Eben mentioned the pricing from Ferrell Gas and is working with Finance to have them deliver out here for senior emergencies since their price is lower. Councilmember Janet Davis noted that some of the tanks are owned by different propane companies.

## NEW BUSINESS

*Business License Request – Arnold McGuire:* Requesting to open and operate a tax preparation service in Wadsworth. Councilmember Judith Davis asked if the request had been reviewed by the Tax Department for a business license. This was not known. A motion was made by Councilmember Judith Davis and seconded by Councilmember Jason Davis to table the request from Mr. McGuire and that he follow the correct procedures to secure a business license. Votes were all in favor, *motion carried*.

*Other:* Councilmember Servilican asked about the fencing and trespass concerns discussed earlier by Duane Dunn and if anything was going to be done. The Cattlemen's Association has not been providing reports or minutes of their meetings. Chairman Wright stated he will contact the Association and request that they submit a copy of their meeting minutes from now on. Councilmember Jason Davis discussed the stance of the Association with regard to the boundary and interior fences. Responsibility for costs to maintain the fences has not been determined.

Duane Dunn brought up further concerns regarding the range. The concerns were responded to by Councilmember Janet Davis. Chairman Wright called for order at this time.

Councilmember Judith Davis stated there needs to be a working group developed with the Environmental Department, the Cattlemen's Association, Fisheries, and the Tribe to find answers to the questions that have been raised. Councilmember Mendes stated that the Tribe needs to talk to the BLM and BIA about a partnership and get the work done because we all agree that it is a hazard and a big financial responsibility.

*Presentation – Terrylee Sampson:* Council was provided with copy of the appellate court decision in Terrylee Sampson's case, which was ruled in her favor. Terrylee Sampson noted that the case could be discussed since it is now closed. The court procedures were violated. Terrylee Sampson discussed her concerns regarding the conduct of court staff and various violations that had occurred in her case. Councilmember Judith Davis noted that the Tribal Chairman and Tribal Secretary were not provided with a copy of the information distributed to the Council by Terrylee Sampson, and requested that a copy be provided for the official records to support the minutes. Chairman Wright stated he would secure a copy from the Vice-Chairman.

At the time Chairman Wright acknowledged the efforts of the First Responders in saving a young child's life at Natchez School. A letter was provided to the Council from Terry Bohl, Emergency Response Coordinator. Chairman Wright stated that Fred Davis and Ginger Howard were the first to arrive on scene, followed by Officers Depaoli and Gagne. Chairman Wright noted that there needs to be some type of commendation for efforts such as this. Councilmember Judith Davis stated there needs to be something

done to recognize such efforts across the board.

Councilmember Servilican asked about the two trucks up in Washington State. Terry Bohl explained that a plan is being developed for fundraisers to address this and get the trucks brought down. Council discussed the status of the cleanup at the state yard. Vice-Chairman Eben discussed the High School's plan for an auction to get rid of excess equipment and the items at the state yard were going to be included as well. An inventory list and follow through are needed to get this taken care of. It was requested to check the meeting minutes for the last discussion regarding this item. Council discussed department fundraising efforts and where the proceeds are placed in the budget. Written procedures are needed to address fundraisers by the departments which will clarify where the funds will be placed.

## COMMITTEE/DEPARTMENT REPORTS – ACTION REQUIRED

**Election Committee** – Karole McQueen: Election Committee Chairperson Karole McQueen presented the Committee's recommendations. The first recommendation is to schedule the tribal election date for Saturday, December 27, 2008. The second recommendation is to set the deadline for candidacy and the voter's list for Friday, December 12, 2008, and to schedule a special tribal council meeting that evening, to certify the list of candidates and the voter's list.

A motion was made by Councilmember Janet Davis and seconded by Councilmember Judith Davis to accept the Election Committee's recommendations as presented. Votes were all in favor, *motion carried*.

Councilmember Frazier asked about "none of the above" appearing on the ballot. It was noted that the Election Committee did not present a recommendation for this.

**Pyramid Lake High School** – Randy Melendez: Written report submitted. Principal Melendez not yet present. Chairman Wright explained the request from the High School to fund a full-time Finance Officer for the school. Council discussed the difference between the Administrative Cost Grant for the High School and the Indirect Cost Pool used by the Tribe. This was explained further by Della John, Tribal Administrator. Principal Randy Melendez and Peggy Lorge arrived during the discussion and presented further information regarding the request. Council reviewed a recap of all funds received under the Administrative Cost Grant by school year, along with a copy of PL 100-297 Conditions and Provisions for grant schools. The Board of Education has given its support for the request. Principal Melendez discussed the school's carryover amounts and the status of the Tribe's audits which has affected the school's ability to collect reimbursement under the State of Nevada Food Program for the past two years.

Council noted that approval was given previously for the school to hire a Finance Officer as there is a need for the position. Chairman Wright told Principal Melendez to complete a job requisition to begin the process to advertise for the position as it will need to be coordinated through the Human Resources department. A motion was made by Councilmember Judith Davis and seconded by Councilmember Servilican to approve the school's request to advertise for a full-time Finance Officer for the High School, using a portion of the school's Administrative Cost Grant. Votes were all in favor, *motion carried*.

Council clarified that the position would be located at the High School.

Principal Melendez gave an update on the status of the revised policies for the High School which is currently under review by Wes Williams. A final document is anticipated to be presented to the Board of Education for approval at the November meeting.

**Land & Resource Committee** – Jolyne Sander: Committee Chairperson Jolyne Sander presented the following recommendations on behalf of the Committee:

Dion Barlese: Requesting his father's (Milton Barlese) assignment of 46.196 acres in Nixon. No objections have been filed and the Committee recommends approval. Council discussed the need for the land description on the applications to match the mapped legal description. A motion was made by Councilmember Frazier and seconded by Councilmember Jason Davis to approve the land assignment application of Dion Barlese as recommended by the Committee. Votes were all in favor, *motion carried*. **(RESOLUTION NO. PL 70-08)**

Frederick Jeremy John: Requesting 10 acres in Wadsworth. Council noted the land description needs to be included on the application as discussed earlier and should be included on all applications. A motion was made by Councilmember Jason Davis and seconded by Councilmember Janet Davis to approve Frederick Jeremy John's land assignment application as recommended by the Committee. Votes were all in favor, *motion carried*. **(RESOLUTION NO. PL 71-08)**

Dawna Frazier Brown: Requesting 5 acres in Sutcliffe for a homesite. Council noted that the land assignment ordinance requires that homesites are to be one acre. A motion was made by Councilmember Jason Davis and seconded by Councilmember Judith Davis to deny Dawna Brown's land assignment application as recommended by the Committee. Votes were 8 FOR and 1 ABSTENTION (G. Frazier), *motion carried*. **(RESOLUTION NO. PL 72-08)**

It was recommended that Dawna Brown re-file an application and specify what the land will be used for if other than a homesite since she applied for 5 acres or repost the application for 1 acre only.

**Police Department** – Erin Calvin: Written report submitted. Chief Calvin informed Council that the presentation previously scheduled was cancelled to allow more time for preparation. Chief Calvin presented a budget for the Indian Highway Safety Program in the amount of \$205,000. There is no match required. A motion was made by Councilmember Judith Davis and seconded by Vice-Chairman Eben to approve the program budget as presented. Votes were all in favor, *motion carried*.

Councilmember Servilican asked about funding for the ranger positions which are greatly needed. Chief Calvin explained the positions are requested in the budget but are not always funded for the number of positions that are needed.

Councilmember Judith Davis asked about the revenue from the Wadsworth Justice Court. Chief Calvin discussed her plan to hold the funds collected for this year and apply the funds towards next year's budget. It was noted that the MOU in place currently states that the funds are to go to the Police Department. Councilmember Judith Davis asked about the DOJ application that had been denied. Chief Calvin explained this is a yearly grant and the Tribe did not receive the grant this year. A formal letter of denial has not yet been received.

**Health Department** – Cindy Curley: Written report submitted. Health Director not present. Debbie Barlese, Office Manager presented the request on behalf of the Health Department. The department is requesting approval to award a bid in the amount of \$18,000 for replacement of the Clinic's doors and windows which are damaged and worn, and to make the doors handicap accessible to meet accreditation requirements. A motion was made by Councilmember John and seconded by Councilmember Servilican to approve the bid amount of \$18,000 as requested. Votes were all in favor, *motion carried*.

**Human Resources** – Billie Jean Guerrero: Written report submitted. This item was moved from the Consent Agenda for discussion. There was no one present from the Human Resources department. The department is requesting approval to classify a Child Care Director position due to an increase in responsibilities. The classification has been recommended for approval by the Personnel Committee. Council discussed concerns regarding the stability of funding for the position and minimum qualifications.

A motion was made by Councilmember Judith Davis and seconded by Councilmember John to table the request until further information is received regarding the funding. Votes were 8 FOR and 1 ABSTENTION (C. Eben), *motion carried*.

**TRIBAL CHAIRMAN'S REPORT** – Mervin Wright, Jr. Written report submitted. **Calleo Entertainment Contract:** Chairman Wright stated he would not need action on the Calleo contract unless the Council feels it necessary to approve it. Chairman Wright discussed the process for accessing funding for the contract. The Appropriations Committee has not been able to meet to make a recommendation regarding the request. Councilmember Judith Davis asked for a clarification on the process as Chairman Wright had stated the funding was from the tax spending plan but that the request would have to go to Appropriations. She asked if it would need to first go to the Tax Commission. Chairman Wright replied no, because now the funding is with the Tribe, the funding has already been transferred to the Tribe and the Appropriations Committee hasn't had a meeting to discuss the request.

Councilmember John asked about financials to cover the request which were to have been provided. Chairman Wright explained he did talk with the comptroller about this earlier and she had asked what it was that the Council wanted. The comptroller did show him the entire report that they use which is about three volumes and he told her that was not what the Council wanted. The comptroller was busy this afternoon and was not able to produce the reports. Chairman Wright stated one of the things he would like is for the Council to establish the first of the month for the financial report to the Tribal Council. With Water Resources, they are going to be scheduled for the special meeting with the water team on the third week of the month. That is the idea there, to include the Finance Report with Enrollment at the first meeting. Chairman Wright asked Council how they wanted to proceed with the contract request. A motion was made by Councilmember John and seconded by Councilmember Jason Davis to table the request until the Council receives information on where the funding will actually be coming from. Votes were 8 FOR and 1 out of the room (S. Mendes), *motion carried*.

**Tribal Court:** Chairman Wright discussed a letter he sent to the Phoenix Area Office regarding the claims of civil rights violations in the court. He is asking the Phoenix Area Office to assist and conduct a civil rights' violation analysis directly associated with final dispositions rendered for both civil and criminal cases in the Tribal Court. Chairman Wright mentioned his discussion with Fred Drye at the Bureau and Fred Drye did say that they have services available to this effect. In talking with the Court Administrator, the Tribe needs to come to finality with this issue and have a conclusive determination of whether civil rights have been violated within the tribal court.

**Budgets:** Chairman Wright reported that the budgets were completed and submitted. A budget was completed for the Chairman's office, the Tribal Council, and the Gaming Commission. The budget disks were distributed earlier today. The budget is a work in progress right now. The issue of funding the Vice-Chairman's position has come up every year. A determination has not been reached as to what type of analysis will be conducted although it was discussed last year. There are a number of different models out there. The information is out there now regarding some of the impacts and this can be taken into account as they proceed. The other question is who will be conducting the analysis. That has not been determined. It will end up back before the Council once complete.

**Vice-Chairman Position:** Councilmember Servilican asked about the Vice-Chairman position as when it was first brought up, the following year there was supposed to be follow through with an upgrade on the job description. Since the Council has been sitting here, nothing's been done. It's been talked about at the Council here but how far has it gone? Chairman Wright stated they'd like to get it done this year. There is a performance assessment similar to what the BIA programs undergo. There are a number of models out there to determine effectiveness, efficiency, performance. It will come down to one model and a recommendation will be made to the Council. In looking at the minutes from 2004 when the budget was approved, it was really inconclusive to know the who, what, when, how all this was to be done. What has to be done now is to put those parameters together so it can be determined how they are going to go about doing this. Councilmember Frazier asked if this would come up before or after the elections. Chairman Wright stated he would like to get the budget approved by mid-

December. Councilmember Frazier stated this will affect the applicants who run. Chairman Wright agreed.

**Health Insurance:** Chairman Wright reported on the Health Plan of Nevada issue. There has been some significant progress. The Tribe received a written report from Health Plan of Nevada and A & H Insurance, Inc. A meeting will be held with Administration, the Clinic, and Health Plan of Nevada. A majority of the issues have been identified and some of the issues have been resolved. A final report will be presented to the Council once complete. Discussion followed regarding using the Health Clinic as a preferred provider, and whether or not insurance companies accepted the Health Clinic as a preferred provider. Chairman Wright stated this has been a problem and Health Plan of Nevada has addressed that and it is one of the issues that have been resolved. The only problem with the Clinic is there is no permanent doctor. That is a serious problem that has impacted some of the claims that have been filed. There are certain criteria that any health insurance company holds to a provider, whether they have credentialed licenses and things of that nature. When there are providers that do not have that, then the claim is going to be denied.

**High Desert Recreation:** Chairman Wright reported on the High Desert Recreation mediation and the process with the Ninth Circuit Court of Appeals. A counter-proposal has been submitted to High Desert and they need to accept it or reject it. If they accept it then it needs to be brought before the Council for acknowledgment. Then we move forward and the litigation is dropped. Chairman Wright should know more by Monday.

**Ranger Station:** Council discussed the relocation of the Ranger Station back to the Marina building by the end of the year. Chief Calvin discussed the plans for renovating the space for security. The Ranger Station needs to be moved as the costs for maintaining the trailer is excessive and there is no running water. Councilmember Jason Davis asked about the thermostat as it was controlled from the store side of the building. Chairman Wright reported that Terry Bohl has been looking into this and will be meeting with Sierra Pacific Power Company next week to discuss separating the systems. The roof will be repaired next week and will be under warranty for at least one year. Once the roof is repaired then those items can be put back on display or returned to the Tribe. They are looking at possible roof replacement next year. The Tribe is obligated under the lease to do that. Chief Calvin asked for clarification if High Desert would be responsible for utilities when it is separated as it is still under the lease. Della John stated the Tribe also pays the insurance for the tank there. Chairman Wright stated if the opportunity arises to renegotiate the lease, the Tribe will take advantage of that opportunity. There are certain terms and conditions that the Tribe would want to see in the lease and there are things that HDR is going to want to see in the lease.

**Crosby Fishing Derby:** Chairman Wright presented a permit application from Fred Crosby for a fishing derby to be held for two separate weekends in February. Della John presented recommendations from the Regulations Working Group regarding the application and discussed the lack of required insurance as the applicant did not want to provide this information until it was certain that the event would be held. Council discussed the fee amount previously set in February and costs for overtime and for providing additional services to accommodate the event.

A motion was made by Councilmember Judith Davis and seconded by Councilmember Frazier to approve the derby permit application as presented as the Council has not had any meetings to change the permit. Before a vote to the motion, Council discussed the length of the derby as the applicant had requested to hold the derby on two separate weekends. It was noted that the regulations state derbies are for two days only.

Chairman Wright clarified that the motion was to approve the permit as presented and it is for two weekends, however, the regulations state one weekend only. Councilmember Judith Davis amended her motion to reflect the dates approved to be for President's Day weekend only. Councilmember Gordon Frazier amended his second to the motion. The applicant will need another application for the second weekend. Votes were 7 FOR and 2 ABSTENTIONS (Janet Davis, S. Mendes), *motion carried*.

Councilmember Mendes clarified her abstention was because if the regulations state that insurance is required then the insurance should be current and if it is requested ahead of time it should be provided. There should be some form of cooperation.

**Law & Order Code:** Chairman Wright discussed the status of proposed revisions to the Law and Order Code and requested that the Council consider the code for adoption and establish deadlines. Councilmember John requested a copy of the document. Jolyne Sander from the Law and Order Committee asked Chairman Wright if he was referring to the entire code or just the traffic code. The Committee has only reviewed the traffic code. There is still a lot of work needed. When the judge had been contracted to write that, the amendments that had been done in the past were not incorporated into the revised version. The Committee has gotten way behind due to the complaints issue and has only reviewed the traffic section. Chairman Wright stated he is requesting to get this moving on a faster track. There needs to be some deadlines put out there to enact the code. Jolyne Sander requested that the Council remind the Court that there is still a code and resolution in place that need to be followed, until this draft is adopted and a resolution is approved by the Tribal Council.

**Executive Session:** At this time, a motion was made by Councilmember Jason Davis and seconded by Councilmember Janet Davis to enter Executive Session. Votes were all in favor, *motion carried*.

The Council moved into Executive Session at 9:25 p.m.

A motion was made by Councilmember Mendes and seconded by Councilmember Judith Davis to exit Executive Session. There was no vote taken. Council moved into open session at 9:40 p.m.

**VICE-CHAIRMAN'S REPORT** – Carla Eben. Written report submitted. **Judicial Working Group:** Vice-Chairman Eben distributed and reviewed a recap of recommendations from the judicial working group regarding the complaints that were submitted. Councilmember John requested that a meeting be held with the judicial staff, the Law and Order Committee, and the Tribal Council to review the recommendations and discuss the Council's expectations. Jolyne Sander noted that on the 30 findings from the complaints, a total of 27 of the findings were found to be valid. She is working on a report and will provide this to the Council. Council discussed the status of the juvenile court, and the problems with not having a separate juvenile system. Jolyne Sander discussed the need to hire a Juvenile Probation Officer as soon as possible. She also noted that from the working group's investigation, approximately 70% of the grant was followed.

A meeting date was not scheduled as staff were not present.

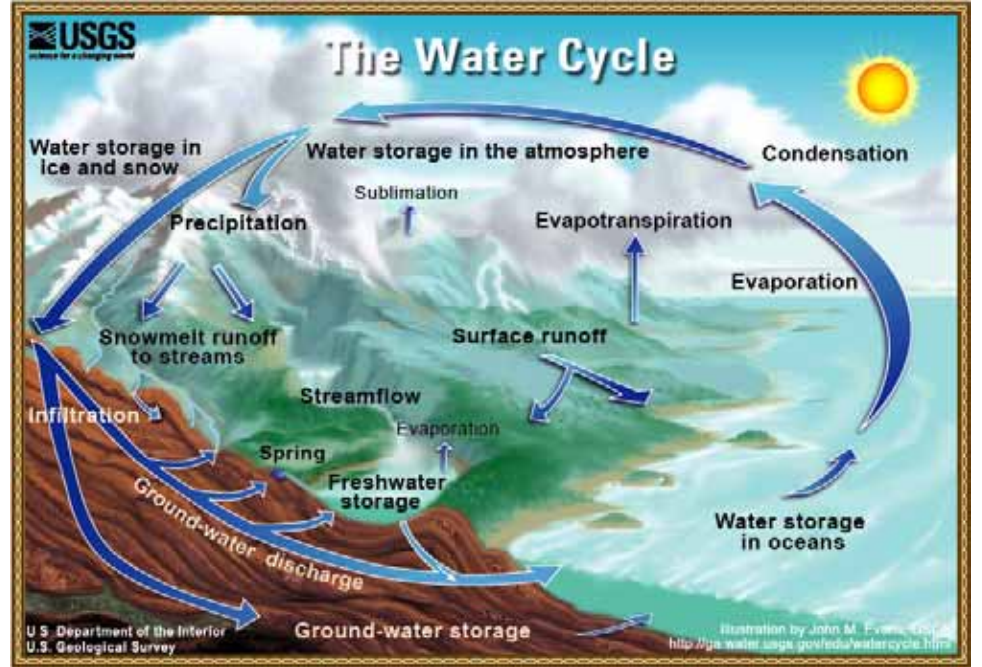
*Other:* Anissa Anaya asked about using the Tribe's tax identification number to establish her group as a non-profit group. She also distributed a flyer for an upcoming reading group activity for Halloween. Chairman Wright advised her to submit a written request for Council consideration.

**ADJOURNMENT**

A motion was made by Councilmember Jason Davis and seconded by Councilmember Frazier to adjourn the meeting. Votes were all in favor, *motion carried.*

The meeting adjourned at 10:05 p.m.

Minutes taken and submitted by,  
Carol Smith,  
Acting Tribal Secretary



Above is the common diagram of the water cycle. This is self explanatory and it displays the relationship between all water that exists within a regional watershed. Depending on the size of the watershed, water availability depends on the continual cycle of water evaporation, precipitation, runoff, and groundwater.

**Increasing Demands and Climate Change Tap Limited Resources**

As decision-makers and stakeholders increasing demands upon precious water resources will bring about pressures to share water amongst water users of the west. As the water supplies shrink due to climate change and other natural conditions cities, counties, states, tribes, and the federal government are obligated to seek methods to cope with limited resources and increasing demands.

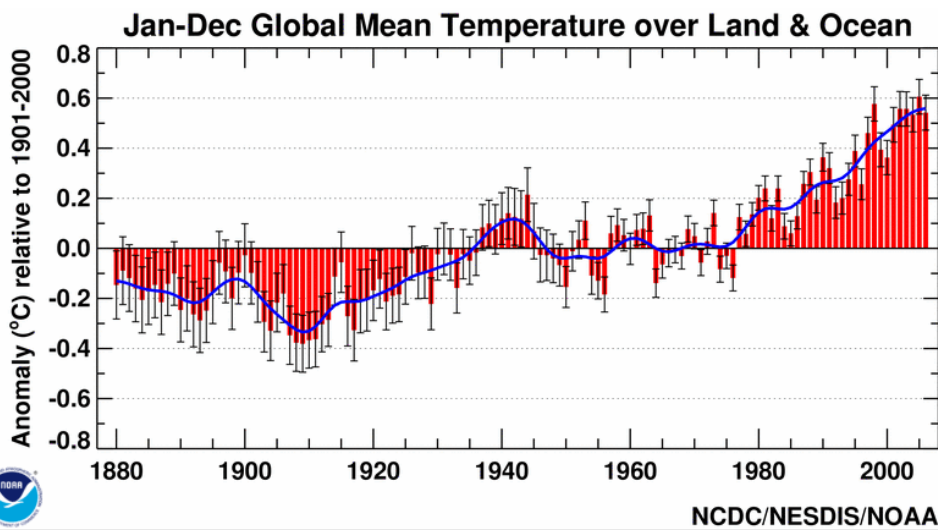
One of the most critical impacts accompanying water scarcity is water quality degradation. Fresh water supplies have limited capacity to process the pollutant charges of the effluents from expanding urban, industrial and agricultural uses. When drought conditions persist, and easily recoverable groundwater reserves are depleted decreased precipitation and runoff results in a concentration of effluent in the water, which leads to an increased microbial load in waterways and drinking-water reservoirs.

One of the most significant sources of water degradation results from an increase in water temperature. The increase in water temperatures can lead to a bloom in microbial populations, which among other things can have a negative impact on human health. Additionally, the rise in water temperature can adversely affect different inhabitants of the ecosystem due to a species' sensitivity to temperature.

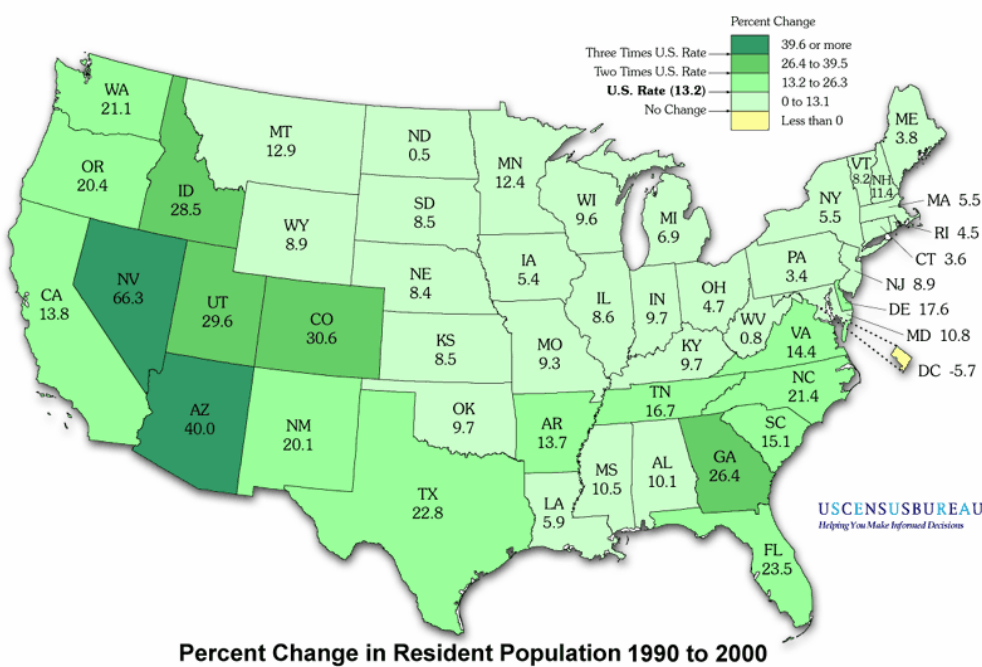
This presents a difficult situation for water users. Creative methods to resolve longstanding conflicts over water is needed as litigation costs are high, federal facilities are old, and laws and regulations are outdated and can not accommodate the necessary means of resolution. Stakeholders need to recognize their interests, understand their demand, and accept their means to cope with one and other.

Historical wrongs of the past and longstanding contention are not positive methods to look forward to new beginnings.

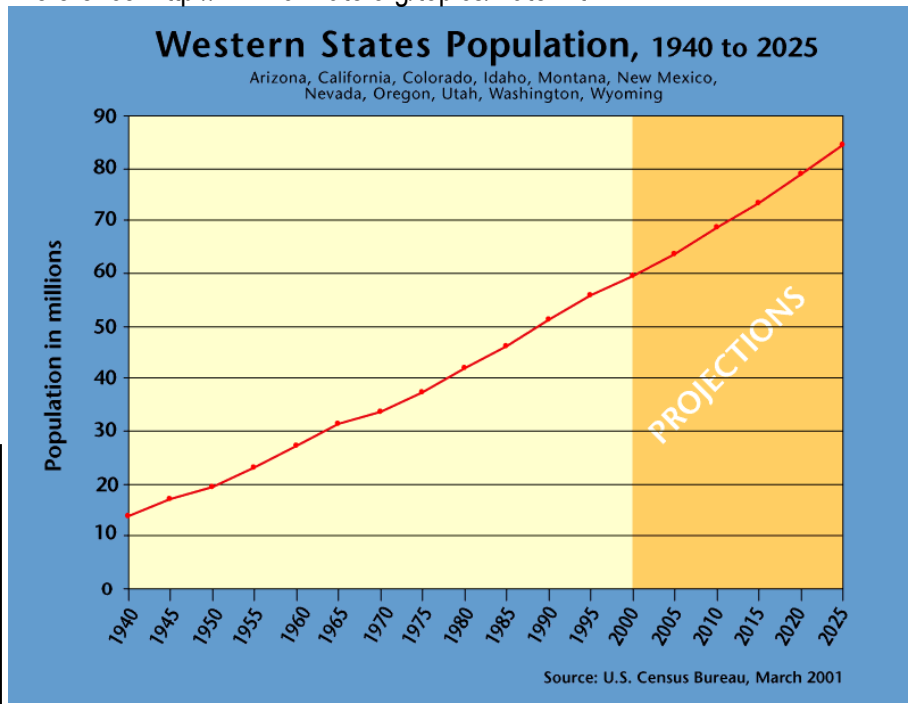
Reference: <http://www.climate.org/topics/water.html>



This dramatic graph displays the global mean temperatures over time. Climate change and the greenhouse effect results in the increase of global temperatures. From 1998 to 2006 were the warmest recorded temperatures. Since 1880, the global average temperature increased 1.7°F.



This data shows the increase in population for each state in the union. Nevada had the highest rate of increase in population for entire country. Population increases are projected to continue to rise as you see to the right—projected growth. This is important as more people move to western states, it will certainly add to the pressures of water resources and necessity to conserve, preserve and protect vital resources.



## 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.

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- 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](mailto: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

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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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