



# NUMUWAETU NAWAHANA

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

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## FROM THE CHAIRMAN'S OFFICE....

I would like to first wish you all a happy new year and hope that all is well with you and your families. Secondly, on behalf of the Tribal Administration I would like to apologize for the delay in restarting the circulation of our tribal newspaper. Due to the unfortunate 2007 budget projection the tribe was forced to make budget reductions in July 2007 that forced cuts in tribal services. Now that the operating budget has realistic opportunity, we are able to restore and restart the newspaper.

Much has occurred since last summer and I will summarize from the Chairman's office on the issues that have been addressed and the issues that we continue to work on. It is clear that the role of the Tribal Council and responsibility of the Tribal Administration requires clarification and through the localized work, changes will be proposed in hopes that duties can become efficient and time spent will be effectively applied.

Tribal finance is the heart and foundation of any business operation. Compliance, achieving and maintaining compliance is a key to success. Changes are being made to the financial management of the tribe's financial resources and it is based entirely on performance measurement. The tribe's assets must be protected and the debacle of mismanagement has been discovered and it is the basis for needed changes in operations. The mistakes are being corrected and the operation is managed where mistakes will not be repeated or the same unorganized mismanagement will not occur.

The financial audits were delinquent but much has been done to achieve meeting the Office of Management and Budget (OMB) requirements, namely A-133 Circular obligation for annual audits. For 5 years the audits were not completed, and the tribe had suffered from agency scrutiny, audits, and sanctions. At this point many of the funding agencies are working with the tribe to address findings and corrective measures. The 2002 through 2005 audits were completed and now the 2006 and 2007 audits are underway.

In order to experience success we must understand three principles – where we've been and what has brought us to this point; what we are facing; and where and how we proceed into the future – past, present, future. As difficult as it may be the past operations must be accepted to know why we face today's condition and consider making decisions for better things in our future.

Accountability is a term that was frequently used and neglected but it is now being applied and it will be enforced. Forensic audits are being conducted, as much funding was transferred, mismanaged, and abused. Financial abuse has gone on for too long and our operations are catching up with reporting and are building safeguards so that abuses will no longer occur.

The Tribal Vice Chairman stepped down in October when it was discovered that impropriety occurred with regard to a mining venture with the Tribe. A State investigation found that the president of Mine Central committed securities fraud. This investigation implicated the Tribal Vice Chairman. A scheduled hearing is set for February 27, 2008 where testimony will be offered to defend the Tribal Council with regard to Mine Central's relationship with the Tribe.

The Tribal Council has continued its effort to address the requirements of Public Law (PL) 101-618 and the Economic Development Plan. The Economic Development Committee is tasked with the job of developing the tribal economic development plan that is required by PL 101-618. The document distributed two years ago resembles that of a distribution plan, which is now being used as the foundation of the economic development plan. Much work is still needed, but it is intended to be completed this year. All of the questions raised at the public meetings will be published in an upcoming edition of the Tribal newspaper.

The Truckee River Operating Agreement (TROA) negotiations are complete and the Environmental Impact Statement has been released. The tribe will be scheduling a referendum election for the approval and ratification of TROA. The Department of Water Resources will be scheduling a series of public meetings for presenting the TROA and all that it presents for the Tribe. If you have waited to ask your questions about TROA, the time is here.

The Tribe is considering gaming development. Although our reservation is in a gaming State, we are looking to be creative with ideas for possible gaming development. Any venture will be authorized by the Tribal Council. The tribe's Gaming Commission will be required to enforce the regulatory requirements of any gaming operation on the reservation. The Tribe is also moving forward with negotiating a new gaming compact with the State of Nevada. All of this is ongoing with hopes that the opportunity to capitalize on gaming development will provide the tribe with a new source of revenue.

An issue that tribal members are involved with is our legal system. It involves our law enforcement and our tribal courts. Law and order is a responsibility of our tribal council, but it is more so a responsibility of our tribal membership. It is not my obligation to express one's behavior, but as laws and rules are in place to follow we should try our best to avoid the legal system. The Tribal Council established a principle not involve itself with open cases which supports the segregated operation of the judicial arm of our government.

In 2007 the Tribe amended its fishing and camping regulations. These amendments are destined to support good regulation and business management of the lake resources and are aimed to protecting the conserving the lake resources. Much work has been applied to support the amendments and the justification is to protect our lake resources.

The Tribal election system is not perfect but changes will be proposed to bring about more effective function and to increase voter participation. Although there is an eligible voters list, there are more voters who can be added and who would be encouraged to participate. From 2006 census information, there are approximately 540 adults over the age of 21 residing on the reservation.

The election ordinance can be amended to streamline the election system. These could include voter registration and conducting a primary election. This will provide a "simple majority" principle can be applied instead of just having a general majority declaring a winner. In years past the votes are split amongst as many as 6 candidates and the winner may receive 20% of the votes while the other candidates receive the remaining 80%, so one way it can viewed is that the majority votes went to those who did not win the election. So when, "the People have spoken," 80% voted against the "winner."

Along with the election revisions it brings questions involving the Tribal Constitution and By-Laws. There is one amendment that would increase voter turn out – allowing 18 year olds the right to vote. Currently there are about 100 individuals between the ages 18 and 21 years old. So adding this to the 540 adults, there would be about 640 eligible voters. Remember strength is in numbers. There is much to say about supporting our 18 year olds with the right to vote, the most prominent being is that 18 year olds are treated as adults through any general legal system. Our government should do the same and treat our 18 year olds as legal adults.

### Inside this issue:

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#### Pyramid Lake Tribal Council:

Mervin Wright, Jr., Tribal Chairman

Carla Eben, Vice Chairman

Members: Gordon Frazier, Janet Davis,

Johnnie Garcia, Jason Davis, Genevieve

John, Judith Davis, Sherry Ely Mendes

Gina Wadsworth, Tribal Secretary.

Regular Tribal Council meetings are held on the first Friday of each month at 7 p.m.

From the Chairman's Office continued....

Other potential constitutional amendments include extending Tribal Council terms to four years. This will provide the Tribe the opportunity to continue its work and not change direction every two years. It can be argued that this is why no significant change has occurred for as many as three decades. As the tribe starts in a direction it changes each two years. The extension of the term limit can provide the tribe necessary time to make significant changes. Also codification of fundamental legislative duties can also protect from changing every time the administration or council changes.

The one year residency requirement has posed many problems for our elections. It is in fact impossible to prove that each eligible vote has resided on the reservation for "no less than one year continuously." Therefore the voter registration process will be able to accommodate the requirement for voter eligibility. Just as in the general election, voter registration is a privilege, but to vote is a right. Each resident of the reservation will be provided the opportunity to register to vote and they would be encouraged to register. The voter registration process would enable eligible voters and it would be the Tribe's obligation to register voters rather than placing the burden on the voter to write their letter.

Another amendment is to increase the time frame for leases. Currently the Tribal Constitution states lease can only be approved at 5 years. There are a number of current leases that extend beyond the 5 year limit. Any lease is required to obtain BIA approval, and therefore bringing the language consistent with current conditions will be beneficial.

The extension of term limits will certainly need to accompany an amendment to the removal clause. Many people have expressed displeasure with the thought that there could be impropriety and the tribe would be stuck with the elected person. The removal clause will support the governance of elected officials and provide a clear procedure for the Tribal Membership and the Tribal Council.

The concept Separation of Powers, or the Delegation of Responsibilities exists with organized government and our tribal government may not be an exception. In 1934, the federal government gave tribe's the opportunity to organize a government, and through this organization the three branches of government are contained in the governing document – the Constitution and By-Laws. So to define the separation and delegation work will be applied to build into our government the support it needs to be effective.

Now that the tribe has evolved with time, the simple framework requires adjustment and further evolution to meet the business and corporate needs of today. The business need of the tribe may not be entirely adequate as procedures are not defined to meet business and corporate expectations. In addition many layers of bureaucracy have been created and it seems that as problems arise it must be taken through these layers of red-tape before a solution is discovered.

I will continue to work toward building an efficient and accountable government. I appreciate your continued support and I will strive to continue effective communication with you.

Thank you,  
Mervin Wright, Jr.  
Tribal Chairman

# DEPARTMENT NEWS

## NEWS FROM THE DEPARTMENT OF WATER RESOURCES

By John Jackson, Director

### 2008 IRRIGATION SEASON

The 2008 Irrigation season looked grim in December with low snowpack and low reservoir storage. Then January brought above average precipitation and snowpack to both the Truckee and Carson River Watershed. The end of January brought both watersheds to 100% of normal for the year.

This means that the 2008 Irrigation season will be at full water entitlement. I have had discussions with some farmers about the term full water entitlement. In a year that is below 100% of normal the Federal Water Master has the ability to determine if the irrigation is going to be 100% full water entitlement or something lower. The determination is based on water right holders demand and the available water for the year.

The Tribe's water entitlement is 4.71 acre feet per acre of irrigated acre. If the Federal Water Master determines that it is a 50% entitlement year then the irrigation season will only be scheduled for half of the 4.71 af or 2.35 af per acre.

Since we hold the most senior water rights in the watershed then we are first to receive the whole reduced water right and most likely guaranteed to receive it. The other water right holders may not get the reduced water right.

### IRRIGATION MEETING

An Irrigators meeting is scheduled for April 9, 2008, to discuss the new water year and develop the irrigation schedule. The meeting will be held in the Tribal Chambers starting at 7:00pm.

The 2008 Irrigation Season is scheduled to begin Friday April 18<sup>th</sup> and will end on October 1<sup>st</sup>.

The DWR will outline a different style of scheduling irrigation deliveries this year to try to make it more efficient so we don't end up with a short irrigation season. The new system will put more responsibility on the ditchrider to efficiently deliver water to the irrigators. All irrigators will be assigned delivery dates and times based on the availability of the water both in the Truckee and the canals. This may take some getting used to because it puts more responsibility on the farmer to be prepared when the water is scheduled for delivery. It is not going to be first come first serve.

NEWS FROM THE DEPARTMENT OF WATER RESOURCES continued.....

### CLAIM 1&2

The Lower Truckee River is more complex now than in the past. The Tribe uses all of the Claim 1&2 water rights now. In the past we could only use that portion of our water rights that was being used for irrigation. This amounted to about 7,500 af of water rights allocated below Derby Dam. The rest, 22,500 af, went to the Claim 3 water right holders (TCID) which was diverted at Derby Dam when Federal Regulations (OCAP) allowed it. OCAP is designed to determine diversions at Derby Dam based on the watershed of the Carson River and it's ability to fill Lahontan Reservoir.

The Tribe now uses all of Claim 1&2 water rights by transferring the beneficial use of the unused portion to instream flows for the benefit of wildlife and Pyramid Lake. We will soon have the water rights of the Water Quality Settlement Agreement transferred the same way.

So in the past, in drought year we had only 35 cfs in the Lower Truckee River for irrigation plus releases from Stampede Reservoir for the benefit of the Pyramid Lake fish. Now we have other water rights in the Lower Truckee River such as instream flow water, Stampede water, WQSA water, and irrigation water. This all adds up and sometimes we have as much as 170cfs in the Truckee during the drought. You have to remember that there may be 170 cfs in the river only 35 cfs is allocated to diversions for irrigation,

That is why we are under watch by the Federal Water Master to make sure those diversions are not exceeded. We have three main diversions that are monitored constantly by gauge and they are the Proctor, Herman, and Indian Ditches. In any given moment the Water Master can see what the total diversions are for irrigation. If they total more than 35cfs then I get a call and the ditchrider is sent out to resolve the issue. That is why we need to coordinate diversions in those three ditches.

If you have any questions please feel free to call 574-1050 or e-mail me at [jjackson@plpt.nsn.us](mailto:jjackson@plpt.nsn.us).

## Sumunumu Program

My name is Orlando Williams and am a Nevada licensed Alcohol and Drug Counselor and February 1st is the first day on the job as the Sumunumu Alcohol and Drug Program Director. I am a member of the Ponca Tribe of Oklahoma and have been working in the field of substance abuse counseling for approximately twenty years or more and am a recovering alcoholic and drug addict of twenty-eight years. My job experiences consist of many aspects of the treatment of alcohol and drugs in inpatient and outpatient programs.

I hope my addition to the Sumunumu Program staff will be much more of a help for the individuals needing to stop their alcohol and drug problems.

# WELCOME TO THE LIBRARY

, by Linda McCauley

Come to the library for computer access (*I will help you*) or just to read and check out the many, many books and magazines. HOURS are currently:

**TUESDAYS & WEDNESDAYS, 3 P.M. TO 6 P.M., AND SATURDAYS, 10-3 P.M.**

I have heard that many people never knew we had a library! The library is located in the second modular next to the old gym. And, there are plans to make the little area in front of the library a little park.

In the near future (hopefully) there will be a library in Wadsworth! We are working on getting a space in Wadsworth to at least bring some magazines, books and hopefully a computer.

Having the PLPT newspaper up and running is fantastic. Now I won't have to do my own newsletter! I will feature a few things every month about books and interesting library info.

Being here only fourteen hours a week is too little time to do much after dealing with all of the administrative paperwork. I will be writing a new grant with some help from *Contracts and Grants* and would like any feedback on what is important to you for a library: a bookmobile, an archives, computer classes, a photo collection, ?

Please send comments to PL Tribal Library, P.O. Box 67, Nixon, NV 89424, or e-mail : [lmccauley@plpt.nsn.us](mailto:lmccauley@plpt.nsn.us) or, call 775-574-0301.

## NEW MAGAZINES:

**News from Native California** is a quarterly news magazine written by and about California Indians. They have been publishing for fifteen years. Feature articles range from ceremonial regalia and traditional use of tobacco to environmental issues and California archaeology, all emphasizing Native Californian points of view, historic and contemporary. Regular columns address California Indian languages, the arts, books, skills & technology, law, and more.

**NMAI** is quarterly, awarding-winning publication of the Smithsonian National Museum of the American Indian informs its readers with diverse articles such as American Indian firefighting traditions, the enduring presence of Native peoples in the U.S. military, stunning Native travel destinations, and the modern-day challenges facing Native communities in western Mexico. Recognized with General Excellence awards in 2003 and 2002 by the Native American Journalists Association, *American Indian Magazine* strives to present lively and captivating issues that "Celebrate Native Traditions and Communities."

## NEW BOOKS:

"**The Real All Americans: The Team That Changed a Game, a People, a Nation**" Sally Jenkins; "**Survival Arts of the Primitive Paiutes**" Margaret Wheat; "**Harry Potter and the Deathly Hallows (Book 7)**" J. K. Rowling; "**Zomo the Rabbit: A Trickster Tale from West Africa**" Gerald McDermott; "**The Great Ball Game: A Muskogee Story**" Joseph Bruchac; "**Jim Thorpe, Original All-American**" Joseph Bruchac; "**There Was a Coyote Who Swallowed a Flea**" Jennifer Ward; "**Every Day is a Good Day: Reflections of Contemporary Indigenous Women**" Wilma Mankiller; "**Native American Beadwork: Projects & Techniques from the Southwest**" Theresa Flores Geary; "**Cadillac Desert: The American West and Its Disappearing Water, Revised Edition**" Marc Reisner.

## BOOKS ON ORDER:

"**The Good Luck Cat**" Joy Harjo.

The following is written by Debbie Reese, an enrolled member of the Nambé Pueblo Tribe in New Mexico: *Take a look at The Good Luck Cat. Published in 2000, it is about a cat named Woogie who brings good luck to its family. The story is about the cat--not about the Native family it lives with. In a beautiful and subtle way, this book tells readers that American Indians live in today's modern society, that our lives and homes are not exotic. We're just people.*

Debbie Reese has taught at the Riverside Indian School, in Anadarko, Oklahoma, and the Santa Fe Indian School. Her articles, essays, and reviews have appeared in print and on-line academic journals and publications that are used by teachers and librarians who work with children. Her current research projects include a book titled *Indians as Artifacts: How Images of Indians are used to Nationalize America's Youth*, and a searchable database of children's books by and about Native Americans: <http://americanindiansinchildrensliterature.blogspot.com/>.

"**The Absolutely True Diary of a Part-Time Indian**" Sherman Alexie

In his first book for young adults, bestselling author Sherman Alexie tells the story of Junior, a budding cartoonist growing up on the Spokane Indian Reservation. Determined to take his future into his own hands, Junior leaves his troubled school on the rez to attend an all-white farm town high school where the only other Indian is the school mascot. Heartbreaking, funny, and beautifully written, *The Absolutely True Diary of a Part-Time Indian*, which is based on the author's own experiences, coupled with poignant drawings by acclaimed artist Ellen Forney, that reflect the character's art, chronicles the contemporary adolescence of one Native American boy as he attempts to break away from the life he was destined to live.

"**Rain Is Not My Indian Name**" Cynthia Leitich Smith

Tired of staying in seclusion since the death of her best friend, a fourteen-year-old Native American girl takes on a photographic assignment with her local newspaper to cover events at the Native American summer youth camp.

"**Walking the Choctaw Road**"

*Midwest Book Review:* Written by acclaimed Choctaw storyteller Tim Tingle, *Walking The Choctaw Road* is a delightfully presented, inherently entertaining, and thoughtfully informative collection of original tales drawn from personal, mythical, and oral accounts. Written in a down-to-earth, highly accessible style, *Walking The Choctaw Road* is a joy to read, embracing tribal traditions with wry humor, enhanced with liberal highlights of both energy and excitement. *Walking The Choctaw Road* is an enthusiastically recommended contribution to personal reading lists and Native American Studies collections.

**OTHER BOOKS ON ORDER:** "**Hidden Roots**" Joseph Bruchac; "**Birchbark House, The**" Louise Erdrich; "**Beaver Steals Fire: A Salish Coyote Story**"

"**The Wars for the Pacific Northwest (Eyewitnesses to the Indian Wars, 1865-1890)**" Peter Cozzens; "**Walking the Rez Road (History & Heritage)**", Jim Northrup.

### Current Job Positions

#### Medical Practitioner

PL. Health Clinic, Nixon, NV

Salary: Negotiable; DOE

Open Until Filled

### Special Education Teacher

PL. Jr./Sr. High School, Nixon, NV

Salary: Negotiable, Depending on

Education and Experience

Open Until Filled

### Environmental Manager

PL. Environmental Office, Nixon, NV

Salary: \$38,084.80 - \$40,019.20

DOE; Fulltime/Exempt

Closes: 02/22/08

**TO APPLY:** Applications may be

obtained on-line at [www.plpt.nsn.us](http://www.plpt.nsn.us)

or from the Human Resources Of-

fice at the Tribal Administration

Building in Nixon, NV; or by calling

the Human Resources Office (775)

574-1000/1001, ext 224/225

## NEWS FROM PYRAMID LAKE JR. SR. HIGH SCHOOL

Are you considering becoming a part of our "Laker" family?



Martin Barlese, Jeremiah Sampson, Quentin Negrete and Robert Olivas attended the UNR Youth Conference in April.

The mission of Pyramid Lake Jr. Sr. High School is to provide a quality education for all students, focusing on academic careers and higher education preparation and social and personal development, while building self-esteem through Native American cultural awareness conducted in a safe and compassionate learning environment.

Students attending our middle and high school come from the Pyramid Lake Indian reservation, Hungry Valley, Reno-Sparks Indian Colony and the Fallon Paiute-Shoshone Reservation. We have extended our area to a 60-mile radius. We provide transportation in these locations.

**Pyramid Lake offers Native American students an opportunity for comparable academic programs taught by highly qualified teachers using the latest in technology.** All core curriculum standards are aligned to the Nevada Department of Education and Washoe County School District.

For those students who lost credit in a core class, Pyramid Lake utilizes *PLATO*, a computer based curriculum for credit recovery in social studies, math, English, and elective courses. Student success rate is monitored daily to ensure completion.

Here are some reasons to attend PLJ/SHS...

- ▶ Guidance counseling to assist all students with academic, vocational, and personal goal portfolios
- ▶ Native American Studies classes: Great Basin history, traditions, language culture, crafts, tribal government, law, and tribal sovereignty



Elijah Williams sang a round dance song for Desert Heights Elementary School in May.

▶ Pyramid Lake Cultural Dance Troupe performs throughout the school year in a variety of venues.

▶ Yearbook classes learn to use the latest Adobe PageMaker software with Adobe Photoshop to build an exciting school annual. Student publication classes produce a school newspaper.

▶ Warrior Path classes for discipline and behavior modification, attendance problems, and drop out prevention

▶ Health presentations: Drug and alcohol awareness/prevention, healthy lifestyles

▶ Close-Up Program: Students learn about the federal governmental departments and issues facing current society. They also meet with Nevada senators and congressmen.



Some of the 12<sup>th</sup> grade students met Sherman Alexie in April at Truckee Meadows Community College.

▶ Unique opportunities to meet famous and successful Native American as Jana, Robert Mirabal, Carlos Nakai, and Sherman Alexie



Adrian Paul mastered his keyboarding class.

▶ Small class size and individualized instruction

▶ Academic Olympics, Upward Bound

▶ Library services, reading incentive awards

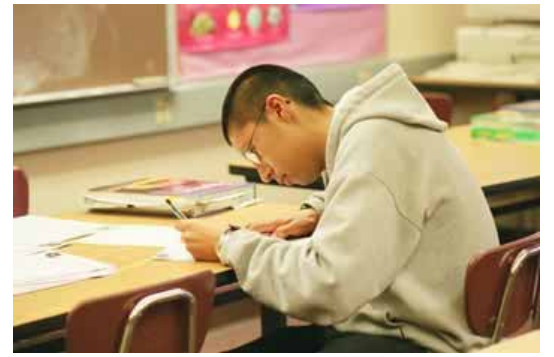
▶ Band for Jr. and Sr. high students

▶ Full sports programs for Jr. and Sr. high athletes: football, volleyball, cross-country, basketball, baseball, softball, track & field.

▶ Vocational classes: construction and auto mechanics.

▶ Educational field trips to TMCC's Edison Way vocational trade facility, Pyramid Lake fisheries, UNR, local youth conferences.

▶ Nevada State Proficiency Exam preparation



Willie Barlese finished his geometry homework before class was over.

▶ After School tutoring program and enrichment activities

▶ Higher education preparation: applying on-line [www.fafsa.gov](http://www.fafsa.gov) for financial assistance, college and scholarship searches

▶ Camera in the classroom: daily ongoing safety monitoring, student behavior monitoring, and teacher evaluation. Pyramid Lake Jr. Sr. High School was the first school in the state of Nevada to install cameras into all classrooms. With the federal mandate of *NO CHILD LEFT BEHIND*, schools are now held even more accountable for insuring safe schools, active student learning, and teachers are bringing their best teaching strategies into the classroom.

### Core Courses offered

- ◇ English (I-IV)
- ◇ Math, Pre-algebra, Algebra I-II, Geometry, Trigonometry, Calculus
- ◇ Science: physical science, earth science, biology, chemistry, physics, environmental, and meteorology.
- ◇ History: social studies, World and United States history, United States government, and Native Studies.
- ◇ Physical Education
- ◇ Computer literacy/Keyboarding
- ◇ Health
- ◇ Paiute language class

### Elective Courses

- ◇ Geographic Information Technology
- ◇ Spanish I-II
- ◇ Journalism/Yearbook
- ◇ Cultural Photography
- ◇ Native American Literature
- ◇ Intro to construction/woodshop
- ◇ Band/music appreciation
- ◇ Computer applications (Office 2000), Advanced computer courses
- ◇ Home Economics: Foods, Sewing, and child development
- ◇ Proficiency Preparation: math, reading, writing
- ◇ Small engine/motorcycle repair

### Supplemental Courses

- ◇ Resource classes
- ◇ Warrior Path Alternative Education
- ◇ PLATO: Credit recovery and elective courses
- ◇ Truckee Meadows Community College via satellite and online.

## PLJ/SHS SPORTS PROGRAM

When deciding on whether or not sports will be a part of your high school career, PLHS is not only competitive but produces State Competitors.

**BASKETBALL:** The Pyramid Lakers have successfully won two NIAA 1A State championships in boys' basketball. The Lady Lakers have finished in the Top 3 four years straight with heartbreaking losses at the end of two state final games.

**TRACK:** The track team has had as many as ten athletes competed in the state track and field meet with two championship winners in shot put and 100 meter dash.

**FOOTBALL:** The team was successful in winning several awards including Athlete of the Week.

**VOLLEYBALL:** We've qualified for the regional playoffs in four years.

**CROSS COUNTRY:** We've has athletes qualify for the state meet.

**BASEBALL/SOFTBALL:** With one win of going to the state playoffs last year and our softball team was one win away from zone playoffs in previous years.

**MIDDLE SCHOOL SPORTS:** Cross-country, basketball, and track and field keeps our younger athletes active.

### FOR MORE INFORMATION

775-574-1016

[melendezr1@pyramidlakehs.us](mailto:melendezr1@pyramidlakehs.us)

STUDENT ENROLLMENT IS OPEN FOR THE 2008-2009 SCHOOL YEAR.

APPLICATIONS ARE AVAILABLE IN THE SCHOOL OFFICE.



## HONOR THE CIRCLE, Kids Club

### HONOR YOURSELF

- \*Be Proud of Yourself!
- \*Don't Let Others Hurt You.

### HONOR YOUR MIND

- \*Think Before You Act

### HONOR YOUR BODY

- \*Keep Clean, Brush Your Teeth.
- \*Eat Healthy Foods.
- \*Don't Do Drugs or Alcohol.
- \*Don't Smoke or Chew Tobacco.

### HONOR YOUR FAMILY

- \*Respect and Help Your Parents.
- \*Help Your Brothers and Sisters.

### HONOR YOUR FRIENDS

- \*Be a Good Friend.

### HONOR YOUR SCHOOL

- \*Take Pride in Your Schoolwork.
- \*Respect Your Teachers.

### HONOR YOUR COMMUNITY

- \*Help Make Your Neighborhood a Better Place.

### HONOR YOUR COUNTRY

- \*Be a Good Citizen.

### HONOR YOUR PEOPLE

- \*Speak Kindly, Don't Curse.
- \*Be a Good Example to Others.

### HONOR YOUR ELDERS

- \*Respect and Help Older People.

### HONOR YOUR ANCESTORS

- \*Learn About Your History.

### HONOR MOTHER EARTH

- \*Care for Nature, Don't Waste.

### HONOR LIFE

- \*Make Each Day Special.

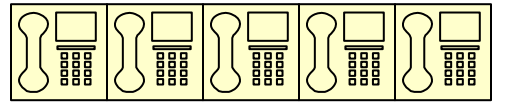
## Laker Band...

In the month of December the PLHS band was given permission by the Washoe County Board of Directors to participate in auditions for the Washoe County Middle School Honor Band.

Ms. McCauley and 8th grade student Lena Wright went to the auditions at Vaughn Middle School on December 12, 2007. Lena auditioned for the bass clarinet with 11 other students. She was one of two bass clarinet players who made the honor band. Lena has participated each week in rehearsals at Pine Middle School.

**The performance is scheduled for Friday February 15, 2008 at the Pioneer Center in downtown Reno.**

This is a great accomplishment for Pyramid Lake High School and for Lena Wright. Since the auditions have been opened up for Pyramid Lake Junior/Senior High School more students will be encouraged to participate in the honor band try outs in the future. This will be a positive attribute to Pyramid Lake students.



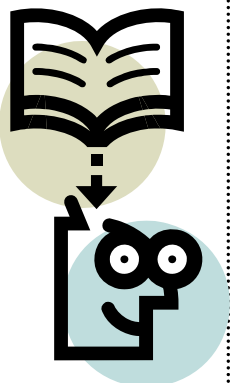
## Laker News Hotline

Pyramid Lake Jr./Sr. High School now has a HOTLINE set up for the latest on dates & times for:

Sport Events, School Closures, School Activities, School Holidays & Vacations

We welcome Parents/Guardians to Call 574-1016 or 574-1061 Press 9 to access the hotline

# Get Involved Attend a Pyramid Lake High School Board Meeting



**Kathleen Wright-Bryan** has enrolled for the spring semester at George Washington University in Washington, DC and is studying political science.

She received a full-ride scholarship from AT&T and acquired an internship with Senator Harry Reid's DC office Indian Affairs Liaison Division.

Kathleen is one of three Native American university students from across the nation chosen for the scholarship offered by AT&T. Kathleen said one of her most inspirational moments was when she got lost at the capital building while looking for the flag room and came upon the Sara Winnemucca statue in her flowing Paiute dress and her message of peace. Kathleen's address is Kathleen Wright-Bryan, The George Washington University, 2222 Eye Street NW, Jacqueline Bouvier Kennedy Onassis Hall, Room 601, Washington, DC 20052. Kathleen is the daughter of Ivy Wright-Bryan and granddaughter of Kathy Wright and the late Ralph Bryan. Her great grandparents are Lena and Paul Wright of Pyramid Lake, great grandfather, the late Raymond Bryan of Woodfords, the late great grandmother Betty Sampson and great, great grandfathers Harry

**PYRAMID LAKE TRIBAL COUNCIL  
REGULAR MEETING MINUTES  
DECEMBER 7, 2007**

**Members Present:** Mervin Wright, Jr., Tribal Chairman  
Janet Davis  
Jason Davis  
Judith Davis  
Johnnie Garcia  
Sherry Ely Mendes  
Kenneth Miller  
Irwin Mix  
Clayton Servilican

**CALL TO ORDER**

Tribal Chairman Mervin Wright, Jr. called the December 7, 2007 regular meeting of the Pyramid Lake Tribal Council to order at 7:00 p.m. in the Tribal Chambers, Nixon, Nevada.

**ROLL CALL**

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Janet Davis arrived at 7:10 p.m. All other Councilmembers were present at roll call and a quorum was established for this meeting.

**APPROVAL OF AGENDA**

Chairman Wright stated he would like to include two items that were previously discussed by the Tribal Council under Unfinished Business. There is also one senior emergency request. Chairman Wright stated the request can be heard following the committees and departments. A motion was made by Councilmember Jason Davis and seconded by Councilmember Mendes to approve the agenda with changes. Votes taken were all in favor, ***motion carried***.

**CONSENT AGENDA**

Chairman Wright stated approval of the October 19, 2007, November 2, 2007 and November 16, 2007 Tribal Council meeting minutes are on the Consent Agenda. A motion was made by Councilmember Jason Davis and seconded by Councilmember Mix to approve the Consent Agenda. Votes taken were all in favor, ***motion carried***.

**PUBLIC COMMENT**

Carla Molino asked if the regulations were going to be discussed and Chairman Wright stated that it would be reported on under Unfinished Business.

Terrylee Sampson stated she was/is an advocate and she follows Tribal procedures. She stated she gave the procedures to the Chairman who has not acknowledged her complaint whatsoever. She stated the Tribe's Constitution contains the court of appeals and also includes Article 7 which deals with welfare. There are many people who have legitimate complaints that should be addressed. The Court is running amok and if they can't treat our people right and follow the laws then they need to be gone. When our judges are not on the court of appeals, this is a violation of our Code.

Michelle Ruize stated each of the Council members will be in dereliction of duties if the Tribe opts out of the appeals court. These are tribal rights and they are guaranteed rights. There has been a judicial accountability grant in the amount of \$297,000 for a juvenile advocate, juvenile judge, juvenile prosecutor, and juvenile court clerk. Where are the services and where has the money gone for the grant. An investigation needs to be done on where that money has gone. This is a discretionary grant.

Duane Dunn stated about three years ago Fred Drye said if you're charged with a crime, then they have to prove it. Treat them fair and be honest and be ethical.

Carman Tobey, Jr. said he has a couple of things to let everybody know. It's an obligation of the Tribal Council to watch over the court and police to make sure they are not violating rights. Every single appeal has been on due process. The court is part of the Tribal Council. Secondly, he looked at the terms of offices for the judges and if they are found to be doing anything wrong there has to be an investigation by the Tribal Council. The Tribal Council has reports from different people and the Bureau has done an investigation and came back with an order and the Tribe does not follow them.

**NEW BUSINESS**

**ITCN Appellate Court:** Chairman Wright stated in 1992 the Tribal Council passed a resolution to join the Inter-Tribal Council of Nevada (ITCN) Court of Appeals. Prior to that resolution the Tribe had their own appellate system which is a provision in the Law & Order Code. The western Nevada tribes joined the Inter-Tribal Court of Appeals (ITCA), a non-profit organization that is not a bona fide recognized tribe and they do not have the same sovereign jurisdiction as a tribe. Personalities aside, it's about the ITCA following our Law & Order Code and if they fail to follow our Code, they are abrogating our jurisdiction and sovereignty as a Tribal government. We do have the authority to exercise our sovereign right as a Tribal government and because that authority was yielded to a lower organization we need to make sure they are following our Law & Order Code.

There was a meeting on November 27 meeting at ITCN with IHS representatives and following the meeting he told Darrell Crawford the Tribe was considering withdrawal from the ITCA and Darrell gave him a letter and said they knew there were problems with the ITCA. There is a meeting on December 18 which may give tribes an option. Hopefully this meeting will bring forth solutions to the problems. He asked Fred Drye about tribal shares if the Tribe withdrew and we would have access to those shares. Fred stated if the ITCA is not following our Law & Order Code then that is a decision for the Tribal Council to make.

Bill Kockenmeister, Pyramid Lake Chief Judge, stated he has been the Chief Judge for 7 years. People have had complaints, but the statement about people's rights being violated, he doesn't know that it is happening.

Councilmember Judith Davis asked if we are questioning the work or decisions of the ITCA. Second, is this information part of the meeting regarding Tribal Court? Third, Pyramid Lake is a party to the ITCA through resolution, so do we need to change the Law & Order Code. Four, if the Tribe opts out, she doesn't see where anything is in place to replace the Court of Appeals.

Chairman Wright replied that these issues were not going to be discussed at the court meeting. The question regarding the resolution; the resolution joins the ITCA and the Code provides for an appeal process and we would not have to change the resolution.

Councilmember Janet Davis stated there must have been a reason for the Council to join the ITCA. Chairman Wright replied that the Reno-Sparks Indian Colony initiated it and at that time the BIA had an option for an appeals court. But he believes it was an effort by the BIA on behalf of the ITCN.

Jolyne Sander said a lot of this stuff she wanted to address during the meeting with Fred Drye. The Tribe would receive a small portion of the money. She has reviewed all of the appellate court cases and she found nothing wrong with them and she wanted to know which cases Chairman Wright was referring to. If a decision is made tonight, it would be wrong. Time is needed to look at it. We need to deal with the problems that are going on now. Jolyne said she doesn't think the Council should make a decision. This issue wasn't taken to the Law & Order Committee. There are 11 tribes in the ITCA, Temoak withdrew and wants to rejoin and Walker River is thinking about withdrawing.

Judge Kockenmeister said both he and Judge Stearns sat on the ITCA because they thought it was a really good idea and gives tribal members an opportunity to appeal their cases to an impartial tribunal, but it has become mismanaged. There is only one employee who has a lot of authority. Politics plays a role and when that one individual has decision-making power, it has put the court down. The ITCA needs a chief administrative judge to oversee the program and it needs to be restructured. Perhaps that needs to be the message.

Judge Stearns said she has seen things that gave her no option but to resign because they were unethical. There doesn't seem to be any accountability as to how it is administered. The ITCA concept is a good idea, but the way it is run is not good for individual tribes or for individual parties.

Tribal Council Minutes continued...

Councilmember Servilican said it seems that nobody wants to work together. How long has this been going on? Judge Kockenmeister said in his opinion it has degenerated within the last two years. They are asking to speak to address their concerns to the Tribal Council. He said there needs to be an appellate court to appeal decisions if a person feels their rights have been violated, but it needs to operate effectively and ethically.

Jolyne said she thinks the judicial review need to re-reviewed and the recommendations need to be done. Chairman Wright stated some of the findings are being implemented. He will be meeting with court staff on implementing the rest of the recommendations. Jolyne said she would like to have the Law & Order Committee involved with those types of meetings.

Dewey Sampson said other reservations have different laws and how much time do we have to wait for that organization to restructure in order to be compatible with Pyramid Lake. This Tribal Council has the power to get this done for our people. The Tribal Council has a sworn obligation to protect our rights and not the rights of ITCN or federal judges or anybody else. There are a lot of people being affected by those decisions and we are in a quandary.

Marilee Teton said she has witnessed a trial with 98% of potential jurors being related to the defendants. She would like the Council to think about this.

Chairman Wright said the issue Dewey brought up is a good idea and we do have an opportunity to restructure, if we can provide a choice for the Tribal Council. He agrees that we don't have the time to wait for the ITCN to restructure. The Tribal Council needs to be proactive and at least have an option.

Shannon Rambeau said she is the Court Coordinator for the ITCA. The ITCA has been operating for about five years with no complaints. There was one complaint from Mitch Wright, but it was verbal. It's the Chairman's responsibility to research the arguments, to get the facts. She stated the Chairman did not call her, Fred Drye, or Darrell Crawford. The ITCA has all of the tribes Codes and those Codes supersede any of their rules. When something is not in a code, they turn to their appellate procedures. Shannon distributed a copy of an email that was sent to Darrell.

Terrylee said when you have somebody chipping away at your sovereignty, what is it called, it's an act terrorism. The Chairman is only the boss of administration and when other people in other areas are influencing your Chairman, it's a violation. Chairman Wright stated that there was a witness to Terrylee putting the flyers in the Gazette-Journal boxes around the reservation and the carrier is being blamed. Terrylee stated it is her freedom of speech and where does it say that she can't do that.

Tony Sampson said the ITCA is necessary for one reason – it is not prejudice and there is no influence by tribal judges. If there is something wrong, then it should be the chairmen who make up the ITCN board to put things back on track. To do away with the appellate court is not good. There has to be a separation of powers between the legislative body and the executive body of this Tribal Council and away from judicial.

Chairman Wright said he would like to get direction from the Tribal Council. Councilmember Jason Davis said believes it should be tabled until we meet with Fred Drye and to see pros and cons. Meetings had been scheduled regarding the judicial review, but for some reason those meetings had been cancelled, so he would also like to have a meeting to go over the review. Councilmember Servilican said he thinks we should keep the court. Councilmember Judith Davis said no option has been given and the meeting with the Tribal Court needs to be held.

Dewey said the ITCA is not the only option. He has personally seen court cases through the Tribal Court and the defendant having to take a person through civil court in Reno. The decision was then overturned. The judges are not following the Tribe's protocol and they may be letting white people take rights away from Tribal members.

Councilmember Mendes said she agrees with Councilmember Jason Davis and Councilmember Judith Davis about not having a back up plan. She asked was there an agreement between the Tribe and the ITCA or ITCN that states if we don't have a law in place, that we automatically go through appellate procedures. This may have to be looked at. We should look at our laws as they come up and if they are not addressed in the Law & Order Code.

Chairman Wright said having heard from the Tribal Council and to acknowledge what Tony mentioned about the ITCN Executive Board, that is an opportunity to discuss this issue at that level. The meeting on the 18<sup>th</sup> will be a forum for issues to be discussed. At this point, we will get the information together for the Tribal Council. There have been some ideas given and we will be able to provide some options.

The Tribal Council scheduled a meeting with Fred Drye and the Law & Order Committee for December 13<sup>th</sup> at 6 p.m.

A motion was made by Councilmember Judith Davis and seconded by Councilmember Miller to table the withdrawal from the Inter-Tribal Court of Appeals for the reasons stated by the Tribal Council. Votes taken were all in favor, ***motion carried***.

**Tahoe-Pyramid Bikeway** – Janet Phillips: Janet Phillips and Bill Von Poole were present to request several items from the Tribal Council. A Power Point presentation was given on the Tahoe-Pyramid Bikeway. In the original proposal brought to the Tribe, they thought they were going to be able to go through the S-Bar-S Ranch, but the University of Nevada, Reno will not allow them access through their property. They will now have to go around their property.

The first request is for permission to allow Roads Maintenance to provide a grader and operator for one day. The second request is for permission to take water out of the Truckee River near the S-Bar-S diversion dam for dust control.

Chairman Wright stated the Interdisciplinary Team (IDT) which is comprised of the natural resources programs will be meeting on Tuesday, December 11 and this may be the forum for the requests and to get a recommendation. The Tribal Council can then make a decision at the meeting on December 14<sup>th</sup>.

**Truck & Trailer Repair Services** – Greg Smith, DC's Mobile Truck Repair: There was no one here representing DC's Mobile Truck Repair.

**Hillary Clinton for President Campaign** – Brian Indovina, Field Organizer: Brian Indovina was present on behalf of Senator Hillary Clinton's campaign. Mr. Indovina stated there are 43 days away from the Democratic caucus scheduled for January 19, 2008 and there a lot of people who have not been able to participate in the caucus process. Only registered Democrats will be participating in the caucus.

Chairman Wright stated we need to have a lot of Indian people to vote. Nevada is a caucus state and the caucus will be held in January. Ivy Wright Bryan, NDN Outreach Director for the Nevada parties, said a caucus is a neighborhood meeting. People within a precinct meet and decide on a nominee for President. The Indians throughout the state can become a strong voting block in the state of Nevada.

#### **UNFINISHED BUSINESS**

**Regulation Suspension on Two Issues:** Chairman Wright stated he would like the Tribal Council to revisit the issue of the suspension of the fishing regulations and closure of a portion of the beaches. The two issues don't take effect until March and the process can be followed to amend the regulations. Concerns were expressed that we were not following the process. A phone poll was conducted but no quorum was established.

Carla Molino stated if the Council rescinds the motion, the Council will have to look at the North Side because it is alcohol restricted and it was felt that it would be a summer issue. The form that needs to be completed for the derbies should be looked at. On the Pyramid side, the committee could not agree on what area should be closed because of the wording in the regulations.

Councilmember Janet Davis said she thought it was only on the one motion and that they were supposed to review the entire regulations.

Tribal Council Minutes continued...

A motion was made by Councilmember Judith Davis and seconded by Councilmember Mix to rescind motion of November 16<sup>th</sup> regarding the regulations. Votes taken were 7 for and zero opposed, with 1 abstention. **Motion carried.**

A question was asked if the entire Pyramid side was closed or just a portion. Councilmember Janet Davis said the wording needs to be clarified. Councilmember Jason Davis said the closure is only for camping. He asked if the regulations will be sent back to the Law & Order Committee and Chairman Wright replied that the proposed amendments will be sent back for review and some of the language will have to be clarified.

Discussion on derbies. Fred Crosby stated he completed the derby application and he wanted to know why he has to be responsible for the participants. The special use permit fee was left blank. The Tribal Secretary stated the amount is \$10 and it is stated in the regulations. A revised application was sent to Fred. Fred said he is concerned with the section about being responsible for the participants. Councilmember Janet Davis said the regulations need to be looked at again and decide if it is what we want.

Councilmember Mendes said the Council did talk about a fee and several options were looked at. The portion about being responsible for the participants was not discussed and should not have been included in the application. Councilmember Jason Davis said he remembered that the Council discussed two options: \$10 per person or a set amount of \$5,000 fee. Fred said he pays taxes and his derby is not like other derbies. Ralynn James suggested a cost analysis should be done.

Chairman Wright said a decision needs to be made on whether to revisit the regulations. Councilmember Mendes asked that Della John provide the information on how the fee was determined.

**PLHS Van Purchase:** Chairman Wright stated the purchase of the van was discussed at the November 16<sup>th</sup> meeting. The budget modification was completed to cover the purchase cost and two additional quotes were received.

A motion was made by Councilmember Jason Davis and seconded by Councilmember Judith Davis to approve the purchase of a van for the high school. Votes taken were all in favor, **motion carried.**

#### **ATTORNEY REPORT**

**Wes Williams, Jr.:** Chairman Wright stated a report and invoice was submitted by Wes Williams, Jr. A motion was made by Councilmember Jason Davis and seconded by Councilmember Miller to approve the invoice in the amount of \$1,054.42. Votes taken were all in favor, **motion carried.**

**Don Springmeyer Invoice:** Don Springmeyer submitted an invoice for the general counsel contract in the amount of \$21,791.10. A motion was made by Councilmember Servilican and seconded by Councilmember Miller to approve by the invoice for the General Counsel contract. Votes taken were all in favor, **motion carried.**

An invoice was submitted by Don Springmeyer for the Special Counsel contract in the amount of \$22,507.50. A motion was made by Councilmember Jason Davis and seconded by Councilmember Garcia to approve by the invoice for the Special Counsel contract. Votes taken were all in favor, **motion carried.**

Councilmember Jason Davis asked Ali Shahroody if they looked into the item that was discussed previously. Ali reported that there was no lawsuit by the EPA against the city of Fernley, but there is a lawsuit filed by a couple of homeowners.

**ENROLLMENT – Carol Smith:** Carol Smith, Enrollment Officer, was present. There are several items for Tribal Council action. There are recommendations from the Enrollment Committee for the rejection hearing and two disenrollment hearings.

**Conduct One (1) Rejection Hearing and Conduct Two (2) Disenrollment Hearings:** A motion was made by Councilmember Jason Davis and seconded by Councilmember Miller to move into an executive session. Votes taken were all in favor, **motion carried.**

The Tribal Council moved into an executive session at 9:55 p.m.

A motion was made by Councilmember Janet Davis and seconded by Councilmember Judith Davis to move into an open session. Votes taken were all in favor, **motion carried.**

The Tribal Council moved into open session at 10:35 p.m.

A motion was made by Councilmember Mix and seconded by Councilmember Jason Davis to accept the recommendation of the Enrollment Committee for denial of membership of the applicant. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 79-07**

Councilmember Jason Davis made a motion to accept the recommendation of the Enrollment Committee to disenroll Item #2 that is listed in the report. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 80-07**

Councilmember Judith Davis made a motion to accept the recommendation of the Enrollment Committee to disenroll Item #3 that is listed in the report. The motion was seconded by Councilmember Miller. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 81-07**

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

**Water Resources Department – John Jackson:** John Jackson was not present, however Ali Shahroody of Stetson Engineers was present. Chairman Wright reported on the letter that was sent regarding TROA. Ali requested that this issue be discussed in an executive session.

Councilmember Mendes made a motion to move into an executive session. The motion was second by Councilmember Jason Davis. Votes taken were 7 for (Councilmember Judith Davis was out of the room during the motion and vote). **Motion carried.**

The Tribal Council moved into an executive session at 10:40 p.m.

A motion was made by Councilmember Miller and seconded by Councilmember Judith Davis to move into open session. Votes taken were all in favor, **motion carried.**

The Tribal Council moved into an open session at 11:20 p.m.

**Pyramid Lake Health Clinic – Cindy Curley:** Cindy Curley, Health Director, was not present. Steven Wadsworth was present on behalf of the Health Director.

**Approval of the Indian Alcohol/Substance Abuse Program Budget:** Steven said they are requesting approval of the main budget of the grant which also includes a K9 officer and covers the Sumunumu director's salary. Sandra Hicks, Contracts/Grants, said there are two different programs included under the grant. The Council will approve the entire grant and internally it will be separated. There is an in-kind match through personnel.

Councilmember Miller made a motion and seconded by Councilmember Servilican to approve the budget for the Indian Alcohol/Substance Abuse Program. Discussion: It was asked if officers will be hired and Sandra replied no, but they will be purchasing a drug dog and the grant also covers the salary for the Sumunumu director. Votes taken were all in favor, **motion carried.**

**Approval to Purchase Computers for the Clinic:** Steven stated they are requesting approval to purchase nine new computers and one laptop to replace the old computers. The IT department at Schurz notified Cindy that the old ones were not compatible with IHS network.



Tribal Council Minutes continued...

A motion was made by Councilmember Judith Davis and seconded by Councilmember Jason Davis to approve the purchase of computers. Votes taken were all in favor, ***motion carried.***

*Use of Carryover Funds to Remodel the Urrutia Home.* Steven explained that the Diabetes program would like to use their carryover funds to remodel the Urrutia home located in Wadsworth. Chairman Wright stated a program should be housed in the home. He would like to see a budget formulated so we know how much it would cost. Councilmember Janet Davis asked for documentation that it is allowable to use the carryover funds for this project and to check with Alvin James to see if it is okay with the transfer.

Councilmember Judith Davis made a motion to table this request. The motion was seconded by Councilmember Janet Davis. Votes taken were all in favor, ***motion carried.***

**Contracts & Grants Department** – Sandra Hicks: Sandra Hicks, Contracts/Grants Department, was present requesting approval of a resolution for grant submittal to the Bureau of Indian Affairs. The grant is for a transportation planning grant in the amount of \$150,000. The Tribe has to develop a plan to use the funds. The grant is for one year and would cover salaries for a director and a secretary. Chairman

Wright clarified that this is to comply with the federal requirements to access the \$1.8 million. Sandra said the department needs to be established in order to draw down the funds that are available for Tribal roads. The Tribe has the funds available at the BIA level, but they won't release it until we have a department and a plan on how to spend the money.

A motion was made by Councilmember Miller and seconded by Councilmember Mix to approve the resolution for grant submittal to the BIA. Votes taken were all in favor, ***motion carried.*** **RESOLUTION NO. PL 82-07**

**Emergency Senior Request for Freida Sam:** Freida Sam submitted an emergency senior request for Suburban Propane in the amount of \$926.47. The Council discussed setting some type of limits on the amounts for these requests. Councilmember Janet Davis suggested finding out how much funding is available. There may be other requests that come in. Councilmember Mendes stated she would like to see criteria established for this fund. Chairman Wright asked her to draft something regarding this fund.

Councilmember Jason Davis made a motion to table the request from Freida Sam to determine how much funding is available. The motion was seconded by Councilmember Janet Davis. Votes taken were all in favor, ***motion carried.***

**TRIBAL CHAIRMAN REPORT** – Mervin Wright, Jr.: Chairman Wright stated there was a meeting regarding the opportunity to take over management of the Nixon Store. The Smokeshop Manager reported the Nixon Store is a loss and they are continuously losing money. The startup costs would be approximately \$31,000 to \$35,000. Although we don't have the cash on hand to take over the management, there is an opportunity for a loan. The kitchen loses a lot of money and needs to be looked at and we would like to look at providing more grocery, WIC and food stamps. Councilmember Servilican asked how long it will take and Chairman Wright said they would like to have it completed as soon as possible.

Councilmember Servilican said while we are waiting to hear from the bank, the Smokeshop will continue to lose money. He asked if it would be better to close the store now, than having the Smokeshop carry the store. Councilmember Janet Davis said the Enterprise Manager was hired to manage the store and it's his job to do that. Councilmember Mendes stated the focus should be on the original purpose of the Nixon Store which was to provide a store for the community and to break even.

Chairman Wright said does the Tribal Council want to maintain the current status of the Enterprises and then we can ask the Manager to be more creative with the Nixon Store.

*Budget:* Chairman Wright stated the budget is being finalized. In July there was the budget reduction at which time the directors were told there would be no carry-over. It is unknown exactly how much revenue we will be receiving. He informed the Council that he included two budgets; one that includes the Vice Chairman salary and another one that doesn't include the salary. If the Council wants to review each line item, that is their decision, but the Appropriations Committee has already done that.

Councilmember Mix stated that since there is no Vice Chairman right now and the vehicle is available, he would like to see the vehicle be transferred to that program. A vehicle was to be purchased for the Victim Services Program Staff who are currently using their personal vehicles to transport clients.

A motion was made by Councilmember Servilican and seconded by Councilmember Jason Davis to transfer the silver Suzuki to the Victim Services Program. Votes taken were all in favor, ***motion carried.***

#### **ADJOURNMENT**

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

Meeting adjourned at 12:50 a.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

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#### **PYRAMID LAKE TRIBAL COUNCIL SPECIAL MEETING MINUTES DECEMBER 13, 2007**

<b>Members Present:</b>	Mervin Wright, Jr., Tribal Chairman	Johnnie Garcia
	Janet Davis	Sherry Ely Mendes
	Jason Davis	Irwin Mix
	Judith Davis	Clayton Servilican

**Members Absent:** Kenneth Miller

#### **CALL TO ORDER**

Gina Wadsworth, Tribal Secretary, called the meeting to order at 6:05 p.m. She explained to the Tribal Council that Mervin Wright, Jr., Tribal Chairman, will be arriving late due to a family emergency. Fred Drye, Tribal Operations Officer of the BIA, will not be attending the meeting. Fred explained if the problems within the judicial program are procedural or internal issues he will not be able to be involved. However he would be able to address any concerns with the 638 contract. Councilmember Servilican stated without the help of the BIA, can the Council do this and the Secretary stated that would depend on what is discussed. Councilmember Jason Davis thought the meeting was regarding the judicial review and Jolyne stated that was part the request. Jolyne said it's a combination of everything. She said they are ready to proceed. The discussion will focus on operational procedures. She would like the Tribal Council to understand what the Tribal members are going through when they are involved with the court system. She stated the juvenile complaints will have to be discussed in a closed session. The Law & Order Committee has recommendations, but it's Council's call about the type of action to be taken. Councilmember Mendes asked how the discussion will proceed, will we go through each individual complaint or look at the judicial review. Jolyne said we would go through each complaint. With some of the complaints the Council will see what has been going on.

Tribal Council Minutes continued...

Carmen Tobey, Jr., (present in the audience) stated if the problems are about the judges, then there is a process to be followed by the Law & Order Committee. If the complaints are against the judge, then there is due process for the judges and it starts with the Law & Order Committee.

Councilmember Jason Davis stated we should go ahead with meeting and start with roll call and approval of the agenda.

#### **ROLL CALL**

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Janet Davis arrived at 6:18 p.m. and Chairman Wright arrived at 7:05 p.m. Councilmember Kenneth Miller was not present at the meeting. All other Council members were present at the meeting and a quorum was established.

#### **APPROVAL OF AGENDA**

A motion was made by Councilmember Jason Davis and seconded by Councilmember Judith Davis to approve the agenda. Votes taken were all in favor, ***motion carried.***

#### **NEW BUSINESS**

**Law & Order Committee:** Jolyne Sander: Jolyne Sander, Law & Order Committee Chairman, was present along with Steven Wadsworth and Anthony Sampson, Law & Order Committee members. Jolyne stated she would like to request the Council to move into an executive session to hear the juvenile complaints.

Councilmember Mendes made a motion to move into a closed session. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, ***motion carried.***

The Tribal Council moved into an executive session at 6:20 p.m.

Councilmember Mendes made a motion to move into an open session. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, ***motion carried.***

The Tribal Council moved into an open session at 7:36 p.m. (Chairman Wright arrived during the executive session.)

Chairman Wright stated the Tribal Council has a standing principle to not hear any open cases or any information about open cases. We cannot control what people say during public comment and tonight the Council will not hear anything on open cases or personnel matters.

Chairman Wright stated the court review conducted by Fred Drye in 2005 resulted in several recommendations of which a few have been implemented. There is a list of complaints that was submitted by the Law & Order Committee. If there is going to be a decision by the Council, it will be a group decision. He would like constructive and positive dialogue that will lead to necessary changes. There have been documents completed in the past, but nothing was done and we need to pick up from where they left. The most important one is the code of conduct for tribal judges, and code of judicial conduct and code of ethics for court clerks. There are people/members in the court system and in his discussion with judicial and administrative staff and judges, the objective when clients are entered into the system is to get them out of it. It's important that the court administration and law enforcement work together. With respect to the court, there is room for improvement.

Chairman Wright stated he did ask the Tribal Council to repeal the complaint process because it's an administrative process and the Tribal Council does not see any complaints. There is no requirement to inform the Council of the complaints.

Councilmember Servilican stated he believes the Council needs to bring back the ethics code. Chairman Wright said the Council did adopt a Code of Ethics last year, but then it was repealed by the Tribal Council and he is trying to determine why that happened.

He stated the Law & Order Code is vague and ambiguous and it leaves a lot of latitude for interpretation. The proposed revision of the Law & Order Code may attempt to tighten it up. We need rules and laws that leave very little room for latitude. Councilmember Servilican stated if laws are changed we need to look at how they will affect us in the future.

Councilmember Janet Davis voiced her concerns regarding the judicial review conducted by the BIA a few years ago. The Council has to address the problems, but they never got to that point. Part of the problem we have today is because the Council didn't answering those reviews that were done. A time frame needs to be established to get this done.

Jolyne said she feels the Law & Order Committee is not being included. They need to be aware of what's going on, so when people complain, they can let people know it is being done. The complaints are regarding procedures, policies, ethics and morals and they need to be addressed.

In looking at the BIA review done by the BIA, Jolyne read several items that are very important. The first item the review found is that the court system has to exercise professionalism in providing services that use the court. Indian and non-Indian court personnel need to respect the Tribal government, its laws, cultures, traditions, procedures, and organization. Policy manuals/procedures protocol, and proper personnel actions need to be in place. Laws, Codes and the 638 contract have to be modified for consistency. The people that use the court system have a right to voice their opinion or experiences which could be an asset towards court improvements and its use. The court should operate independently, neutrally, and enforce the Tribal laws with assurance that the Tribal Constitution, Federal Law, Federal Court Decisions, and due process will be served. Make sure that due process is served in accordance with the Indian Civil Rights Act of 1968. Previous court reviews have similar findings and recommendations.

The Tribal Law and Order Codes and Ordinances of the Tribe are outdated and needs complete review, and amendments/revisions if necessary. These laws need to be updated to be consistent with changes in Federal law and Federal Court decisions. Tribal Constitutional amendments may affect the court and its processes. An example of this would be, Amendment VII approved November 3, 1975 that amended Article V, Section 2 of the Bylaws, which states in part, "such police shall be employees of the council and the police force shall be an agency of the tribal court." The organizational structure does not follow this provision and practices may be inconsistent with tribal law and changes were never made to the codes.

The Law and Order Code states that the Chief Judge is responsible for the management of the court and its staff. There is a need for correction of this responsibility and to amend the code if necessary. The Court Administrator can still conduct administrative functions and controls of the court and leave the judging to the Chief Judge. The review states that the Tribe is in non-compliance with the contract for not having a confidentiality procedure in place. A clear distinction of protocol is not written. Without proper written protocol, there may become a liability issue to the Tribe. There is a need for establishing a process for evaluating tribal judge performance and who conducts these evaluations. There are concerns that different judges are hearing cases and they may not be familiar with and making decisions. Judges hearing cases should follow through on a case to the end unless an emergency exists.

Jolyne then read the complaint list that was submitted to the Tribal Council:

- 1-Monthly reports not being submitted to the court on client cases.
- 2-Harassing and threatening youth who are not under this court's supervision.
- 3-No case management being done on the youth under the supervision of the Probation Department.
- 4-Appearing on police calls that don't involve clients under the supervision of the court.
- 5-Acting as the prosecutor in many cases.
- 6-Reporting false and misleading information to the court.
- 7-Confidentially, exchanging information on clients with community members regarding our youth and juveniles.
- 8-Getting involved with dependency cases, before they are appointed under the courts supervision.
- 9-Influences statements of juveniles through threats and intimidation
- 10-Correspondence and requests made to judges from court staff are not dated or stamped in
- 11-Acting on cases that are based on phone calls or letters received from court staff that are neither dated nor filed with the clerk
- 12-Court staff not following through on Court Orders

Tribal Council Minutes continued...

13-Juvenile procedures not being filed

14-Not following through with cases

15-Not familiar with ongoing juvenile cases

16-Allowing and issuing orders in juvenile cases without both parties present or notified

17-Clogging up the court process when court is postponed and cases are switched to accommodate court staff and giving no consideration to parties who must appear

18-Issuing ex-parte order based on telephonic communications

19-Allowing outside charges to be used in our court system

20-Allowing probation and others to act as prosecution our appeal cases

21-Not providing accurate information to the community on court procedures and L&O Code

22-Gives out misleading information regarding the appeal process

23-Allowing personal feelings to interfere with job duties/abusing their authority

24-Does not have working relationships with PL Police chief or the ITCA Court

25-Court order not being sent to detention facilities and then detainees paying the consequences

26-Not following the guidelines and requirements of grants

27-Case numbers not being processed properly

28-Warrants are being issued by the probation for those who are not under their supervision

29-Court staff not excluding themselves from personally involved cases

30-Using Federal parole and probation agreements

Carman Tobey, Jr. said they talked about judges doing illegal things and it's up to the Law & Order Committee to make recommendations to the Tribal Council. Under 3.02.140, Removal, it says, "*any judge with the Pyramid Lake Tribal Court may be suspended, dismissed, or removed for cause upon 2/3 of the Tribal Council, such vote being held upon the recommendations of the Law & Order Committee. The judge has a right of notice, opportunity for hearing before the Law & Order Committee and the Tribal Council prior to him being suspended or removed. Notice of the nature of charges and the date and time and location of the hearing must be given to the judge at least 10 days in advance of each hearing.*"

Carman then read from the Tribe's Personnel Policies and Procedures: "*Section 10-1 Conduct, a Tribal employee is prohibited from engaging from any conduct which could reflect unfavorably on Tribal services. Employees must avoid any action which might result in creating the impression of using public office for private gain, giving preferential treatment to any person or losing impartiality in conduct with tribal business.*"

In reading the 638 contract, there are strict guidelines for the police and the court. The BIA has a complaint form that we can use if ours isn't good enough. "*The contractor shall adhere to the general requirements of tribal procedures and policies for reviewing citizen complaints. If the contractor does not have established provisions for citizen complaints or investigations, the following shall be used.*"

Dewey Sampson said he can't believe what he just heard about leniency in crimes that are committed on the reservation. He heard some bad remarks and they are irresponsible. Suppose that the way it is written, then there is no record and everything is washed away. If this person does this it again and the next time he does it, there could be a child running in the road and he kills the child. Are you going to say let's be lenient? All you're doing is making a breeding ground for trouble. The person is incarcerated because he broke the law. You're not teaching responsibility, there's no respect for law and order or human life, and you are rewarding him for breaking the law. You are not protecting our people but you're destroying them.

Councilmember Judith Davis stated the Council is not speaking about specific cases; the Council wants to see that the Law & Order Code is being followed for protection for the people.

Chairman Wright stated he believes the recommendations should be submitted in writing. Jolyne replied that a judicial review needs to be done immediately and the complaints need to be addressed at the administrative level and sent to Human Resources because some of them are personnel issues. We need to move forward and a change needs to be done to the complaint process. The way it is set up now is not working.

Chairman Wright said there is a need to make the change and he believes the grievance committee is a good idea, but we need to look at it constructively. He would like any issues of disciplinary action be resolved at a lower level. The termination and dismissal process should end at the Council level, but there is a process of being impartial. How can the Tribal Council be impartial if they do the hiring.

Shannon Rambeau stated only a judge can suggest changes to the court, but that doesn't make them final. The operational procedures from 1998 were approved by an order from the judge. The procedures were never approved by the Tribal Council or the Law & Order Committee.

Carman Tobey, Jr., said under 3.01.2.030, "*the Pyramid Lake Paiute Tribe of Indians have existed as an independent sovereign nations since time immemorial. Historically, the Tribe has sole and absolute jurisdiction over Pyramid Lake and its surrounding area. Today, the Tribe continues to govern the Pyramid Lake Indian Reservation limited only in its authority by its Constitution and the Bylaws, and the Constitution and laws of the United States. This Code is to be interpreted in a manner that recognizes the Tribe's intent to assert the fullest extent of its sovereign authority over the Pyramid Lake Reservation.*"

Terrylee Sampson said when the judges came they said they wanted to start an appeals court and there was an ulterior motive when they were here. One of the judges was removed and the other one resigned. If we were to have our own appeals court, it should have been honestly. Jolyne stated when the Inter- Tribal Court Appeals issue came up; it wasn't clear why there was consideration of opting out. There are problems that need to be addressed. How can a new court be brought in the way things are. We need to fix the problems first. If our court is not following the Law & Order Code, then they are violating Tribal member rights.

Councilmember Servilican clarified that Administration and the Law & Order Committee are going to review the complaints to get them resolved because a lot of the complaints are old. He suggested a time frame of 60 days.

Councilmember Judith Davis made a motion to move into a closed session. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, ***motion carried.***

The Tribal Council moved into an executive session at 9:20 p.m.

Councilmember Jason Davis made a motion to move into an open session. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, ***motion carried.***

The Tribal Council moved into an open session at 10:30 p.m.

#### **ADJOURNMENT**

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

Meeting adjourned at 10:35 p.m.

Submitted by,

Gina Wadsworth

Tribal Secretary



Tribal Council Minutes continued...

The candidates for the Vice Chairman seat are Marlon Ramos, Carla Eben, and Jolyne Sander. The candidates for the Council seats are Leona Collins, Genevieve John, Carol Smith, Sherry Ely Mendes, Clayton Servilican, Kenneth Miller, Gordon Frazier, Jolyne Sander, Anthony Sampson, Sr., William Crutcher and Carman Tobey, Jr.

Councilmember Jason Davis made motion to certify candidates and to allow the one candidate to make the choice of which office they want to run for. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, ***motion carried***.

Karole stated there are five candidates for PLHS School Board: Lori Black, Sharon Keever, Carol Smith, Carla Eben, and Anthony Sampson, Sr. There are two at-large positions on the School Board.

Councilmember Janet Davis made a motion to approve PLHS Board candidates. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, ***motion carried***.

Councilmember Judith Davis made a motion to have the Election Committee draft an amendment to the Ordinance prohibiting individuals submitting for more than one office in any single election. The motion was seconded by Councilmember Janet Davis. Votes taken were all in favor, ***motion carried***.

**Questions for Ballot:** Chairman Wright stated he submitted two questions to be added to the ballot and Councilmember Servilican also had two questions that he would like to be considered.

The questions are: 1) Tribal members who are 18 years old should be allowed to vote. Yes or No. 2) The one year residency requirement for voting should be verified and confirmed through a voter registration process. Yes or No.

Councilmember Servilican said he submitted the changes in written format, but the questions should be more straightforward and to have it as a question. Chairman Wright said the question would be: The terms of office for all Councilmembers including the Chairman and Vice Chairman should be 4 years. Yes or No.

The second question is regarding leases. Chairman Wright suggested the question to read: The terms of the leases should be determined by the Tribal Council. Councilmember Servilican stated the five-year lease is only mentioned once in the Constitution.

Councilmember Janet Davis said it needs to be clear to the voters that the questions are intended for guidance purposes. Councilmember Jason Davis believes that Article VI should not be discussed as far as including it on the ballot. If the Council wants to amend the Constitution, a working group should be set up and then have a Secretarial vote. Chairman Wright said his intent is to increase voter turnout.

Councilmember Judith Davis said if the questions are included on the ballot and the response is no, and we try to start the changes, the membership could come back and say that the vote was no. The membership needs to be educated first.

The question will have to be formulated and Councilmember Servilican said his question would be, "do you want to have a lease longer than 5 years?" Councilmember Janet Davis and Councilmember Mendes agreed that the members probably won't know what is being talked about.

Chairman Wright said he is going to withdraw his questions from the ballot. Chairman Wright said the question is whether or not to include Councilmember Servilican's questions. Councilmember Jason Davis said he would like to see the first question included. Councilmember Servilican then withdrew the second question regarding leases.

Councilmember Jason Davis made motion to include the first question submitted by Councilmember Servilican regarding terms of office on the ballot. Motion fails due to lack of a second.

Karole said there was a question of including "none of the above" on the ballot. Chairman Wright said he thinks it should be on the ballot, but it needs to be included in the ordinance. The question to the Council is if we want to see this option on the ballot. Councilmember Janet Davis said something needs to be put in place first.

**Schedule Meeting for the 2008 Budget – Appropriations Committee:** Councilmember Judith Davis said that the agenda states scheduling a meeting for the 2008 budget, but the Council was supposed to review the budget tonight. Chairman Wright asked if the Council has any questions regarding the scheduling of the meeting. Ralynn James, Comptroller, would like to guide the Council on the CD because she wanted to insure that individuals knew how to open the files. The deadline for approval of the budget is December 31<sup>st</sup>. Councilmember Judith Davis said a meeting date needs to be scheduled.

Ralynn said the budgets were done without the Vice Chairman position factored in. Chairman Wright said he did two versions of the Chairman's budget, one includes the Vice Chairman position and one without the Vice Chairman position.

It was the consensus of the Council to schedule the meeting December 19, 2007 at 1 p.m. Chairman Wright stated that it would be a working session so that the Council can work through the budget and perhaps approve the budget at the meeting scheduled for December 21<sup>st</sup>.

**Request for a Closed Meeting from Kerry Sander:** Chairman Wright stated we received a letter from Kerry Sander requesting a special closed meeting with the Tribal Council. Councilmember Judith Davis said the Housing Board met with the individual in an executive session and she suggested that Chairman Wright talk with the director. He said he will report back to the Tribal Council.

Councilmember Janet Davis made a motion to table the request. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, ***motion carried***.

#### ADJOURNMENT

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

The meeting adjourned at 8:25 p.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

**Submit Articles for March  
Newspaper by 3:00PM,  
Friday, February 22, 2008**

**E-mail: [newspaper@plpt.nsn.us](mailto:newspaper@plpt.nsn.us)**



#### **Nevada Urban Indians, Inc**

*3rd Annual*

**Diabetes Wellness Fair**

**March 22, 2008 1-9 PM**

Boys & Girls Club of Truckee Meadows

Free Easter Egg Hunt: 11:30—1:00 PM

Opening Introduction: 1:00PM Grand Entry: 1:30

Pow wow 1:30 –9:00 PM

Free Dinner: 4:00 PM—5:30 PM

2680 E. Ninth St, Reno

775-788-7600



Tribal Council Minutes continued...

**PYRAMID LAKE TRIBAL COUNCIL  
SPECIAL MEETING MINUTES  
DECEMBER 21, 2007**

**Members Present:** Mervin Wright, Jr., Tribal Chairman                      Sherry Ely Mendes  
Janet Davis    Kenneth Miller  
Jason Davis    Irwin Mix  
Judith Davis    Clayton Servilican  
Johnnie Garcia

**CALL TO ORDER**

Tribal Chairman Mervin Wright, Jr. called the December 21, 2007 special meeting of the Pyramid Lake Tribal Council to order at 6:30 p.m. in the Tribal Chambers, Nixon, Nevada.

**ROLL CALL**

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Kenneth Miller arrived at 8:02 p.m. All other Councilmembers were present and a quorum was established for the meeting.

**APPROVAL OF AGENDA**

Chairman Wright stated the following items need to be included on the agenda: the 2008 budget, Higher Education and to add two more contracts with the Pyramid Lake Health Clinic under Committee/Department Action. Councilmember Mix stated he would like to include the Crosby Lodge for request of a derby.

Councilmember Janet Davis made a motion to approve the agenda with changes. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried.**

**PUBLIC COMMENT**

There were no public comments made.

**NEW BUSINESS**

**Pyramid Lake Store Liquor License Request:** Chairman Wright stated we received a letter from George and Carla Molino requesting approval of a liquor license for the Pyramid Lake Store.

Councilmember Jason Davis made a motion to approve the liquor license for the Pyramid Lake Store. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

**Pyramid Lake Christmas Bird Count – Dennis Serdehely:** Chairman Wright stated Dennis Serdehely was not present, but is requesting permission to conduct the annual Christmas Bird Count at Pyramid Lake on January 1, 2008. They will also be working with the U.S. Fish and Wildlife Service for access to Anaho Island.

Councilmember Mendes made a motion to approve the request to conduct the annual Christmas Bird Count on January 1, 2008. The motion was seconded by Councilmember Mix. Votes taken were all in favor, **motion carried.**

**Wes Williams, Jr.:** Chairman Wright stated Wes Williams submitted his November report and invoice. Councilmember Janet Davis made a motion to approve the invoice. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, **motion carried.**

**2008 Contract:** Chairman Wright stated Wes submitted a contract for calendar year 2008. The contract contains a ceiling amount. Councilmember Jason Davis made a motion to approve the contract with Wes Williams, Jr. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

**2008 Budget –** Chairman Wright stated he provided a memorandum to the Tribal Council regarding the Vice Chairman position. The amount needed for this position is approximately \$170,000 which does not include the incidentals such as supplies. An analysis should have taken place in 2005 to analyze the effectiveness of the position and this did not happen. There is a job description for the position dated July 21, 2006. By conducting the analysis of the Vice Chairman position we would be able to clearly define the job description, stating objectives and duties and also looking at criteria and credentials. We will need to look at the Personnel Policies and other corresponding policies that may need amendment to include this position. As far as supervision and other administrative authority, the Tribe has been operating since mid-October without a Vice Chairman on staff.

The initial budget that was presented had two versions. Version 1 was developed based on the serious funding constraint and by having to modify the budget in order to come up with the amount needed, we are putting further constraints in our budget. It is recommended we go with Version 1 for the Tribal Chairman, Tribal Council, and governmental services budgets.

Councilmember Servilican said with the Vice Chairman position being elected, will it be done as it is written in the Constitution. Chairman Wright stated nothing has been changed and everything is the same. Councilmember Servilican said the Constitution states the Council can choose from its own members. Chairman Wright said that portion of the Constitution was amended.

Chairman Wright said it's important that when we talk about restructuring and reorganization and in looking at the role of administration versus the role of the Tribal Council, they are two separate roles and functions. In order to make sure they are separate functions, we need to build in those means to make it operate.

Councilmember Mendes said it sounds like Administration has talked about it and put a lot of thought into it. We are talking about going back to an old system of having a Vice Chairman that is not a paid position. When the decision was made to make it a paid position, it was the hope that the administrative work would get done, but the work wasn't done and it wasn't analyzed. The issue was that there wasn't enough coverage for administrative duties. Has this been discussed with the Administrator and where will the work be absorbed if the Vice Chairman is not there. If it's a money saving measure, it would be a good thing. When we do that, the money we are saving would be going toward that position or is it earmarked elsewhere.

Chairman Wright stated Version 1 reflects where the money was originally placed. When the Council didn't act on the suggestion to rescind the 2004 decision to fund the position, the money had to come from the Chairman and Tribal Council budgets. In the Version 2 budget the difference is in the salary. Between fringe benefits and the salary, it is \$85,000. For the Tribal Council budget there's about a \$40,000 difference and with the Governmental Services budget it's about a \$35,000 difference. Chairman Wright stated all the other line items weren't changed but it is still a limited budget.

Councilmember Janet Davis said the qualifications and criteria should also be done for the Chairman position. Chairman Wright agreed and stated when the process is started the ideas will be shared with the Council. He stated that we want to make it a good positive move toward any revision that is needed.

Councilmember Garcia asked if the Vice Chairman would be working parallel with the Chairman and to know everything the Chairman would know. Chairman Wright said if there are specific issues the Vice Chairman was not aware of, he would do everything he could to inform the Vice Chairman.

He stated that Councilmember Servilican brought up a good issue about the Vice Chairman seat that if people knew the position was unpaid and would be able to keep their current job then maybe they would have submitted their name.

Tribal Council Minutes continued...

Councilmember Servilican said we should look at it now because there is only one year left in the term. Councilmember Janet Davis said if we are in financial constraints then why are there new positions, unless they are grant positions.

Councilmember Judith Davis asked if the Treasurer position would be included in the budget. Chairman Wright said when looking at the Treasurer position, are there any position that would cover that. Ralynn James, Comptroller, said it needs to be started again because it's important. Chairman Wright said the Treasurer was appointed in name and it was also advertised and paid. He asked Council if they are going to consider the Treasurer position now or later.

Councilmember Servilican suggested having the stipends at \$40 for each meeting and Councilmember Janet Davis said if that's the case then all committees should be that amount. Councilmember Servilican said the Vice Chairman is included as part of the Council and it will affect the Council.

Councilmember Janet Davis asked if we are looking to approve the budget and Chairman Wright said we need to schedule a meeting for the budget discussion. He would like to know from the Tribal Council if they are interested in looking at each budget, modifying each budget, or are there programmatic questions. Councilmember Mendes said she doesn't remember a time when the Council had completely changed the budget. It will take longer than the time we have tonight.

Councilmember Mix stated he had a question about the Tax Fund Use Plan and if it is possible to split the money allocated to Law Enforcement be divided and allocate half to Judicial. Vernelda Frazier, Tax Administrator, explained that the Tax Commission develops the Tax Fund Use Plan and the Tribal Council approves it. If the Council recommends the change, the Tax Code will have to be amended. She said the Tax Commission will review the suggestion.

The Tribal Council discussed a meeting date and decided to schedule a meeting for Thursday, December 27<sup>th</sup> at 5 p.m.

**Crosby Lodge** – Fred Crosby: Fred Crosby stated he previously submitted a proposal for his derby which will be held in February. He had other people contact him with questions regarding derbies. He stated the derby application needs to be changed especially the liability.

Carla Molino stated one gentleman asked about derbies and she informed him it was still being worked on. Chairman Wright said nothing has been said or done by the Council in saying "no" to derbies.

Fred said the \$10 fee is too high because derbies don't make a lot of money. Chairman Wright said if the Council makes a decision, we will hold the line for all other requests. Councilmember Mix stated they have businesses here and they pay taxes, so why would we hit them again. Councilmember Janet Davis said any cost that is charged is above and beyond that we received last year.

Councilmember Mendes suggested \$3 per head for smaller derbies and \$5 per head for larger derbies. Councilmember Jason Davis asked how they would assess it and Chairman Wright said it would have to come after the derby.

Fred asked if the Nets will be open in the spring and Chairman Wright said the Council is concerned with the fisheries. If we are to protect the raceway there has to be a limited amount of space. The fishermen are going to know fish are there and will congregate in that area. The concern is the amount of times a fish could be caught and they will be under stress. The derbies will also be discussed when the working group begins to look at the regulations.

Councilmember Mendes said there were no reports from Finance or the Fisheries and the Council has to make a decision based on information that should have come from Administration.

Councilmember Mendes made a motion that smaller derbies, up to 500 participants, pay \$3 per head and larger derbies, 501 participants and more, pay \$5 per head. The motion was seconded by Councilmember Mix. Votes taken were all in favor, ***motion carried***.

Councilmember Mendes made a motion to send the derby application back for rewording so that there is no other fee beyond the per head fee, that the insurance not be included, and to eliminate rule B on the derby application regarding for organizer liability for each participant. The motion was second by Councilmember Judith Davis. Votes taken were all in favor, ***motion carried***.

The Tribal Secretary asked for clarification regarding the suspension of the regulations specific to the fishing derbies. Councilmember Judith Davis asked if this can be done. Chairman Wright said the Tribal Council is the governing authority of the Tribe and the Tribe possesses jurisdiction within the boundaries of the Reservation. In establishing laws, rules and regulations, it's the Council's responsibility and if the Council chooses to suspend the rules, it's their choice. The action taken was to suspend the rules in order to revisit them by the working group. Councilmember Mendes said she would like to have administration begin work on the changes as soon as it is discussed.

Fred clarified with the Tribal Council that his derby was approved and Chairman Wright replied that the derby is on but the discussion is on the regulations. He stated to Fred that he will send Fred a letter stating what was decided with regard to tournaments and Fred will send a request letter to the Tribal Council stating the terms and conditions.

Councilmember Judith Davis made a motion to suspend the regulations regarding fishing derbies. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, ***motion carried***.

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

**I-80 Smokeshop** – Duane Florez: Chairman Wright stated he didn't see anything in the report requesting any action. Councilmember Servilican stated Duane wants to close the Store on Sundays and cut the hours back. Councilmember Jason Davis stated the report states possibly closing on Sundays. Councilmember Janet Davis said if Duane is not going to have that responsibility then his wages need to be analyzed.

Councilmember Judith Davis asked if Duane has met with the Chairman regarding the Nixon Store. Chairman Wright stated they did meet and a copy of the summary was previously given to the Council. Councilmember Judith Davis said she was told by employees that the Store would be closed on January 1. Chairman Wright stated the Store would not be closed and from the meeting they decided that once the Tribe gets the ability to take over the Store that is when it will happen.

Councilmember Mendes stated she would like to see a business plan for the Store and a revised business plan for the Smokeshop.

Councilmember Mendes made a motion that prior to the closure of the Nixon Store that Administration develops a business plan for approval and submit a revised business plan for the Smokeshop before the separation occurs. The motion was seconded by Councilmember Jason Davis.

Discussion: Councilmember Janet Davis asked that the salaries of all positions be included. Councilmember Servilican stated that Duane is not an Enterprises Manager, but a Store Manager.

Votes taken on the motion for a Nixon Store business plan and revised business plan for the Smokeshop were 7 for and zero opposed, with 1 abstention. ***Motion carried***.

**Approval of the 2008 Indian Housing Plan** – Christine John: Christine John, Executive Director, stated she is requesting approval of the 2008 Indian Housing Plan. The Board of Commissioners adopted the plan for next year. The goals and objectives are attached. The Tribe is eligible for \$853,799 for FY2008.

Christine informed the Council that the Housing Authority contributes to the Tribe under a Users Fee through the Tax Department.

## Tribal Council Minutes

Councilmember Jason Davis made a motion to approve the resolution for the 2008 Indian Housing Plan. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, ***motion carried.*** **RESOLUTION NO. PL 83-07**

**Prosecutor and Advocate Positions for Interview** – Jeraldine Magee: Chairman Wright stated that no one from Human Resources was available for tonight's meeting and one of the applicants wanted a phone interview. He would like to table the interviews so that all individuals can be here in person.

Councilmember Mendes made a motion to table the prosecutor and advocate interviews. The motion was seconded by Councilmember Janet Davis. Votes taken were all in favor, ***motion carried.***

**Approval of an Institute of Museum and Library Services Grant Budget** – Ben Aleck: Ben Aleck, Museum Coordinator, is requesting approval of a budget for a new grant they received from the Institute of Museum and Library Services. The grant will pay for a portion of salaries and another portion is for an inventory. Councilmember Judith Davis asked if this budget would pay for NAGPRA meetings and Ben replied that stipends are covered under the National Park Service grant.

Councilmember Judith Davis made a motion to approve budget for the IMLS grant. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, ***motion carried.***

**Approval of Contracts for Optometrist, Psychiatrists, Counselors, Diabetes Educator, Podiatrist, and Tai Chi Instructor** – Cindy Curley: Chairman Wright stated there was no one here from the Clinic. Councilmember Mendes stated she did not attend the last Board meeting so she does not know the status of the contracts. Councilmember Garcia said they were sent out and polled by the Board.

There were questions on the Tai Chi Instructor contract regarding the number of hours on the contract versus the number listed on the scope of work. Councilmember Miller stated that the director should be here because there are questions.

Councilmember Jason Davis made a motion to table for the contracts for clarification. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, ***motion carried.***

**Approval of Contract with ITCN Headstart Program** – Della John: Chairman Wright stated Della John, Tribal Administrator, was not present. Councilmember Servilican made a motion to table for more information. The motion was seconded by Councilmember Miller. Votes taken were 5 for and 3 opposed, with no abstentions. ***Motion carried.***

**Health Clinic Board Vacancy:** Councilmember Jason Davis made a motion to table the selection until after the election. The motion was seconded by Councilmember Mix. Votes taken were 7 for, none opposed, and 1 abstention. ***Motion carried.***

Councilmember Mendes stated she abstained because she didn't know why the Council would wait on the selection.

**Higher Education** – Anthony Sampson: Anthony Sampson was present requesting approval of funding for spring semester students. There are 24 returning students and 5 new students. The funding for the returning students is available. The Education Committee is recommending approval.

Councilmember Judith Davis made a motion to approve the higher education scholarships as recommended. The motion was seconded by Councilmember Mix. Votes taken were all in favor, ***motion carried.***

Anthony stated there were eight applications for the \$350 Tribal scholarship but only \$700 is available and we will be able to fund the first students who submitted applications.

Councilmember Jason Davis made a motion to approve the Tribal Scholarships. The motion was seconded by Councilmember Janet Davis. Votes taken were 7 for, zero opposed, with no abstentions (Councilmember Mix out of the room during the vote). ***Motion carried.***

For Adult Vocational Training there were three students attending school, but one was dropped due to lack of attendance and there was one new applicant. We are only able to fund two students.

Councilmember Jason Davis made a motion to approve the AVT applications. The motion was seconded by Councilmember Miller. Votes taken were 7 for, zero opposed, with 1 abstention, ***motion carried.***

**TRIBAL CHAIRMAN REPORT** – Mervin Wright, Jr.: Chairman Wright stated he would report on the TROA issue which will have to continue in an executive session.

Councilmember Janet Davis made a motion to move into an executive session. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, ***motion carried.***

The Tribal Councilmember moved into an executive session at 9:30 p.m.

Councilmember Mix made a motion to move out of executive session. The motion was seconded by Councilmember Miller. Votes taken were all in favor, ***motion carried.***

The Tribal Council moved into an open session at 11:35 p.m.

### ADJOURNMENT

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

The meeting adjourned at 11:36 p.m.

Submitted,  
Gina Wadsworth  
Tribal Secretary

**Tribal Council Meetings**  
**1ST Friday of each Month at 7:00PM**  
**3RD Friday of each Month at 6:30PM**



Tribal Council Minutes continued...

**PYRAMID LAKE TRIBAL COUNCIL  
SPECIAL MEETING MINUTES  
DECEMBER 27, 2007**

<b>Members Present:</b>	Mervin Wright, Jr., Tribal Chairman	Sherry Ely Mendes
	Janet Davis	Kenneth Miller
	Judith Davis	Clayton Servilican
	Johnnie Garcia	

<b>Members Absent:</b>	Jason Davis	Irwin Mix
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**CALL TO ORDER**

Tribal Chairman Mervin Wright, Jr. called the December 27, 2007 special meeting of the Pyramid Lake Tribal Council to order at 5:07 p.m. in the Tribal Chambers, Nixon, Nevada.

**ROLL CALL**

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmembers Jason Davis and Irwin Mix were not present at the meeting. Councilmember Kenneth Miller arrived at 5:45 p.m. All other Councilmembers were present at roll call and a quorum was established for this meeting.

**APPROVAL OF AGENDA**

A motion was made by Councilmember Judith Davis and seconded by Councilmember Mendes to approve the meeting agenda. Votes taken were all in favor, *motion carried*.

**2008 BUDGET** – Appropriations Committee: Present during the discussion were Ralynn James, Tribal Comptroller; Billie Jean Guerrero, Human Resources Manager; Della John, Tribal Administrator; Sandra Hicks, Contracts/Grants Technician; and Denise Shaw and Melissa Decker representing the Tax Commission.

Chairman Wright asked the Tribal Council how they would like to begin discussions on the proposed budget. He suggested reviewing the budget first and then begin discussion regarding decisions that have to be made and eventual approval of the 2008 budget.

Councilmember Mendes suggests going through the programs and then the Administrative items that needs to be discussed. Or, is there a certain order the Council would like to follow. Chairman Wright stated the way he understood it was to discuss the budget then make any changes or to make changes along the way. The Tribal Secretary suggested starting with Economic Development and then discussing the departments listed under Administration.

Economic Development: The funding for economic development was cut. The Economic Development Committee has agreed to take on the projects and potential projects and the IDT has agreed to review projects. Councilmember Mendes asked if it is a paid committee and Chairman Wright replied yes and it's budgeted under governmental services. Councilmember Mendes suggested a possibility of working concurrently with Economic Development Committee to get a feel of where the Tribal Council had already done work on. She asked if there was funding set aside to get a plan completed and Chairman Wright replied there were no funds set aside.

There were no changes to the budgets for Emergency Response, Enrollment, Environmental Department, Natural Resources Species, Events Office, Gaming Commission, Health Services, Higher Education, Library, Johnson O'Malley, Judicial Services, and Lake Maintenance.

The Language Program is being recommended for \$45,000 and to look for grant support. Councilmember Mendes asked if the Appropriations Committee looked at realigning goals and objectives for the program and Ralynn replied yes and that Della is working with the program director to do this.

There were no changes to the Law Enforcement and Museum/Visitors Center budgets.

Parks & Recreation: The Tax Fund Use Plan has \$38,255 allocated. The question is what this money is going to fund. Chairman Wright said the Tax commission's recommendation was to develop a plan for enhancement of current parks.

Denise Shaw said the Tax Fund Use Plan states, "This improvement and/or development is also part of the Pyramid Lake Paiute Tribe's Overall Economic Development Plan, capital improvement and infrastructure of neighborhood parks, pools, libraries and recreational facilities as a priority." Chairman Wright said we will probably have to work with administration to facilitate activities and report to Council. Chairman Wright said the Boys and Girls Club had been discussed with the Appropriations Committee and it we will work to getting it established. Chairman Wright said it sounds like we are going to focus on the Tax Fund Use Plan and bring out the Boys and Girls Club. Denise said there is the Parks & Recreation Committee, but they are not meeting. Councilmember Mendes suggested realigning the program with the Tax Fund Use Plan and to focus on the committee with gym scheduling and actively look for grants.

The Tribal Council took a short break at 7:15 p.m. and reconvened at 7:23 p.m.

Public Utilities (solid waste, water and sewer): Councilmember Mendes asked if this includes fees collected. Ralynn stated she spoke with Torey Byington and told her they will have to attempt to recover their costs, such as increasing the fees as they only collect about \$12,000. She stated they will be re-forecasting the budget to analyze where it's short on a quarterly basis. Chairman Wright said the PUD Board is considering raising fees.

Pyramid Lake Enterprises: The Smokeshop is not requesting any Tribal funds. Councilmember Mendes asked how soon the transition will have to happen in order to absorb their costs without the Store. She suggested to Chairman Wright that he meet with Duane and Linda in order to be on the same page. It was stated that the Nixon Store would be closing on January 1. Ralynn said they met to discuss how much it would cost to close the Store and whether the Store will close at year end or quarter end and that was all that was discussed.

There were no changes to the budgets for the Pyramid Lake Fisheries, Pyramid Lake Housing Authority, Pyramid Lake High School, Rangers, Realty, Roads Maintenance, Senior Services, and Social Services.

Summer Youth Employment: The Tax Fund Use Plan allocated \$20,280. Billie Jean said they used to receive a lot of applications, but within the last three years we have only received enough applicants to cover the few jobs that were available and this budget will hire 12 workers. It was stated that the Fisheries used to hire youth workers. Chairman Wright will check Dan Fairbank to see if they are considering supporting the summer youth workers.

There were no changes to the following program budgets: Tax Department, Victim Services, and Water Resources.

Tribal Chairman and Tribal Council Budgets: Chairman Wright stated Version 1 includes the Vice Chairman position and in having to modify the budget, Council stipends were decreased to one stipend per month with minor changes in the other line items to cover the costs.

Councilmember Mendes stated she thinks the salary should be a flat rate for both positions since they are elected positions. If you're elected you would receive other benefits such as medical insurance, etc. Chairman Wright said part of the analysis would be looking at qualifications. Ralynn asked if the Council would be able to demand results and to make sure they are done, such as reports. Chairman Wright suggested sanctions could be imposed or lose some privileges.

Tribal Council Minutes continued...

Councilmember Mendes said the options are to fund the position and realign both seats or to not fund the position but still realign and reassess the seats. Billie Jean said it would mean changing the Personnel Policies since the backbone of the policies are by classifications. Although the Chairman and Vice Chairman are elected positions, they are also classified positions.

Councilmember Mendes suggested reverting to back to having a non-paid Vice Chairman position and decide what is more important; a Treasurer or Vice Chairman. Her take is that the Vice Chairman duties were absorbed throughout the year and Administration can continue without that person. Chairman Wright stated the supervision was analyzed by the Tribal Administrator and expectations, goals and objectives were outlined. Ralynn stated the Tribal Council has to live with the decision for one year.

Councilmember Judith Davis asked about the Treasurer position since it is included in the Constitution and Bylaws. Chairman Wright said the Tribal Council interpreted the Constitution and Bylaws as "deeming it not necessary." He suggested taking up this discussion after the election.

The recommendation is to fund the position, analyze and revisit the positions within three months with a salary and to provide two stipends for the Council out of the contingency line item.

Councilmember Judith Davis commended all departments for the budget cuts that occurred.

Councilmember Miller made a motion to approve the budget and resolution. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, ***motion carried.*** **RESOLUTION NO. PL 85-07**

#### **ADJOURNMENT**

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

The meeting adjourned at 9:40 p.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

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### **PYRAMID LAKE TRIBAL COUNCIL REGULAR MEETING MINUTES (*Outgoing*) JANUARY 8, 2008**

<b>Members Present:</b>	Mervin Wright, Jr., Tribal Chairman	Sherry Mendes
	Janet Davis	Kenneth Miller
	Jason Davis	Irwin Mix
	Judith Davis	Clayton Servilican
	Johnnie Garcia	

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#### **CALL TO ORDER**

Chairman Wright called the January 8, 2008 regular meeting of the Pyramid Lake Tribal Council to order at 7 p.m. in the Tribal Chambers, Nixon, Nevada.

#### **ROLL CALL**

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Janet Davis arrived immediately after roll call. All other Council members were present at the time of roll call and a quorum was established for the meeting.

#### **NEW BUSINESS**

**Election Board** – Karole McQueen: Karole McQueen, Election Board, was here to present the results of the December 29, 2007 Tribal election. The minutes of the Election Board meeting held on January 3, 2008 were distributed.

Karole stated there were a total of 486 eligible voters of which 198 voters voted with 3 spoiled ballots. The results were canvassed, certified, and signed at 6:01 p.m. following the closure of the polls. The Board is recommending approval of the election results.

Chairman Wright stated an appeal letter had been received by the Tribal Secretary and it was submitted to the Board for review, but the Tribal Council has to make a decision on the appeal.

*Appeal Letter:* The Election Board was provided a copy of the appeal letter and the challenge was answered by the Election Board. Karole was asked to address the concerns in the appeal letter.

The appeal was submitted by Carol Smith. The first issue is under Article III, Section 2 of the Tribal By-laws that "*all tribal elections for officers shall be canvassed and certified by the council or by a board appointed by it within one day after such elections. No candidate shall be considered legally elected, nor shall he hold office until such canvass and certification shall have been made by the council.*" Karole stated the results are certified immediately following the close of the polls.

The next item is that the "*results of the 2007 election were not posted throughout the reservation communities as required, nor was the list of candidates prior to the election. There was not even a posting at the Nixon Post Office.*" Karole stated the results were posted immediately in Nixon, Wadsworth and Sutcliffe following the election. As far as the list of candidates prior to the election, this is a question for the Tribal Secretary.

Karole read, "*Granted this will not affect the outcome of the results, but the ordinance and laws governing the elections were clearly not followed. And granted the postings are often removed by community members, but somebody should be responsible enough to ensure that the results remain posted and repost if necessary. Another item of note was although there was a sign posted at the gym door: "Only voters past this point," a non-tribal member was allowed to remain at the election table during the election.*" Karole stated she was not sure what is being referred to because she could not recall a non-tribal member sitting at the table during the election.

Councilmember Mix stated the Election Board did not address the issues. Karole stated the canvassing was done and it is attached to the minutes. The results are posted, but if people take them down, it's hard to keep tabs on it when people take them. The unofficial results were posted in all three communities. Carol Smith said her contention is that the certified results were not posted, but only the uncertified results. Susan Albright, Election Board member, said she posted the results at the I-80 Smokeshop and Post Office.

Councilmember Janet Davis asked Carol what she expected out of this and Carol replied she would like to see compliance with the By-laws. Councilmember Janet Davis asked if it would be for the future and Councilmember Mix interjected saying for the future or correct the problem and have it redone. Karole reported they could post the printout from the voting machine and Councilmember Janet Davis asked Carol if that would satisfy her complaint. Carol replied yes, because it had been posted before.

Tribal Council Minutes continued...

Karole stated as far as the posting of the candidates, that is the responsibility of the Tribal Secretary. The Tribal Secretary stated the list is posted, but people take the postings down and there really is no way to control it.

Councilmember Janet Davis asked about the non-tribal member sitting at the table. Karole stated she was not sure who was being referred to and Carol replied that it was near the table and it was Missy Whitebird. Randa Mitchell said Missy was there, but she brought them lunch and she wasn't at the table. Randa said there were other people there later in the day, but they were setting up for the funeral service and it was not known if they were non-tribal members.

Chairman Wright stated the polling site could be improved on and perhaps cordon a portion and state only voters beyond a certain point. There is room for improvement within the ordinances.

Councilmember Jason Davis made a motion to accept the Election Board's recommendation for approval of the election results. The motion was seconded by Councilmember Judith Davis. Votes taken were 6 for, 1 opposed, and 1 abstention. **Motion carried.**

**ADJOURNMENT**

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

The meeting adjourned at 7:32 p.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

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**PYRAMID LAKE TRIBAL COUNCIL  
REGULAR MEETING MINUTES (Incoming)  
JANUARY 8, 2008**

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

Prior to this meeting being called to order, Vice Chairman Carla Eben and Council members Gordon Frazier, Genevieve John, Sherry Ely Mendes, and Clayton Servilican were sworn in by Erin Calvin, Chief of Police.

**CALL TO ORDER**

Chairman Wright called the January 8, 2008 regular meeting of the Pyramid Lake Tribal Council to order at 7:53 p.m. in the Tribal Chambers, Nixon, Nevada.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

Chairman Wright stated there are two Emergency Senior Requests for Violet Lowery and Arlene McCluskey and one donation request for Brianna Dunn. It was stated these requests can be added under New Business.

Councilmember Jason Davis made a motion to set adjournment of the meeting at 10 p.m. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried.**

Councilmember Judith Davis made a motion to approve the agenda with the changes. The motion was seconded by Councilmember Garcia. Votes taken were all in favor, **motion carried.**

**PUBLIC COMMENT**

There were no public comments made at this time.

Chairman Wright stated regarding the process for public comment, we would like to streamline the public comment period. In the past, people would bring up issues such open court cases and personnel issues, and the Tribal Council has no control over what people say in the public forum and at the same time, we have to make sure we don't cross the line of interfering in open cases or potentially subjecting employees to undue scrutiny without policies being followed.

**CONSENT AGENDA**

Councilmember Judith Davis made a motion to approve the Consent Agenda. The motion was seconded by Councilmember Jason Davis. Discussion: Councilmember Servilican stated he tried to get his packet earlier and the Tribal Secretary stated she informed Clayton that the election was not yet certified and she could not give him a packet. Councilmember Mendes said she would have to abstain, but because she was on the Tribal Council previously, comments were made and there was no chance to review the minutes. Councilmember Judith Davis and Jason Davis rescinded the motion and second to approve the Consent Agenda.

Councilmember Janet Davis made a motion to table the items on the Consent Agenda. The motion was seconded by Councilmember Garcia. Votes taken were all in favor, **motion carried.**

**HUMAN RESOURCES** – Billie Jean Guerrero: Billie Jean Guerrero, Human Resources Manager, stated the appointment of the Tribal Secretary is on the agenda for Tribal Council action.

*Appointment of Tribal Secretary:* Billie Jean Guerrero stated the position was advertised from December 17, 2007 to December 31, 2007. This is a yearly appointment and is a Tribal Constitutional position. There is one applicant, Georgina Wadsworth. The Tribal Council also opened the floor for nominations. Heidi McCluskey (*in the audience*) stated she would like to be considered.

At this time Heidi McCluskey and Georgina Wadsworth were interviewed. Following the interviews, the Tribal Council voted by ballot. Heidi McCluskey received 2 votes and Georgina Wadsworth received 7 votes. Georgina Wadsworth was appointed as Tribal Secretary.

Tribal Council Minutes continued...

**ENROLLMENT** – Carol Smith: Carol Smith, Enrollment Officer, stated the Enrollment Committee is recommending approval of seven applicants for regular membership. Councilmember Jason Davis made a motion to accept the Enrollment Committee's recommendation for approval of the seven applications for membership. The motion was seconded by Councilmember John. Votes taken were 8 for, zero opposed, and 1 abstention. **Motion carried. RESOLUTION NO. PL 01-08**

Chairman Wright then read the names of the approved members: Breyena Alia Byrd, Jace Ray Harry, Hayden Marie Light, Raynan Tavis Mix-Tapija, Hunter Jay Phoenix, Andree Duane Reese, and Shyla Jade Telly.

Carol reported that with tonight's approval, there are 2,371 living members and 322 deceased members.

#### **UNFINISHED BUSINESS**

**Tahoe-Pyramid Bikeway:** Chairman Wright stated he received an email from Janet Phillips who informed him that they received notice to proceed on the grant. Ben Aleck and Ralph Burns walked the portion located near S-Bar-S ranch. Janet stated they wanted to start working, but with the weather, there was nothing they could do. The PLF denied the request to use the wells at Numana Hatchery because they are inoperable. The request to take water from the River was also denied by Water Resources Department because we can't take the water because it is dedicated for instream flows. If we start taking water the State might say we don't need the water. The only option is using the municipal system in Wadsworth. The Interdisciplinary Team (IDT) suggested the Public Utility Board (PUD) entertain the request. The PUD Board will submit a recommendation since it involves the municipal water system. Councilmember Mendes suggested the entities (cultural, PLF, and IDT) put the recommendation in writing.

Councilmember Servilican made a motion to table the request. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, **motion carried.**

**Approval of Contracts for Optometrist, Psychiatrists (2), Counselors (2), Diabetes Educator, Podiatrist, and Tai-Chi Instructor** – Debbie Barlese: Debbie Barlese, Clinic Office Manager, said the only contract that was in question was the Tai-chi instructor and the correction has been made to the contract. Councilmember Mendes stated the Health Board has also reviewed the contracts.

Councilmember Jason Davis made a motion to approve the contracts that were presented. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried.**

Debbie reported on the damage from the storm at the Health Clinic building. Chairman Wright said he spoke with Cindy Curley on the warranty issues with D&D Roofing and was told that Tribal maintenance will be responsible for portions of the roof because they did some repair work on the roof. The Health Clinic had to close because the water was getting into the electrical room. He stated he has not heard from any other facilities regarding damage as a result of the recent storms. Debbie said Cindy is working on getting funding from I.H.S. for the damage but they have not heard back yet.

**Approval of Contract with ITCN Headstart Program** – Della John, Tribal Administrator: Della John, Tribal Administrator, was present requesting Tribal Council action on a 3-year agreement with the Inter-Tribal Council of Nevada Headstart program. Della stated she has been working with Janice Gunderson and Gloria Smith. In-kind contributions are being done so their program can offer services to the reservation communities.

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

**Prosecutor and Advocate Positions for Interview** – Jeraldine Magee, Court Administrator: Jeraldine Magee, Court Administrator, was present. A Request for Proposals had been posted for the prosecutor and advocate positions. She stated she received one proposal for the prosecutor position and two for the advocate position. Mitch Wright and Charlene Dressler were present, but Barry Stark was not here. The evaluation committee recommended they be presented to the Tribal Council. If the applicants were not appointed as contractual employees, she would recommend re-posting as Tribal employees.

Jeraldine said the reviews were based on the proposals received and they were reviewed to make sure everything was submitted and whether or not they should be brought before the Tribal Council. Chairman Wright said because they are contracts, it would not be a Human Resources function.

Jeraldine said the recommendation from Fred Drye's review was to have the prosecutor, defense advocate and Tribal judge positions be contractual. Both of the applicants have Tribal court experience at Pyramid Lake and other tribes. The Law & Order Code states the Tribal Council appoints these two positions.

Councilmember Jason Davis made a motion to appoint Mitch Wright for the prosecutor position. The motion was seconded by Councilmember Garcia. Votes taken were 8 for, zero opposed, and 1 abstention. **Motion carried.**

Councilmember Judith Davis asked if the one advocate is going to be available for clients and Jeraldine said she did speak with him and he is aware of the court dates.

Councilmember Judith Davis made a motion to appoint Charlene Dressler and Barry Stark as defense advocates. The motion was seconded by Vice Chairman Eben. Votes taken were 8 for, zero opposed, and 1 abstention. **Motion carried.**

#### **NEW BUSINESS**

**Request to Investigate the Old School House in Wadsworth** – Lisa Reyna: Chairman Wright stated we received a letter from Lisa Reyna requesting permission to investigate the Old School House in Wadsworth. Chairman Wright said he thinks the building is condemned. Councilmember Servilican made a motion to deny the request. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, **motion carried.**

**Request for Emergency Education Assistance** – Carlo Roche: Chairman Wright stated this request was received by Della John and forwarded to Tony Sampson in Higher Education. The Secretary stated she spoke with Tony and he was going to send scholarship information to Carlo. Councilmember Jason Davis suggested the student be contacted to find out the status and perhaps a phone poll could be conducted. Chairman Wright stated he would contact the student. Councilmember Jason Davis made a motion to table the request. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

**Donation Request** – Brianna Dunn: Brianna Dunn submitted a letter requesting a donation to assist her with attending a school trip to New York City. The trip is in April and she has been raising money. Councilmember Jason Davis made a motion to donate \$50. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, **motion carried.**

**Senior Emergency Requests:** There is a Senior Emergency Request submitted by Violet Lowery for \$106.31 and one from Arlene McCluskey in the amount of \$357.81. Councilmember Janet Davis said criteria were supposed to be developed and Councilmember Mendes said she has been unable to meet with Della.

Councilmember Janet Davis made a motion to approve both Senior Emergency requests. The motion was seconded by Councilmember Servilican. Discussion: Councilmember Jason Davis stated he doesn't believe it's fair because of the different amounts. It should be one amount for each one or set a maximum amount. Votes taken were all in favor, **motion carried.**

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

**Approval of an Administration on Aging Grant Resolution** – Vinton Hawley, Senior Services Director: Della John stated Vinton Hawley is unable to attend the meeting tonight so she will be presenting the request for approval of a resolution for the Administration on Aging grant submittal. The grant provides funds for nutrition for the Numaga Program and Caregiver portion. The resolution is for the authority to submit a grant application.

Tribal Council Minutes continued...

Councilmember Judith Davis made a motion to approve the resolution for grant submittal to the Administration on Aging. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, ***motion carried.*** **RESOLUTION NO. PL 02-08**

**Board/Commission Tribal Council Vacancies:** Chairman Wright stated there are several vacancies for boards or committees.

**PLF Board of Trustees:** The first one is for the Pyramid Lake Fisheries Board of Trustees. The Secretary stated there is one civilian position and two Council positions. There were six individuals who submitted their name to be considered for the civilian position: Heidi McCluskey, Dean Calvin, Susan Albright, Karole McQueen, Mary A. Frazier, and Kenneth Miller.

The Tribal Council voted by ballot. Dean Calvin received 5 votes, Susan Albright and Karole McQueen received 2 votes apiece. Heidi McCluskey, Mary A. Frazier, and Kenneth Miller received no votes. Dean Calvin was appointed to the civilian position on the PLF Board.

There are two vacant Council positions on the PLF Board. Councilmembers Janet Davis and Gordon Frazier submitted their names to be considered. The Tribal Secretary asked if there were any other Council members who were interested and Councilmembers Mendes and Servilican said they would like to be considered. The Tribal Council voted by ballot. Janet received 6 votes, Gordon received 3 votes, Sherry received 5 votes and Clayton received 1 vote. Councilmembers Mendes and Janet Davis were appointed to serve on the PLF Board of Trustees.

**Pyramid Lake Health Clinic Board:** The Tribal Secretary stated the community member vacancy had been tabled from the last Council meeting and Anthony Sampson submitted his name.

Councilmember Jason Davis made a motion to appoint Anthony Sampson to the Health Clinic Board. The motion was second by Councilmember Janet Davis. Votes taken were all in favor, ***motion carried.***

Clarification was asked about the 2 Council positions and Councilmember Mendes stated that her seat and Councilmember Servilican's seat have expired. Councilmember Garcia remains on the Board. Councilmember Jason Davis nominated Councilmember Mendes. Councilmember Judith Davis nominated Genevieve John. Councilmember John nominated Councilmember Servilican. The Tribal Council voted by ballot.

Councilmember Mendes received 7 votes; Councilmember John received 4 votes; and Councilmember Servilican received 6 votes. Councilmembers Mendes and Servilican were appointed to the Health Clinic Board.

**PLHS Board:** There is one Council position open on the PLHS Board of Education. Councilmember Judith Davis nominated Councilmember John. Vice Chairman Eben stated she was interested in serving on the School Board, however due to the possible conflict regarding supervision; she would not be able to sit on the School Board.

Councilmember Servilican made a motion to appoint Councilmember John to the School Board. The motion was seconded by Councilmember Judith Davis. Votes taken were 8 for, zero opposed, and 1 abstention. ***Motion carried.***

**TRIBAL CHAIRMAN REPORT – Mervin Wright, Jr.:** Chairman Wright stated he would like action on the Stipulation and Order Regarding Planning for Implementation of the TROA. He explained that this is the annual operating costs. The Tribe provides funding through federal appropriations to the Orr Ditch Court (Federal Water Master). The funding is available through the Water Resources Department.

Councilmember Jason Davis made a motion to authorize the Chairman to sign the Stipulation. The motion was seconded by Councilmember Judith Davis. Votes taken were 8 for, zero opposed, and 1 abstention. ***Motion carried.***

Chairman Wright reported that John Jackson, Ali Shahroody and Dan Mosley attended a briefing in Reno on the flood management plan. Senator Reid and Mary Connelly were also at the meeting. A meeting will be scheduled with Mary soon.

**Farm Bill Legislation:** Chairman Wright stated a copy of the Appropriations bill on the Farm bill funding was given to the Council. The Tribe didn't get everything that was requested, but did receive funding for a hydrodynamic model for Pyramid Lake, an endocrine disrupter study at Vista, \$10 million to remove Numana Dam, funding for a diversion structure for Indian Ditch, and the delisting is still out there.

**ADJOURNMENT**

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

The meeting adjourned at 10:15 p.m.

Submitted by,

Gina Wadsworth  
Tribal Secretary

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