



# NUMUWAETU NAWAHANA

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

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September 2009

## Tribe Hosts Regional Public Safety Training Exercises

On Tuesday August 18th the Tribe hosted at regional public safety capabilities demonstration exercise at the Ranger Station in Sutcliffe and at Pelican Point. The event which was organized by the Washoe County and the Tribe was attended by numerous public safety agencies throughout the region. The capability demonstrations included the use of a fixed wing aircraft, both RAVEN helicopters, the Consolidated Bomb Squad, a side scanning sonar and search and rescue boats. The intent of the exercise was to get regional first-responders to become familiar with tools other

agencies use, said Sgt. Art Glass, head of the sheriff's search and rescue unit. "By doing events like these, we all know what resources agencies have to share," he said. "Many times, during regional responses, everyone had training and equipment, but no one really knows what the other has." Glass said more of the federally-funded demonstrations will be given in the future with the aim of gaining an advantage in dealing with rural hazardous materials at highways, railways and lakes.



The event was beneficial to the public safety on the reservation. Tribal Law Enforcement, Ranger, Search and Rescue and Emergency Response personnel all attended the demonstration exercises. The event was also **beneficial to the Tribe's tourism efforts as the event generated a significant amount of positive media attention about safety at Pyramid Lake.** The major media outlets in Reno as well some in Northern California picked up the news story of the Tribe hosting the public safety demonstration.

There is a negative perception from visitors to Pyramid Lake that is not a safe place to visit and that it is not a safe place to bring their families. By hosting regional public safety exercises and working with agencies like the Washoe County **Sheriff's Department, it reassures visitors that the Pyramid Lake is a safe place to visit and spend their money.** The more positive media attention the Tribe can bring to itself showing that the Tribe is serious about public safety the better it will be for tourism to Pyramid Lake.

## WADSWORTH PARK CLEAN-UP



Sunday August 16th the Parks and Recreation Committee and volunteers began clean up at the Wadsworth park. This is the first project of 3 which will also include Nixon and Sutcliffe. The goal is to clean up our existing parks, objective is geared toward creating a family oriented environment. A place where we can all enjoy ourselves, watch the kids have fun and just be proud of our community and the beautiful park we have.

We also would like to give thanks to our WONDERFUL youth volunteers: Pat John, Hunting Hill, brother Hildred Hill, and Dawn's little guy! Adult volunteers included Dawn Leyva, Jake Hill, Rhonda Shaw, Iggy Dunn, Cindy Houten, Janine Winnemucca, Johnnie Garcia, Della John, Jessica Quartz, and Monika New Moon. Thanks to the Volunteer Fire Dept 4 also being line of sight! Curt Hunter, Bobby Burns, & Fred John. We will post our next clean up and hope to see more of the community coming together! :)

More information on Reservation Beautification? Contact Moni New Moon 846-8699 or Della John at 574-1000.

## Sacred Visions Powwow

The 1<sup>st</sup> Annual Sacred Visions Pow-wow was a success! On July 24-26, 2009 Big Bend Ranch was filled with dancers and spectators from many states and overseas. Over 200 dancers in all categories and 40 vendors, the pow-wow had great comments when coming to an end on Sunday evening.

The Pow-wow committee would like to thank everyone who donated water for the weekend; food for the feast on Saturday evening, raffle prizes, everyone who had helped out with the grounds, sponsoring dance categories, sponsoring poles In memory of loved ones. Without all of the people, this pow-wow would not have been possible.

*Bringing the People Home* was our goal, and hopes to continue to do so in the years to come. We have been given this earth to protect and to share. Carrying on traditions while sharing the experience. Together we build, strive and persevere. Together we are one community.

Thank you for your support and encouragement and we look forward for your support in the years to come.

Sacred Visions Pow-wow Committee

See related stories on pages 6-8

Child Care will  
**CLOSED**

**Friday**

**September 18th**

for training, cleaning,  
and Staff meeting.

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## ... From the Chairman's Office

The summer is coming to an end and the tribe has been busy focusing on many issues. I will summarize the issues and report on the significant issues related to each.

The tribe has been working with the federal government and the federal court in meeting requirements to modify the Orr Ditch Decree. The modification will incorporate the Truckee River Operating Agreement as part of the decree, which is currently the operating management authority of the Truckee River. To date there is no change in the current status of the court.

The Tribe had for years sought for a solution to addressing the problems associated with fish passage at Numana Dam. At this point the tribe obtained authorization to contract services through the Bureau of Reclamation to address the situation at Numana Dam. The ultimate outcome may be to modify the fish passage facility rather than removing the dam. The tribe expects public outreach to occur with the members of the reservation as the project proceeds with implementation.

The history of the Truckee River and Pyramid Lake struggle to acquire and secure additional water supplies was difficult and sometimes appearing impossible to overcome obstacles. The recent history has changed wherein the tribe is now considered a serious stakeholder in the river system and it is no longer being ignored or chastised for being a river water user. The tribe has become effective and knowledgeable in its role with federal agencies, state agencies and local governments.

The Tribal Planning office is undertaking the task of updating the tribal economic development plan. The outline and framework has been

developed, but the details are required identifying the manner and means by which the tribe will create jobs and business opportunities in accordance with the provisional requirements of Public Law 101-618. The tribe may not have been as effective with its effort in the past, but today it understands the focus and endeavor to complete this important step as part of the settlement implementation.

The Bureau of Indian Affairs has solicited and the tribe has requested an opinion from the **Department of Interior Solicitor's Office** to determine the applicability of distributing 100% per capita of the interest and if that it qualifies as economic development under the terms of Public Law 101-618. The tribe is preparing to make necessary adjustment in what ever manner to achieve compliance with the terms as prescribed by the federal government.

The tribe is nearing completion of straightening out its financial status. For years the tribe operated without accounting standards in managing its finances and grant requirements. It has taken since March 2007 to complete three delinquent audits, three Indirect Cost Rate proposals, meeting sanction requirements, addressing audit findings, meeting grant reporting requirements, and balancing the budget.

The tribe also reorganized the management of the Tribal Enterprises. The Tribal Council established directives and expectations to turning the profit loss margins forward. Now with the reorganization the tribe has better hopes that it can turn a profit; but that will occur with time. The local and regional markets will be compiled into the strategy of business management for the enterprises.

Tribal governments are similar in many ways to the federal government, state governments, and local governments in that it is responsible for legislating laws and policy over the organization that it governs. The organization consists of three primary branches known to be the legislative body (tribal council), the administration and the judicial systems. These governments exercise authority to govern the many facets of its society and is protected from the potential onslaught of unfounded claims and complaints against it.

In a recent tribal court case this citation can sum it up. In *Boice v. Washoe Tribe, Intertribal CT. App Nev. At 6 (2001)* that the Tribes, no less than the states, must be free of unwanted interference in the process of government. The tribal governments cannot be subjected to and controlled by judicial tribunals, without their consent. We will not find a waiver of tribal sovereign immunity in order to permit a suit for damages by a tribal employee, even if the result is to leave the employee Plaintiff without a remedy. The tribal governments or the **Congress may waive a Tribe's sovereignty** immunity to suit but it is not the place of the Courts to create the waiver.

In closing, I thought about addressing the rumors and hearsay, but it tends to give some merit to it and your time and my time should not be wasted. The tribe will continue to move forward supporting its efforts to enforce and maintain compliance with federal requirements and tribal policies and procedures.

If you have any questions of concerns, please contact me at (775) 574-1000 x102. Thank you.

Mervin Wright, Jr.  
Tribal Chairman

### MEMORANDUM

To: Tribal Council Members  
From: Mervin Wright, Jr., Tribal Chairman  
CC: Finance  
Date: August 31, 2009  
RE: Travel Report TBAC—Anchorage, AK

The Indian Water Working Group meeting in Albuquerque was attended by tribal representatives from primarily the southwest, but also from the upper plains region, Oklahoma, Montana, and California. More tribes are beginning to recognize the importance of water in the western states and the myriad of issues that comes with managing water.

Indian Tribes have to become quickly familiar with

interactions with the federal government and with state and local governments. At this time these other governing entities are continue to neglect tribal rights to water entitlements. Tribes are also required to quantify their water and their water rights to provide a means for the federal government to protect.

Tribes are reliant on court case decisions as its authority to exert jurisdiction and protect its ability to exercise the use of their water right. The federal government uses the U.S. Constitution to exert its authority to protect federal reserved water rights for purposes such as wild and scenic rivers, wilderness designations, and public parks. Tribes have to describe to courts, the federal administration, and to congress the manner in which it has to protect Indian water rights.

### MEMORANDUM

To: Tribal Council Members  
From: Mervin Wright, Jr., Tribal Chairman  
CC: Tribal Finance (w/travel expense statement)  
Date: September 1, 2009  
RE: Travel Report—TBAC Anchorage, AK

The Tribal Caucus met and discussed the upcoming agenda for the overall TBAC meeting. The DOI has a position dedicated solely for the Tribal budget and the therefore there should be a tribal position established for the Tribes since all of the tribal representatives are basically volunteering their time to this process. It was recommended that a position be created to become a tribal budget analyst.

A directive was submitted to the DOI to update its strategic plan, which includes all of the federal agencies within the DOI. Indian Affairs will be updating its part of the plan. Regional meetings will be scheduled to

outreach to all tribes for their input. There is serious concern from tribes that Indian Affairs Central is disconnected from on-the-ground issues in Indian Country and that Tribes have no idea how or what the BIA Central Office values in Indian Country.

There needs to be more inter-agency coordination with respect to housing opportunities for professional staff in Health, Education, and Public Safety. There is never housing available for professional staff in these areas making it increasingly impossible to recruit and retain professional staff. This coordination should include HUD, IHS, DOJ, and DOI/BIA.

The 2011 priorities were presented with three funding options; target level, +5% over target level, and Over Target level. The Over Target level is the preferred funding option, but it is not likely that it may occur. The resolution adopted by tribes should have an impact in the consideration for the funding levels requested by tribes. The 2011 budget could not be shared because the OMB

Many tribes are looking for assistance to deal with their respective situation in their region. Its tribes like ours and other tribes that have negotiated a settlement that can provide insight and experience to offer guidance and direction for tribes that are new to the realm of water right management.

The Indian Lands Working Group has scheduled its annual conference in October and will be soliciting from tribes issue papers and presentations. It is not yet certain whether time will permit my attendance as the NCAI, EPA Region 9, and the NAGPRA Review Committee also have meetings and conferences scheduled for mid to late October.

If you have any questions, please do not hesitate to contact me. Thank you.

had not had the opportunity to confer or respond to the proposed budget.

Data collection will begin with self governance tribes since that system is already in place and data is being collected. Self determination tribes will be pulled into the fold as the system is developed to collect PL93-638 information.

As soon as the 2011 budget is released, it will be realized how close the targets are for the Tribes in meeting the challenge with having adequate funding levels for is programs. Michael Hughes provided information and suggested action that should be helpful for the Senate and House members to consider increasing funding levels.

If you have any questions, please do not hesitate to contact me. Thank you.

## Tribal Enrollment

The Office of Tribal Enrollment is open from 8:00 a.m. to 4:30 p.m., Monday through Friday. If you plan to stop by, please call ahead of time to make sure the office is open.

**2<sup>nd</sup> Annual Nevada Tribes Enrollment Meeting:** The Enrollment Committee hosted the 2<sup>nd</sup> Annual NV Tribes Enrollment Meeting on July 23-24 here in Nixon. The last meeting was held in 2006 and **attended by several tribes. This year's meeting** was attended by representatives from the following tribes: Duck Valley Shoshone-Paiute Tribes; Ely Shoshone Tribe; Lovelock Paiute Tribe; Moapa Band of Paiutes; Reno-Sparks Indian Colony; South Fork Band; Walker River Paiute Tribe; Washoe Tribe; Yerington Paiute Tribe; Yomba Shoshone Tribe; and the Fort Bidwell Indian Community. Representatives from the Bureau of Indian Affairs/Western Nevada Agency and the State of Nevada also attended and gave presentations. The Committee appreciates the time taken by these representatives to attend the meeting on both days. A meeting assessment has been sent to all attendees in order to determine when future meetings will be held. We are

considering the possibility of scheduling the meetings during the month of May to coincide with our annual commemoration of the Pyramid Lake War. We have received much positive feedback following the meeting from those who attended and **look forward to next year's meeting.**

Much thanks and appreciation to the following individuals who helped out during the meeting: Judie Davis, Sylvia Davis, Cheryl Hicks, Gayle Williams, Lela Christensen, Lorin Dunn, Lori Black, Billie Jean Guerrero, Flavia Ortiz, Angelique Helton, CJ Barnes and Wally Lowery. Thanks also to Tribal Administration for expediting our requests as needed.

**Approvals/June, 2009:** We welcome the following new members of the Tribe: Bobbi Jean Deal, Antonio Daniel Houston-Parra, Bailey James Hunden, Zauja Evelyn James, Joshua Nuel John, Bradley Grey Wolf Lara, Jaleah Hayden Lowery and Makayla Rodarte.

**Approvals/July, 2009:** Paityn Nonalee Ceja, Clifford Jacob Wilder, Davina Ellexandria Wolfe and Joshua Matthew Wolfe, Jr.

**Approvals/August, 2009:** Alani Serenity Barr, Aalize Lil Star Calvin, Tina Shinning Star Garcia, Maliha Eeve Lowery, David Dante-Darius Robinson, Anthony Marcellus Ruiz, and Janell Freedom Rain Smith.

All of these individuals have met the criteria for Regular Membership or Adoptive Membership and are the direct lineal descendants of Base Enrollees.

Please note: There is no cut-off date or deadline for enrollment applications; applications are accepted upon filing with the Enrollment Office.

**Membership Statistics:** As of this writing, we have 2,798 enrolled members of the Tribe, less 347 deceased. The total living membership is 2,451 as of this date. This number is subject to change monthly. Names of the deceased are kept on the roll for descendency purposes.

If there are any questions or concerns regarding membership issues, please call the Enrollment Office at 775.574.1000, Ext. 115, or email: [plenrollment@plpt.nsn.us](mailto:plenrollment@plpt.nsn.us)

## Tax Department

### DMV Vehicle Renewal Cards:

The DMV has started issuing vehicle registration notices on a postcard format. These cards do not have the complete VIN number on them; it has the last four digits of the VIN. Tribal Members will have to bring in something that has the complete VIN number on it as we do not keep the information from prior years on file or in the computer. We will not be able to process for you without other documents with the complete VIN on it, insurance card, old registration, etc.

We had several calls from Tribal Members after **last month's newspaper came out with questions** about the Tax Department and the Tax Fund Use Plan on how tax dollars are distributed. We are happy to share any information with the members, call or come in. The 2008 Annual Tax Report will be mailed out soon but if we do not have a current **address on file it won't reach you. We would appreciate when you do call in to the office please identify yourself; give us the courtesy to know who we are talking with. We have called people back but the number we have might be a cell with no reception.**

### "In Memory of Dave Standingbear and Jean Eben":

The Tax Commissioners sponsored two dance cat orgies in honor of two past commissioners at the

recent Scared Visions Pow-Wow. These were personal sponsorships, not paid for with tax dollars **but from the Commissioner's own pockets.**

### The Junior Boy's Traditional contest winners were:

William Dick	Fallon, NV	1 <sup>st</sup> Place
Nick Smith	Nixon, NV	2 <sup>nd</sup> Place
Bear Cub Crain	Klamath Falls, OR	3 <sup>rd</sup> Place

### The Junior Girl's Traditional contest winners were:

Victory Randall	Sacramento, CA	1 <sup>st</sup> Place
Shelby Smith	Nixon, NV	2 <sup>nd</sup> Place
Alyssa Dick	Fallon, NV	3 <sup>rd</sup> Place

**The Commissioner's thank the Committee for the opportunity to honor their former co-workers and congratulate the winners of the categories.**

### 2009 Occasional Sale - Seller Permits:

30 day Food Booths and Occasional Sale permits are available in the Tax Department. Permits expire on September 12. Tribal Members living on the PL Reservation are the only one permitted to have food booths. All food booths require you have **a current Food Handler's Permit. In was a recommendation in past years, this year it is mandatory.**

### Car Wash Permit:

This requires payment of a \$25 a day Special

Event Water Fee for use of the water. A receipt **must be shown when you pick up your permit. "The water usage for any activity that is different than normal household use will be considered a special event". This requirement is under the Public Utility District.**

### Regular Seller Permits:

Are available for persons selling a tangible product any time during the year and is required to collect sales tax on all sales to non-Tribal Members. The cost is \$25. This is an annual fee, renewable in December or January.

Anyone without a valid permit is in violation of trespassing on the reservation and will be asked to leave.

### 2010 Income Tax Preparation:

**The Tax staff is preparing for next year's income tax filing season.** Vernelda applied and received a scholarship to attend an IRS Tax Incentives training session in Texas. All expenses will be paid by IRS as they are trying to reach out to the minority and low income taxpayers.

Alicia, Tax Specialist will be scheduling an Income Tax Preparation Training to be certified to complete returns under the VITA Program.

# COMMUNITY OUTREACH MEETING

Sponsored by the ASAP Multidisciplinary Task Force

Where?  
Sutcliffe-Community Center  
Nixon- Old Gym  
Wadsworth-Community Center

When?  
All three Communities are invited to attend  
on September 16<sup>th</sup> at 6:30 pm in  
your respective community.

Topics?  
Your needs in the community, related to  
the problems of drugs and alcohol.

Refreshments and Door prizes will be provided!!

## Economic Development Plan Update

Each month this section of the paper will provide Tribal Members with the current status of the Economic Development Plan. At this point in the planning process Tribal Staff is in the outreach portion of the plan. What this means is that Tribal Staff is soliciting ideas for how the Tribe can create jobs and wealth on the reservation for Tribal Members. Tribal Staff has been meeting with Tribal Council Members, Tribal Advisory Committees, Program Directors, Private Tribal Groups and individual Tribal Members to get ideas for the plan. Open Houses for the Economic Development Plan will be held in each community this month to solicit ideas from Tribal Members. The ideas gathered by Tribal Staff during the outreach stage of the plan will be the basis for what will be incorporated into the Economic Development Plan. The outreach portion of the plan will continue until the end of September, at which time Tribal Staff will begin writing a first draft of the plan. Below is a listing of what has been done to write the Economic Development Plan from the end of April to today.

1. Review of Past 7 Economic Development Plan Efforts: Staff has reviewed past planning efforts and has incorporated information from past plans into the current Economic Development Plan.
2. 2008 Pyramid Lake Economic Development Plan: Staff has thoroughly reviewed and spoken in detail to other Tribal Staff about the 2008 Economic Development Plan. Staff has used the content of the 2008 in order to complete the current Economic Development Plan.
3. Consultation with Federal Government: Staff has begun to work with Federal Government and has established a good working relationship so far throughout the planning process. Consultation with the Federal Government throughout the development of the Economic Development Plan is required by PL-101-618. Staff will continue to work with the Federal Government and obtain their assistance throughout the planning process for the Economic Development Plan. Staff has also worked with the Federal Government to obtain information on the requirements associated with the Federal settlement money.
4. Comments on 2008 Plan: The Tribal Council authorized staff to request that the BIA review the 2008 Pyramid Lake Economic Development Plan and provide me with official comments on the content of the plan. Comments to the Tribe on this plan to

give staff a basis to work off in developing the Economic Development Plan.

5. Beneficiary Form: The Tribal Council approved Beneficiary Form for the money associated with PL-101-618. The approved form is pretty much the same one that was included in the 2008 Economic Development Plan. According to our Enrollment Department the purpose of this form is to allow a Tribal member to designate who he/she intends to receive his/her per capita distribution should the Tribal member die prior to receiving or being entitled to receive such per capita distribution. This Beneficiary Form will not go into effect until the Economic Development Plan is completed.
6. Congressional Action: The Tribal Council authorized the Tribal Chairman to seek congressional action to allow the tribe to access the interest money from PL-101-618 before TROA is implemented and have the interest be exempt from Federal income taxes. The Tribal Chairman presented draft language that could be incorporated into the **legislation and has approached Senator Reid's Office** for assistance.
7. Planning Process: Staff has received direction from the Tribal Council to go ahead and start drafting the strategic plan for economic development while at the same time go step by step go to the Tribal Council for individual policy decisions concerning the Federal settlement money.
8. Outline: The Tribal Council has approved an outline for the Economic Development Plan. The outline gives staff clear direction of what content is to be incorporated in to the Economic Development Plan.
9. List of Policy Decisions Concerning Federal Money: Staff has worked with the Federal Government to create a list of the policy decisions that the Tribal Council will have to decide on concerning the Federal settlement money. At this point in time there are 66 policy decisions that the Tribal Council will have to act on in some form or another concerning the Federal settlement money associated with PL-101-618.
10. Begun Public Outreach Portion of Planning Process: Staff has held meetings to obtain ideas to create jobs and wealth for Tribal Members on the reservation. The ideas obtained from these meeting will be the basis of the Goals and Policies of the Economic Development Plan. Next month staff will hold public meetings in each community. A listing of meetings held so far include; Tribal Council Members, Program Directors, Numaga Senior Advisory Committee, Youth Worker Focus Group, Tax Commission, Fisheries Board, Water Resources Committee, and Tribal Members

If you have any questions or would like additional information about the Economic Development Plan please feel free to contact me directly.

Thank You,  
Scott H. Carey, Tribal Planner  
775-574-1000 x 116 [scarey@plpt.nsn.us](mailto:scarey@plpt.nsn.us)

## Open Houses for Economic Development Plan Scheduled This Month

### NIXON

September 17th 6-8 pm

### SUTCLIFFE

September 22nd 6-8 pm

### WADSWORTH

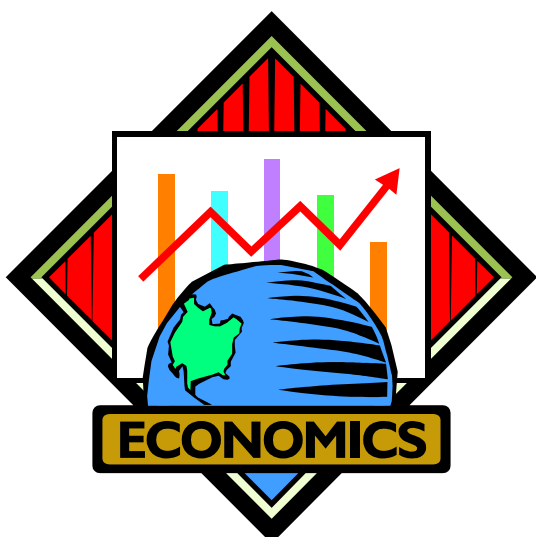
September 30th 6-8 pm

*\*\*More details to follow as meeting locations are finalized\*\**

The Tribe is preparing an Economic Development Plan in accordance with PL-101-618 and Tribal Staff needs your help. Tribal Members are invited to attend one of the upcoming open houses and submit ideas for the Economic Development Plan. The purpose of the open houses is to discuss ideas on how the Tribe can create jobs and wealth for Tribal Members on the reservation. PL-101-618 also known as the Truckee-Carson Pyramid Lake Water Settlement Act was signed into law by President George H.W. Bush in 1990. Among other things the law requires that the Tribe write an Economic Development Plan that "develops long-term, profit-making opportunities for the Pyramid Lake Tribe and its members, to create optimum employment opportunities for Tribal Members". In order to accomplish this, the Tribe is focusing its Economic Development Plan on six elements.

- 1) Recreation & Fishing
- 2) Tribal Enterprises
- 3) Industrial & Commercial Development
- 4) Energy
- 5) Agriculture & Ranching
- 6) Good Governance & Education

At this point in the Economic Development planning process the Tribe is not asking for public input on the uses of the Federal settlement money associated with PL-101-618 or per-capita distribution. This has already been done several times before and Tribal Staff is working with the Federal Government off previous past planning efforts to determine how to use the Federal Settlement money for Tribal Economic Development. During the open houses Tribal Staff will be on hand to provide interested Tribal Members with information and answer any questions about the drafting of the Economic Development Plan. Please come out and give Tribal Staff your ideas for creating jobs and wealth for Tribal Members on the reservation. Food and refreshments will be provided. All questions or ideas for the Economic Development Plan can be directed to Scott Carey, Tribal Planner 775-574-1000 or [scarey@plpt.nsn.us](mailto:scarey@plpt.nsn.us).



**PYRAMID LAKE PAIUTE TRIBE**  
**Current Open Positions**  
**As of August 21, 2009**

**TEACHER ASSISTANT** JA09-15  
 Pyramid Lake Jr./Sr. High School, Nixon, Nevada  
 Assist teaching staff in a variety of instructional activities and assist with supervision of students at school and during field trips. Assist in keeping progress records and work with students in the classroom and/or resource room. Salary: \$9.71 – 10.20 per hr; DOE; Part-time, 32 hrs per week  
 Closes: Open until Filled

**CASE WORKER** JA09-51  
 PL. Social Services Office, Nixon, Nevada  
 Provides case management services to enrolled members of federally recognized tribes on or near the Pyramid Lake Paiute reservation. These services include: provision of assistive services, referrals, case planning, and family meetings. Additionally, may be called upon to refer individuals and families with tribal affiliations who are not tribally enrolled to appropriate agencies. Salary: \$36,275.20 – 38,105.60 per Annum; Full-time/Exempt  
 Closes: Open until Filled

**POLICE OFFICER** JA09-52  
 Pyramid Lake Paiute Reservation, Nixon, NV  
 Under general supervision, performs a full range of police duties in the areas of patrol operations, criminal investigation, civil process, and search and rescue. Enforces all applicable Tribal, Federal and State laws within the Pyramid Lake Reservation to ensure the safety and health of citizens. Prevents crime through effective enforcement presence and interacts with the community to address their needs and concerns. Salary: \$19.23 – 20.20 per hour, Full-time, 40 hrs per week  
 Closes: Open until Filled

**EMERGENCY RESPONSE COOR.** JA09-56  
 Pyramid Lake Paiute Reservation, Nixon, NV  
 Provides technical expertise in developing and implementing a Tribal Emergency Response Plan. Salary: \$34,548.80 - \$36,296.00 Annually; DOE, Full-Time/Exempt  
 Closes: 09/18/09

**CLINICAL REGISTERED NURSE** JA09-55  
 PL. Health Clinic, Nixon, Nevada  
 Works as a member of the Health Care team by assisting providers in direct patient care, providing professional nursing skills under the supervision of the Medical Director. Recognizes and meets patient/families immediate physical, mental, and psycho-social needs. Works within her/his scope of practice according to state license, current standards of care and the accrediting body of the clinic. Salary: \$59,092.80 – 62,088.00 per annum; Fulltime/Exempt  
 Closes: Open until Filled

**TO APPLY:** Applications may be obtained on-line at [www.plpt.nsn.us](http://www.plpt.nsn.us) or from the Human Resources Office at the Tribal Administration Building in Nixon, Nevada; by writing to the Pyramid Lake Paiute Tribe at P.O. Box 256, Nixon, NV 89424; or by calling the Human Resources Office at (775) 574-1000/1001, extension 119/120.

**The Pyramid Lake Paiute Tribe is a drug free work place. Applicants will be required to undergo drug testing prior to employment and will be subject to further drug and alcohol testing throughout their period of employment.**

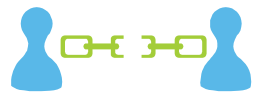
*Preference in filling vacancies is given to qualified Indian candidates in accordance with the Indian Preference Act (Title 25, U.S. Code, Section 472 and 473). However, the Pyramid Lake Paiute Tribe is an Equal Opportunity Employer and all qualified applicants will be considered in accordance with the provisions of Section 703 (f) of Title VII of the Civil Rights Act of 1964, amended in 1991.*

**Preventing the Flu: Good Health Habits Can Help Stop Germs**

Fact Sheet

1. Avoid close contact.

Avoid close contact with people who are sick. When you are sick, keep your distance from others to protect them from getting sick too.



2. Stay home when you are sick.

Stay home from work, school, and errands when you are sick. Keep sick children at home. You will help prevent others from catching the illness.



3. Cover your mouth and nose.

Cover your mouth and nose with a tissue when coughing or sneezing. Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it.



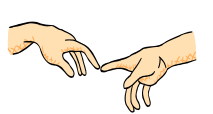
4. Wash your hands often.

Washing your hands and the hands of your children often will help protect you from germs.



5. Avoid touching your eyes, nose or mouth.

Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose, or mouth.



6. Practice other good health habits.

Get plenty of sleep, be physically active, manage your stress, drink plenty of fluids, and eat nutritious food.



There is no vaccine available at this time for the current outbreak of the Swine Flu virus, so it is important for people living in the affected areas to take steps to prevent spreading the virus to others. If people are ill, they should stay at home and limit contact with others, except to seek medical care. Healthy residents living in these areas should take the everyday preventive actions listed above.

People who live in these areas who develop an illness with fever and respiratory symptoms, such as cough and runny nose, and possibly other symptoms, such as body aches, nausea, or vomiting or diarrhea, should contact their health care provider. Their health care provider will determine whether influenza testing is needed.

**NATIVE AMERICAN ARTWORK**

The NBA Developmental League Reno Bighorns and Reno-Sparks Indian Colony are looking for Native American Artists to design a logo for this years upcoming Native American Day with the Reno Bighorns. This logo will be used throughout the event and artist chosen will receive recognition during the game as well as other prizes courtesy of the Reno Bighorns.

- \* All Submissions will be considered.
- \* Looking for a Native basketball theme.

All submissions are to be sent to:

**Reno-Sparks Indian Colony**  
**Recreation Department**  
**34 Reservation Road**  
**Reno, NV 89502**



**DEADLINE: NOVEMBER 20, 2009**

**More information: 329-4930**

Native American Day  
 February 27, 2010

## Crowning of Royalty at the First Annual Sacred Visions Pow-wow

This year the Sacred Visions Pow-wow committee held their very first pow-wow and the very first royalty contest. The categories were: Sacred Visions Tiny Tot Princess (0– 6 years old) Little Miss Sacred Visions (7 – 12 years old). Jr. Miss Sacred Visions (13 – 18 years old), Miss Pyramid Lake (19 – up) and lastly Sacred Visions Tiny Tot Lil Brave (0 – 6 years old).

This was the beginning of an awesome journey for the sacred visions contestants, their parents and our committee. All contestants were asked to participate in the Fernley 4<sup>th</sup> of July Parade. If you were at the parade and saw our float our contestants were dressed in their beautiful regalia, their beautiful smiling faces and waving and throwing out candy. In the Sacred Visions Tiny Tot Princess Contest there were a total of nine beautiful little Indian princesses vying for the title. They are Shyleah Antone, Laila Blackowl-Davis,, Delaka Polacca, Fawn Lovett, Alyssa Wadsworth, Jaelece Wasson Jennalynne Bill-Ramires, Alicia Mandell & Laura Rosales. Each contestant sold raffle tickets and participated in the 4<sup>th</sup> of July parade in Fernley, and during the royalty pageant each little contestant got up on stage and introduced their selves to all. On Friday night July 24, 2009 Miss Jaelece Faye Wasson was crowned 2009 Sacred Vision Tiny Tot Princess with Miss Alyssa Skye Wadsworth as first runner up. Jaelece is two years old and the daughter of Walita Querta and Spenser Wasson. Miss Alyssa is five years old and the daughter of Christopher Wadsworth and Georgianna James.

This year we had two little braves vying for the title of "Sacred Visions Tiny Tot Little Brave". They are **Naron Bluebear Antone Jr. and Dep'Wuna Sekayumtewa Auguh.** On Friday Night July 24.

**Mr. Dep'Wuna Sekayumtewa won the title of "Sacred Visions Tiny Tot Little Brave" and Mr. Naron Bluebear Antone Jr. as first runner up. Dep'Wuna Sekayumtewa is the son of Collette Auguh and Dion Sekayumtewa. Naron Antone Jr. is the son of Victoria Davis and Naron Antone.**

**In the "Little Miss Sacred Visions" category we had two beautiful contestants Miss Salisa Williams and Miss Patricia Christy. During the Pageant each contestant was judged on appearance, traditional talent, non-traditional talent, speech and were asked a several different questions. Our judges were composed of our honored senior citizens from our tribe. Rosemary Joe-Kinale of Sutcliffe, Loretta Bonta of Nixon, and Arlene McMasters of Nixon. On Friday Night July 24<sup>th</sup> Miss Patricia Christy was crowned "Little Miss Sacred Visions 2009 and Miss Salisa Carlene Williams as first runner up. Patricia resides in Reno and is 11 years old and Salisa lives with her mother Kristi Williams in Nixon.**

**In the Jr. Miss Sacred Visions" category we had two beautiful contestants Miss Jeri R. Mitchell and Miss Chelsea Kaylee Sander who were also judged on appearance, traditional/non-traditional talent, speech and were also asked several questions. On Friday Night July 24<sup>th</sup> Miss Chelsea Kaylee Sander was crowned "Jr. Miss Sacred Visions" and Miss. Jeri R. Mitchell was first runner up. Chelsea is the daughter of Karen Williams and William Sander and Jeri is the daughter of Jason Mitchell and Catriona Landavaso.**

This year Miss Kathleen Wright-Bryan gave up her title as "Miss Pyramid Lake". **Kathleen has had the title of Miss Pyramid Lake since she was in high school. It makes my heart beat proud and soar to**

know what she has done for herself and her Tribe since holding the title of Miss Pyramid Lake. She has represented the Pyramid Lake Paiute Tribe in true beauty and grace and has continued her education and graduated from the University of Nevada-Reno. In her honor a barbeque was given and many friends and family attended. She was given a Pendleton blanket and an honoring song to thank her for being Miss Pyramid Lake.

This year we had one beautiful contestant for the title of "Miss Pyramid Lake". **She is Miss Brianna Renee Dunn.** On Friday night July 24<sup>th</sup> Miss **Brianna Renee Dunn was crowned "Miss Pyramid Lake" by out going Miss Pyramid Lake Miss Kathleen Wright-Bryan.** Brianna is 19 years old and is the daughter of Janine Lowery and Loren Dunn. She attends Feather River College in Quincy California. She is the granddaughter of Rosalie Dunn and the late Earl Dunn, Vernelda and Richard Frazier of Wadsworth and the late Ferman Lowery. Brianna dances jingle and has been taught to respect and cherish the Indian ways of life.

**In the great words of Sitting Bull, "Let us put our minds together to see what kind of future we can make for our children". I believe that all the parents who entered their children in the royalty contest be commended for participating, taking their children to pow-wows, selling tickets, allowing their children to ride the float and participate in the various activities held. Each parent is on the right path in their children's future. The participants have spoken publicly, sang, danced each learning something new as I have. You are all beautiful and thank you for letting us the Sacred Visions Committee be a part of your lives.**

## Miss Pyramid Lake 2009-2010

Hau nu Brianna Dunn, nu Cui-ui-ticutta.

I am the reigning Miss Pyramid Lake. I was crowned during the 1<sup>st</sup> Annual Sacred Visions Powwow this past July. I am 19 years old and reside in **Wadsworth, Nevada with my family. I'm currently attending Feather River College in Quincy, California.** I am the daughter of Iggy Dunn & Janine Lowery. Granddaughter of Rosalie Dunn & the late Earl Dunn of Nixon. Vernelda & Richard Frazier of Wadsworth and the late Fermon Lowery of Nixon. My paternal great-grandparents are Bill & Nina Smith and Frank & Ducie Dunn. My maternal great-grandparents are Edith & William Shaw Sr. and Chester & Emeline Lowery. I have been taught to respect and cherish the Indian ways of life and the many friendships that I made and continue to make throughout Indian

Country. I am grateful for my family and friends who have supported me throughout my life in and out of the circle. I believe it is important to believe in yourself and to walk the path the Creator has given you. Thanks again for all your support.



Sa' nu u punedwa'

Hau nu Azatoniga, nu Cui-ui-ticutta.

Hello, my name is Kathleen Wright-Bryan and my Indian name is Azatoniga which is the red desert flower that flourishes throughout my home which is the **Great Basin. I'm a proud member of the Pyramid Lake Paiute Tribe. Welcome to my home.**

**I'm the daughter of Ivy Wright-Bryan, Pyramid Lake Paiute, the granddaughter of Kathy Wright of Pyramid Lake and the late Ralph Bryan of the Reno-Sparks Indian Colony. I'm the great granddaughter of Paul and Lena Wright of Pyramid Lake and Betty Sampson and Raymond Bryan of the Reno-Sparks Indian Colony. I am the great-great-granddaughter of Harry and Juanita Sampson of the Reno-Sparks Indian Colony and Jonny Wright and Annie Aleck and Dave and Annie Mauwee, all from Pyramid Lake.**

It has been an honor to hold the title of Miss Pyramid Lake and represent the Pyramid Lake Paiute Tribe at numerous events, both local and national. During my tenure as Miss Pyramid lake, I represented our Tribe at the Annual National Congress of American Indians on the Youth Commission, greeted national tribal leaders and international visitors, and served as a academic and social ambassador for our Tribe.

As a person dedicated to education, law and government, I was the only Native American student, west of the Mississippi, to receive the AT&T scholarship to attend George Washington University in Washington D.C. While in Washington D.C., I served as an intern for US Senator and Majority Leader Harry Reid. When I returned home to Reno, I continued to serve under Senator Reid in his Reno office. In May 2009, I graduated from the University of Nevada-Reno with a degree in Criminal Justice. I am continuing my education in the legal field, as I am now in the Judicial Studies M.A. program at UNR.

This year I will be giving away my crown to Brianna Dunn, a member of the Pyramid Lake Paiute Tribe. I wanted to thank everyone who supported me during my years as Miss Pyramid Lake, especially my aunts and Lois Kane.

Sincerely,  
/s/ Kathleen Wright-Bryan





**Acknowledgements:** Thanks to all those who helped with the building of the Arbor, and all the donations and sponsors. Please accept our sincere apologies to those we failed to mention.

Pyramid Lake Paiute Tribe	Tedesco	Sacred Visions Royalty Committee
Pyramid Lake Veterans	Eternal Image Print Shop	-Dance Category Sponsors
Pyramid Lake Tribal Police	Best Western Motel	Sacred Visions Contestants & parents
Pyramid Lake Fisheries	ITC of Arizona	Rose Hill Drum Group
Pyramid Lake Environmental Dept.	Nevada Cement	Echo Sky Drum Group
Pyramid Lake Tax Dept.	Natchez Elementary School	Hopi Kachina Dancers
Pyramid Lake Health Clinic	Red Tail Hawk Society	Cloris Garcia – SV Crowns
Pyramid Lake Social Services	United Rentals	Kathleen Wright-Bryan
Pyramid Lake Diabetes Program	MSC Industrial Supply	– outgoing Miss Pyramid Lake
Pyramid Lake Realty Dept.	Lowes – Fernley	Reno/Sparks Indian Colony
Pyramid Lake Victims Services	Sacred Visions Pow-wow Committee	Nevada Urban Indians
Pyramid Lake EMT/First Responders	Arbor Pole Sponsors	ITC of Nevada
Reno Kiwanis Club	Mike Henry – Powwow Sign	



*Special Thanks to:*

Bill Keever & Burch Kochamp for working hard on the Arbor.  
 Pyramid Lake Veterans for getting the willows.  
 Everyone who sponsored Categories for the dancers & Drums  
 MC – Alex O Shepherd  
 AD – Mike Keats Sr.

Head Man:

Ralph Burns, Elmer Atlooken, Hunter Osborne, Al Phoenix

Head Woman:

Darlene Imus, Monica Atlooken, Cheryl Williams, Anita Phoenix

All the people who supported to make this Sacred Vision a reality.  
 Roger Sam for cooking the fish.

Helping with the Arbor,  
 Donations & Fundraisers:

Bill Keever  
 Burch Kochamp  
 Gordon Dodd  
 Darrell Garcia  
 Karen Williams  
 Rita Blackowl-Davis  
 Judy Davis  
 Angey Dunn  
 Debbie Barlese  
 Gina Henry  
 Janine Lowery  
 Naron Antone  
 Victoria Davis  
 Carl Davis  
 Christy Williams  
 Brenda Burns

Clayton Servilican  
 Wayne Burke  
 Cheryl & Dana Paya  
 Norman Christy  
 Andrew Davis  
 Aisha Paya  
 Johnnie Garcia  
 Rebecca Dodd  
 Keri Jackson  
 Robert Keever  
 Batman Pancho  
 Iggy Dunn  
 Brianna Dunn  
 Randy Quintero  
 Hailee Dunn  
 Rocky & Darlene Imus  
 Elijah Williams  
 Jason Blindman  
 Jeanette Allen

Harvey Glazier  
 Arcy Blackowl-Christy  
 Eric Marrietta  
 Suzie Albright  
 Robert Keever  
 Dan Keever  
 Tony Keever  
 Ronnie Guerrero  
 Mike Henry  
 James Davis  
 Bob Burns  
 Ira Davis  
 Fred Davis  
 Brenda Burns  
 Alex Hernandez  
 Thomas Hernandez  
 Sylvia Davis  
 Darrell Moore  
**James "JP" Plympton**

Josh Davis  
 William Wadsworth  
 Jake Hill  
 Charlie Johns  
 JR Mandell  
 Gordon Crutcher  
 Bernard Lopez  
 Curtis Hunter  
 Mike Hernandez  
 Harriett Brady  
 Brandon Brady  
 Wendy Garcia  
 Missy Frazier  
 Jeff & Lela Christensen  
 Monica NewMoon  
 Jessica Quartz  
 Crystal Sam  
 Michelle Moore  
 Melinda Williams

Ivy Bryant  
 Beatrice Paddy  
 Gwendolyn Pancho  
 Valda Kaye  
 Mildred Moore  
 Marie Pancho  
 Paula Paul  
 Amelia Brazzanovich  
 Anita Dunn  
 Alec Carr-Burke  
 Mary Frazier  
 Loretta Bonta  
 Christian Burke  
 Ralph & Maxine Burns  
 Arlene McMasters  
 Randa Mitchell  
 Mary Dodd  
 Rosemary Joe-Kinale  
 Lyle Kochamp

Susie Spottedhorse  
 Roger Sam  
 John Dunn  
 Cookie Mandell  
 Diane Mitchell

Thank you again for all  
 Donations for Raffle.  
 All Donations for fundraisers  
 and Help with Arbor. All  
 donations for the feeds.



List of raffle winners from the 1st Annual Sacred Visions Pow-Wow, July 24- 26, 2009.  
 Raffle was held on Sunday July 26, 2009.

- |   |   |
|---|---|
| 1. Hat - Mike Kane  | 28. Grey 10 speed bike (donated by PL Social services) - Morris Royals                                |
| 2. Red & black lunch pack - Leanne Shaw   | 29. Green native rug (donated by Chelsea Sander) - Sarah Moore  |
| 3. Pillow - Fern Walker   | 30. Hand Drum (drum hand made by Burton Pete) - Taylor Strawbuck                                      |
| 4. Necklace - (donated by Lela Christensen) Darlene Imus  | 31. Large picture of Pyramid Lake/Chiefs (donated by Gordon Dodd) - David Thayer                      |
| 5. Choker (donated by Michelle Moore) - Lori Miller   | 32. Special Edition Pendleton Blanket (donated by Inter-Tribal Council of Arizona) - Donna R. Jackson |
| 6. Avon collection - Shirley Steele   | * = prize unclaimed.  |
| 7. Beaded earrings - Linda Herren   |   |
| 8. Necklace - Elwood Lowery *   |   |
| 9. Mini cloth moccasins (donated by Marianne Frazier) - Lynnette Blossom  |   |
| 10. Drinking glasses - Joanne Wyatt   |   |
| 11. White beaded key chain - Kenny Lange  |   |
| 12. Moccasin necklace & earring set (donated by Mildred Moore) - Arcelia Blackowl   |   |
| 13. Moccasin pin (donated by Marianne Frazier) - Taylor Williams  |   |
| 14. Green & orange pendleton pillow (donated by Maxine Burns) - Mike Kane   |   |
| 15. Steel beam florescent lantern - Leona Collins   |   |
| 16. Framed picture of Pyramid Lake - Bruce Auguh  |   |
| 17. Green pendleton pillow (donated by Marianne Frazier) - Eileen Gianola   |   |
| 18. Black bike (donated by PL Social services) - Jess Talas   |   |
| 19. Electric hot plate - Dr. Centric  |   |
| 20. Princess house candy set - Quentin Smart *  |   |
| 21. Red boys bike (donated by Kiwanis club of Reno ) - Rick Gonzales  |   |
| 22. White Pow-Wow T-shirts (donated by Sacred Visions Pow-Wow Committee ) - Leah Merklfin *, Gladys Hicks *, Fred Davis, Ardyth Kochamp, Derek Melendez, Joel Slapsteel, Linda Sandoval |   |
| 23. Red Pendleton pillow (donated by Maxine Burns) - Brenda Burns   |   |
| 24. Buckskin medicine pouch - Ricardo Garcia *  |   |
| 25. Miniature medicine pouch - Leona Morago   |   |
| 26. Blue bike (donated by PL Social services) - Richard Thomas Jr.  |   |
| 27. Turquoise kids bike (donated by PL Social services) - Cheryl Williams   |   |



If you have not recieved your raffle prize or have any questions regarding the raffle prizes listed, please contact Karen Wms at 775-575-2592 or email [klwilliams14@yahoo.com](mailto:klwilliams14@yahoo.com).

The Sacred Visions Pow-Wow Committee would like to thank all who have donated to the raffle and look forward seeing you all at the 2nd Annual Sacred Visions Pow-Wow.







**Western Nevada College**

# Welcome POWWOW

## September 25-27

**HEALTH FAIR & COMEDIANS • Friday: 2-9 pm**  
**GRAND ENTRY • Saturday: 1 & 7pm • Sunday: 1 pm**

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**LAMPE PARK • GARDNERVILLE, NEVADA**

Arts & Crafts • Contest pow-wow • Points will be taken • College Booths • Food Booths • Information Booths  
 Raffle • All specials contact general information

<p><b>MASTER OF CEREMONIES</b> Rocco Clark, Sr. - Yakima/Chippewa Yakima, WA</p> <p><b>ARENA DIRECTOR</b> Michael Keats, Sr.</p> <p><b>HOST DRUM</b> Echo Sky WaKanWaci Blindman - Wadsworth, NV</p> <p><b>HEAD SINGER</b> WaKanWaci Blindman - Wadsworth, NV</p> <p><b>HEAD MAN</b> Rocco Clark, Jr. - Yakima/Chippewa Colville Toppenish, WA</p>	<p><b>HEAD WOMAN</b> Francine Tahannie - Shoshone/Dine Fallon, NV</p> <p><b>FIRST FIVE DRUMS PAID DAILY</b> (No Drum Hopping)</p> <p><b>INFORMATION/SPONSORSHIPS</b> Lori Pasqua, Washo 775-450-1355/775-265-4438 nativadvisor@yahoo.com</p> <p>Lana Hicks, Washo 775-287-9978</p> <p><b>REGISTRATION &amp; VENDOR SETUP</b> Vendors - Friday 1 p.m. Dancers - Saturday 10 a.m.</p>	<p><b>THANK YOU TO OUR SPONSORS</b> WNC Office of Student Life Washoe Tribe ITCN TANF</p>	<ul style="list-style-type: none"> <li>• NO ALCOHOL/DRUGS</li> <li>• NO COLLECT CALLS (May leave a message)</li> <li>• NO DOGS ALLOWED</li> <li>• Committee is not responsible for short funded travel and lost items</li> <li>• Bring your own shade &amp; chairs</li> </ul>
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# City of Fallon

## Regional Youth Tournament

Fallon Junior High School  
**October 16-18, 2009**  
 Elementary & Jr. High Divisions

**\$125 Elementary Teams**  
**\$150 Jr. High Teams**

### Jr. Bighorn 2009 Basketball Championships



**Eathan O'Bryant Camp**  
 (Harlem Globetrotter / UNR)  
 Friday, Oct. 16 @ 5pm

**Register at:**  
[www.renobighorns.com](http://www.renobighorns.com)

DRAFT

RESOLUTION NO.: PL -09

RESOLUTION OF THE TRIBAL COUNCIL  
OF THE PYRAMID LAKE PAIUTE TRIBE  
NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, the Pyramid Lake Paiute Tribal Council is the duly authorized governing body of the Tribe; and

WHEREAS, the Pyramid Lake Paiute Tribal Council, pursuant to Article VI, Section 1 (m), of the Pyramid Lake Paiute Tribe Constitution and By-laws, has the duty to adopt resolutions regulating the procedure of the council itself and other tribal agencies and tribal officials of the reservation; and

WHEREAS, the Pyramid Lake Paiute Tribal Council determines it to be important and necessary to assure that its tribal government officials maintain high ethical and moral standards in the conduct of the functions of the tribal government; and

WHEREAS, it is incumbent upon those who occupy positions on the Tribal Council, on Tribal Committees, Tribal Boards of Directors, and Tribal Commissions that are considered of the highest responsibility and authority to set an impeccable example; and

NOW, THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby adopts the Pyramid Lake Paiute Tribe: Tribal Council – Committees – Boards – Commissions Ethics Code to provide assurance for ethical standards with tribal government officials.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom constituting a quorum were present at a meeting duly held on the \_\_\_ day of \_\_\_\_\_, 2009 was adopted by the affirmative vote of \_\_\_\_\_ FOR and \_\_\_\_\_ AGAINST, with ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.

Gina Wadsworth, Tribal Secretary  
Pyramid Lake Tribal Council

PYRAMID LAKE PAIUTE TRIBE  
TRIBAL COUNCIL – COMMITTEES - BOARDS – COMMISSIONS  
CODE OF ETHICS

Objective:

The mission of the Pyramid Lake Paiute Tribe through its Tribal Council is dedicated to creating a respectful environment that inspires values; that protects and preserves our cultural and tradition heritage; that supports tribal self-sufficiency; promotes emotional and spiritual wellness; and encourages innovation and leadership in trusted cooperation, coordination, and collaboration with local, regional, and national communities, and with individuals and organizations who aim to achieve the goals of the Pyramid Lake Paiute Tribe and its community.

The Pyramid Lake Paiute Tribe (hereinafter "Tribe") maintains certain policies to guide its employees with respect to standards of conduct where improper activities could damage the Tribe's reputation and otherwise result in serious adverse consequences to the Tribe. The purpose of this Code of Ethics is to affirm, in a comprehensive statement, required standards of conduct and practices intending to include and incorporate governing and oversight officials of the overall tribal organization. It is intended to bring equitable application of ethical standards throughout the Tribal Government and the Tribal overall organization.

The Tribe further establishes core values such as integrity, competence, dignity and personal worth, service, human relationships, business responsibility and reputation, and leadership commitment. It is intended to provide a means to define accepted/acceptable behavior; to promote high standards of practice; to provide a benchmark for its governing officials to use for self evaluation; to establish a framework for professional behavior and responsibilities; and as a mark of government/organization maturity.

Scope:

This Ethics Code shall apply to Pyramid Lake Tribal Government Officials who occupy a Tribal office or Tribal official capacity on such a Tribal governing body that includes: each member of the Tribal Council, including the Tribal Chairman, Tribal Vice Chairman, Tribal Treasurer and Tribal Secretary; all appointed Tribal Committee members; all appointed Tribal Boards of **Directors; all appointed Tribal Commissioners; members of the Pyramid Lake Cattleman's Cooperative Association;** and any acting or appointed ex-officio member of any such Tribal governing body.

Definitions:

a. *Bribe* – any money, goods, right in action, property, thing of value, or any preferment, advantage, privilege or emolument, or any promise or undertaking to give any, asked,

given, or accepted, with corrupt intent to induce or influence action, vote, or opinion of person in any public or official capacity.

- b. *Confidence* – trust; reliance; relation in trust.
- c. *Confidential* – Intrusted with confidence of another; intended to be held in confidence; done in confidence.
- d. *Confidentiality* – state or quality of being confidential; treated as private and not for public release.
- e. *Conflict of Interest* – **when an individual's personal or private interests interferes with the interests of the Tribe.**
- f. *Constituent* – he/she who gives authority to another to act for him/her; in government it is **used as a correlative to "representative," herein as the members of the Tribe.**
- g. *Contract* – an agreement between two or more persons or parties which creates an obligation to do or not to do a particular thing; meaning independent or dependent.
- h. *Ethics* – a set of accepted professional principles of values used toward the conformance of standards of conduct, motive or character containing precepts of morality.
- i. *Evidence* – that which demonstrates, makes clear, or ascertains the truth of the very fact or point in issue; any matter of fact; by the act of witnesses, records, documents, exhibits, for the purpose of inducing belief in the minds of a court or jury as to their contention.
- j. *Harassment* – a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose; as used to describe words, gestures, and actions which tend to annoy, alarm, and abuse (verbally) another person.
- k. *Hearing* – a proceeding of relative formality with definite issues of fact or of law to be tried, in which witnesses are heard and evidence is presented.
- l. *Privacy, right of* – the right to be let alone; the right of a person to be free from unwarranted publicity; and right to live without unwarranted interference by the public in matters with which the public is not necessarily concerned.
- m. *Relative* – an individual who is related to the TGO as mother, father, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.
- n. *Removal* – the dismissal from office.
- o. *Reprimand* – a public and formal reproach or severe rebuke.
- p. *Sanction* – penalty or other mechanism of enforcement used to provide incentives for obedience with the law or with rules and regulations.
- q. *Suspension* – a temporary forced removal from the exercise of office.
- r. *Tribal Government Official ("TGO")* – any person that is identified as described in the Scope of this Code of Ethics.

Code:

- 1. Any TGO shall not engage in outside employment or outside activity not compatible with the full and proper discharge of the duties and responsibilities of his/her official position. It shall be considered incompatible with such discharge of responsibilities for any such official to accept any fee, compensation, gift, entertainment, payment of expenses, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, resulting in:
  - a. Use of public office for personal gain;
  - b. An undertaking to give preferential treatment to any person;
  - c. Impeding Tribal Government efficiency or economy;
  - d. Any loss of complete independence or impartiality;
  - e. The making of a Tribal Government decision outside official channels; or
  - f. Any adverse effect on the confidence of the public in the integrity of the Government.
- 2. No such TGO shall receive compensation or anything of monetary value other than that to which he or she is duly entitled from the Tribe, for the performance of any activity during his or her services as such TGO and within the scope of his or her official responsibilities.
- 3. No such TGO shall receive compensation or anything of monetary value for any consultation, lecture, discussion, writing or appearance the subject matter of which:
  - a. Is devoted substantially to the responsibilities, programs or operations of the Tribe, or
  - b. Draws substantially upon official Tribal information, data, or ideas which have not become part of the body of public information.
- 4. Paragraphs 2 and 3 of this Code shall not preclude:
  - a. Receipt of bona fide reimbursement, to the extent permitted by Tribal law, ordinance, or policy, for actual expenses for travel and such other necessary subsistence as is compatible with this directive and in which no Tribal payment or reimbursement is made: Provided however, that there shall be no reimbursement or payment on behalf of the TGO for entertainment, gifts, excessive personal living expenses, or other personal benefits;
  - b. Participation in the affairs of charitable, religious, non-profit educational, public service or civic organizations not proscribed by Tribal law, ordinance, or policy;
  - c. Awards for meritorious public contribution given by public service or civic organizations.
- 5. The Tribe accepts ethical and moral principles in the following areas to guide its governing officials on behaving with respect, honesty, and decency toward everyone affected by the official business of the Tribe:
  - a. Compliance with laws, regulations, rules, and policies:
    - i. Ensure an understanding with all applicable federal and tribal laws, policies and procedures, regulations and rules;
    - ii. In no way shall any TGO authorize, participate in, encourage, or condone non-compliance or violation of any such federal or tribal law, regulation, rule or policy directly related to tribal operations associated with such action that involves any constituent(s), a TGO(s), an employee(s), a contractor(s), or a consultant(s) of the Tribe.
  - b. Conflicts of interest;

(Continued on page 11)

(Continued from page 10)  
DRAFT CODE OF ETHICS

- i. A TGO should not engage in actions or activities where they or a relative receive personal pecuniary benefits as a result of their official capacity with the Tribe, including but not limited to:
1. Represent any person or party before a Tribal, Federal, or State court where the Tribe has a vested interest
  2. Tribal employment
  3. Securing an contract with the Tribe
  4. Purchase of goods or services;
- ii. A TGO should not engage in employment interviews or disciplinary proceedings involving a relative;
- iii. A TGO should not engage in employee disciplinary proceedings where he or she participated in interviewing and/or hiring such Tribal employee.
- iv. A TGO should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests.
- c. Employee relations;
- i. Each TGO should promote diversity, inclusiveness, and understanding by the workplace by valuing the individuality and creativity every employee brings to the Tribe;
  - ii. The Tribe is an equal opportunity employer and is committed to hiring, placing, and promoting employees on the basis of qualification, skill, ability, talent, and merit and evaluating employees on a fair and consistent basis;
  - iii. The Tribe through its TGO or through its employees shall not discriminate on the basis of race, color, religion, sex, age, national origin, sexual orientation, disability, veteran status, or any other factor prohibited by Federal, Tribal, or State law, as a group or individually.
- d. Harassment:
- i. The Tribe is committed to providing a work/service environment free from harassment, intimidation, and coercion based on race, sex, religion, national origin, age, disability, or any other classification protected by law;
  - ii. No TGO should sexually harass constituent(s), a TGO(s), an employee(s), a contractor(s), or a consultant(s) of the Tribe, which includes sexual advances, sexual solicitation, requests for sexual favors, or other verbal or physical conduct of a sexual nature.
  - iii. Each TGO has a responsibility to uphold the **Tribe's commitment to provide a work/service environment free from harassment of any kind;**
  - iv. Conduct that creates a hostile or offensive work/service environment will not be tolerated.
- e. Commitment to safety;
- i. The Tribe is committed to providing a safe work/service environment protecting the public, the Tribal workplace, other employees, other agencies, entities or organizations from unsafe conditions, dangerous situations, physical harm or threat, and accidents.
- f. Bribery, kickbacks, or rebates;
- i. No TGO shall accept any form of direct payment, kickback, bribe, financial transaction, rebate, or other improper payment in connection with a Tribal purchase, a sale of Tribal goods or services, and any negotiation and/or discussion involving Tribal assets that **compromises an official's duty and/or responsibility or a strategic official position of the Tribe.**
- g. Use of Tribal assets;
- i. Each TGO has a responsibility to properly use Tribal property, including facilities and equipment, protecting such Tribal property from loss, theft, abuse, or unauthorized use; and
  - ii. All Tribal assets should be used for legitimate business purposes.
- h. Fair Dealing;
- i. No TGO should take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair-dealing practice.
- i. Privacy and Confidentiality;
- i. The Tribe shall conduct its business activity in a careful manner to protect the privacy of any person(s) involved in Tribal affairs;
  - ii. Confidential information is any non-public information that, if disclosed, damages the interests of the Tribe or can be used by competitors or litigants;
  - iii. Each TGO has the responsibility to hold all confidential information obtained from any sector of the Tribe, an agency, entity, or organization engaged in official Tribal activity in confidence, except only when disclosure is authorized by the Tribal Council or legally mandated.
  - iv. Any theft or unauthorized use, personal use, removal of confidential material is prohibited;
- j. Reporting violations;
- i. If a TGO knows about or suspects misconduct, illegal activities, fraud, misuse of Tribal assets or violation of proper laws, regulations, policies, ordinances and codes, he/she has a duty and responsibility to report his/her concern to the proper authority;
  - ii. It is a violation of this Code if a TGO fails to report a violation or willfully withholds relevant information and material information concerning a violation of this Code.
- k. Retaliation;
- i. It is a violation of this Code for any TGO to retaliate or discriminate, directly or indirectly, or encourage others to do so against an individual who report or assists in any way investigations of a suspected violation of any conduct which the individual reasonably believes to be a violation of applicable federal and Tribal laws, regulations, ordinances, codes, or policies.
- l. Substance abuse;
- i. The Tribe is committed to providing a safe work/service environment free from the effects of alcohol and substance abuse;
  - ii. The possession, distribution, or use of illegal drugs on the premises any official Tribal work facility or property, including equipment and vehicles is strictly prohibited;
  - iii. The abuse of alcohol or other medications on the premises any official Tribal work facility or property, including equipment and vehicles is a violation of this Code;
  - iv. The use of controlled substances, the misuse, or abuse of alcohol or medication away from the premises any official Tribal work facility or property in a manner which impairs the ability of a TGO to perform assigned duties, threatens their safety or the safety of others, or otherwise **adversely impacts the Tribe's business is not in the interest of the Tribe and is a violation of this Code.**
- m. Conviction of crime;
- i. Any TGO who is convicted of a crime of any jurisdiction only during the term from which they are serving shall report to their Tribal governing body the full extent of the conviction.
6. The Tribe will investigate any violation of this Code and take appropriate and necessary corrective action, and will be determined by the violation severity resulting from violations in combination of or separate contained in Paragraph 1, 2, 3, or 5 may include:
- a. Reprimand
  - b. Sanction
  - c. Referral for civil or criminal prosecution
  - d. Reimbursement to the Tribe for any losses or damages resulting from violations
  - e. Suspension
  - f. Removal
7. Any charge shall be filed with the Tribal Secretary by duly elected officer(s) of any such Tribal governing body only to that governing body from which they are an officer(s). However, if a charge is brought against any duly elected officer(s) of any such Tribal governing body then the charge shall be filed and signed by at least three members of any such Tribal governing body to that governing body from which they are members. If a charge is filed against the Tribal Secretary, any such charge and information shall be filed with the Tribal Chairman or the Tribal Vice Chairman:
- a. Any charge(s) against a TGO shall be stamped received; a copy provided to the person(s) filing the charge(s); and filed until the next Regular or Special Tribal Council meeting.
  - b. A copy of the charge(s) shall be served on the charged TGO and who shall be notified that a Code of Ethics Hearing will be scheduled at the next Regular or Special Tribal Council meeting; the served charge(s) shall be signed received by the TGO who is charged and served; however, if the charged person refuses to sign, the unsigned charges shall be returned to the file and presented to the Tribal Council at the next Regular or Special Tribal Council meeting.
8. None of the disciplinary action in Paragraph 6 shall be enacted until:
- a. A Code of Ethics Hearing is scheduled:
    - i. It shall be scheduled not less than five (5) days after such filed charges have been served upon any charged TGO;
    - ii. Any TGO so charged shall be allowed a choice of representation or may represent themselves;
    - iii. Only factual evidence and eye witness accounts shall be presented;
    - iv. If any TGO so charged fail to show at such scheduled Code of Ethics Hearing a decision shall be rendered to the disposition of the charge(s);
    - v. The TGO so charged shall be issued the Code of Ethics Hearing decision in person at the conclusion of the Code of Ethics Hearing and by certified mail;
    - vi. The decision of the Code of Ethics Hearing Board shall be confirmed by the Tribal Council at the next Regular or Special Tribal Council meeting;
    - vii. Any such disciplinary action shall go into effect immediately thereafter; and
  - b. That such scheduled Code of Ethics Hearing is thereby completed and the disposition of the charges is ruled.
9. The Code of Ethics Hearing Board shall consist of five members and who must not be a relative of the charged TGO:
- a. Two members from the *Tribal Council*, excluding the Tribal Chairman, the Tribal Vice Chairman, and the Tribal Secretary, all of whom shall be selected randomly;
  - b. One member from the *Personnel Committee* whom shall be selected randomly;
  - c. One member from the *Appropriations Committee*, excluding the Tribal Chairman, the Tribal Vice Chairman, and the Tribal Secretary whom shall be selected randomly; and
  - d. One member from the *Law & Order Committee* whom shall be selected randomly.
10. The Tribal Council retains the right in its sole discretion to amend this Code of Ethics, any policy, procedure, term or working condition at any time and in any manner, to the extent permitted by law.
11. Nothing in this Order shall be construed to supersede, alter, or interpret the Pyramid Lake Paiute Tribe Constitution and By-Laws or any existing applicable and appropriate law or regulation.
12. The Tribal Council hereby adopts this Pyramid Lake Paiute Tribe Code of Ethics on this \_\_\_ day of \_\_\_\_\_, 2009.

<sup>1</sup>Pyramid Lake Paiute Tribe Visions and Mission Statement adopted January 18, 2008.

<sup>2</sup>Tribal Council, Election Board, Fisheries Board, Housing Board, (PLHS) School Board, Health Board, Public Utility District Board, Tax Commission, Gaming Commission, Personnel Committee, Law & Order Committee, Land & Resource Committee, Enrollment Committee, Higher Education Committee, Parks & Recreation Committee, Appropriations Committee, Inter-Disciplinary Team, Economic Development Committee, Water Resources Committee, and Pyramid Lake Cattleman's Cooperative Association.

PYRAMID LAKE PAIUTE TRIBAL COUNCIL  
SPECIAL MEETING MINUTES  
July 11, 2009

*Members Present:*

Mervin Wright, Jr., Tribal Chairman  
Clayton Servilican, Vice Chairman  
Johnnie Garcia Lela Christensen Genevieve John  
Judith Davis Irwin Mix Sherry Ely Mendes

*Members Absent:*

Gordon Frazier Elwood Lowery

CALL TO ORDER

Mervin Wright, Jr., Tribal Chairman, called the July 11, 2009 special meeting of the Pyramid Lake Tribal Council to order at 9:05 a.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Gina Wadsworth, Tribal Secretary, took roll. Councilmembers Gordon Frazier and Elwood Lowery did not attend this meeting. Councilmember Mendes arrived shortly after roll call. All other Council members were present at roll call and a quorum was established.

Staff present at this meeting were: John Jackson, Roy Dunn, Greg Gardner, Jeremiah Sampson, Anthony Sampson, John Mosley, Beverly Harry, Scott Carey, Dennis Shinn, Terry Bohl, Sandra Hicks, Jeannette Allen, Billie Jean Guerrero, Jackie Phoenix, Carol Smith, Dorothy Ely, Duane Florez, Phoebe Brow, Cheryl Ewing, Gina Sander, Jim Plympton, Ben Aleck, Mary Dodd, and Christine John.

NEW BUSINESS

Quarterly Meeting with the Appropriations Committee: **Chairman Wright stated he didn't believe action was needed** on the meeting agenda. This is the meeting between the Tribal Council and the Appropriations Committee on the second quarter financials.. Robbin Scholl, Tribal Comptroller, distributed the 2<sup>nd</sup> quarter report. Chairman Wright stated he was directed by the Tribal Council to ask that all directors be at this meeting and that he was unsure of the thoughts of the Council on this directive. The department heads may want to address any issues or concerns with the budgets to the Tribal Council.

APPROVAL OF AGENDA

Councilmember John stated since the Approval of the Agenda was on the agenda, action should be taken. She then made a motion to approve the meeting agenda. The motion was seconded by Councilmember Davis. Votes were 7 for and none opposed, with no abstentions. *Motion carried.*

Robbin Scholl said the grants quarterly reporting is about 95% complete. The first page is the Tribal programs and explained the color coded lines. The second page shows the approved budgets that had been approved by the Tribal Council. The bottom of page 1 is a summary which matches the budget that was approved. Program generated funds include PUD, realty, day care, and irrigation. They collected 44% of the projected revenue received. She reported that the National Business Center has just approved the IDC rate of 25.22%. The last page is a quarterly analysis of the 401K and it is up for this quarter.

Councilmember John asked if a balance sheet for the General Fund is going to be provided to the Tribal Council. Robbin said a balance sheet is for fixed assets and liabilities. She stated they could do it and Genevieve asked if the balance sheet would include the entire organization or is it only Tribal programs and grants or is it combined. Robbin said the balance sheet is combined and it will take some time, but could be done. She explained that a balance sheet will give total cash in the bank and the only way to get it is to include all programs. Also included on a balance sheet are the fixed assets for each program and if there is any deferred revenue or receivables. Councilmember John asked that the report be produced only for the Tribal programs.

Robbin said Pam Gibson has been working on the due-to and due-from and the carry-forward amounts. The carry-forwards are almost complete. This will have a huge impact to the deficit which will definitely decrease. Once the carry-forwards are done they will have to do journal entries and submit to the auditors. Councilmember Davis asked if there is a carry-

forward and part of it will be used for the deficit and is it only for that program and Robbin said yes.

Discussion regarding contracts and background issues. Billie Jean Guerrero, Human Resources Manager, asked if the Tribe had any recourse or ability to take them to court or do the individuals move on. Chairman Wright said it was recently **discussed at the ITCN Board about creating a "black list" of individuals who do one tribe wrong and move to another tribe.** There are legalities with regard to employee rights and **information that can't be disclosed about certain performance deficiencies.** Councilmember Mendes asked if there was a process that could be developed for individuals who want to contract with the Tribe that they have had gone through background checks prior to being approved.

Councilmember Davis asked for clarification on carry-forward amounts and will the changes impact the current program budgets. Robbin discussed the carry-forward amounts. **Councilmember Davis stated you can't charge the 2002 amount to the current amount.** Chairman Wright said the clarification is how far back it is allowed to apply the carry-forward. Robbin said they will be working on that and they will be using the indirect cost rate that was applicable at that time. At the end of 2008 she will review the amounts that the BIA did not pay the Tribe in indirect cost and she will send a letter to the BIA to request the amount that is owed to the Tribe. Councilmember Davis asked if this would come back to the Tribal Council before it goes into effect and Chairman Wright stated it is likely the Tribe would need to have a resolution for the request.

Councilmember Davis made a motion that before any action is taken on the Form 269 that is being completed with the BIA, the information be brought to the Tribal Council before being sent. The motion was seconded by Councilmember Christensen.

Discussion: Councilmember Mendes asked if this was for approval or for validation. Chairman Wright said it would be for validation of the information. He thinks it would be necessary because the BIA would require formal action of the Tribal Council.

The votes on the motion were 7 for and none opposed, with no abstentions. *Motion carried.*

*Water Resources:* Chairman Wright said there are multiple accounts under the Water Resources programs. He asked John to report on the department. John Jackson, Water Resources Director, said the 163 account is being expended faster than they predicted and they are tracking the amounts for the contracts that were approved by the Tribal Council. He predicts they will be met by end of the year. He moved all of the salaries and fringes into the 163 account and this account is being spent faster than he expected so he will be moving these expenses into other accounts effective on July 1. There is a new contract with the Numana Dam project which may offset some of the 163 expenses. He did inform the Council in January that there would be problems with expenses and he did recommend that a couple of the contracts not be approved, but they were approved one of which will cost \$230,000 this year. John said the Desert Terminal Lakes funding was enacted in 2005-06 and Chairman Wright said that project was looking at Pyramid Lake, Summit Lake and Walker Lake. The focus now is on Walker Lake. John said this was funded under the Farm Bill Omnibus Act.

*Environmental:* John Mosley, Environmental Director, said the overall budget looks good. He said Lake Maintenance has regular trash pickup runs. Councilmember John asked if they were going to start the recycling program with the homeowners and he said they have started cleaning up the shop on Railroad in Wadsworth. The service he would like to provide is having a curbside recycling program. John reported they are still reviewing the permit with Trash Pros and they are looking at the location. They have been maintaining the other transfer sites but it is a liability to have them open at all times. It is difficult to manage those sites.

John said there is a \$146,000 deficit in the billing portion of the PUD budget that will have to be addressed. The PUD Board has directed him to send a letter to those individuals who have not paid their outstanding service and to give them 30 days to make payment arrangements otherwise it will be pursued in Tribal Court. Councilmember Mendes suggested informing those people of the justification on paying for the services. He is optimistic that it could be done.

Councilmember Mix suggested not raising the rates until those who owe money have been caught up. John will share that with the PUD Board.

*Human Resources:* Billie Jean Guerrero, Human Resources Manager, said her budget shows 56% remaining. The Investigative Assistant position was not hired until May and a budget modification was submitted to cover some of the line items when it was determined what supplies were needed. Training for the disciplinary process; how to recognize harassment; types of discrimination in the workplace and improving employee relations will be held. She also oversees the summer youth employment program which is a 6-week program. The workers started on June 23<sup>rd</sup> and will finish by July 31<sup>st</sup>. The program is designed to encourage further education and this year there are seven college students working with the remainder being college-bound or seeking vocational training.

*Judicial:* Jackie Phoenix: Jackie Phoenix, Court Administrator, began work a few weeks ago and one of the first things she reviewed was the budget for the program. They have a Tribal budget and the 638 budget. There is a need for training, especially with the Full Court system. Councilmember Mix said he had previously asked that Judicial Services receive funding from the tax fund and the **license plate fund and was told it couldn't be done because it was not included under those funds.** He did ask around about including it under the license plate funds and was told it could be done but since then it has not been done. In order for the police department to operate, tickets would be written and then you would need someone to enforce it, you would need the judicial system so it would go hand-in-hand. Jackie said she will include that with her 2010 budget request. Robbin stated it was the State of Nevada who says what the money could be used for. Chairman Wright stated we will have to work with the Tax Commission on changing the language. Councilmember Mendes said if this is going to happen and we will match what is happening with the Police Department, there will be an impact to other programs if this program is included under that fund. Jackie stated she is reviewing the salaries for the judges and other positions.

*Pyramid Lake Police Department:* Chief Shinn stated he has the following fund accounts: 092, 109, 391, and 115 fund account. His philosophy is that they will cut back on the management mode. An audit will be done on the equipment and other assets in the department. He will be meeting with **the Rangers regarding the jet skis and ATV's that were purchased.** A policy will be written for those equipment items. The online permit program is very successful. They are in the preparation phase for Burning Man and the overtime costs will be covered under the Indian Highway Traffic Safety grant. Chief Shinn stated he has been dealing with personnel issues and they currently have eight officers and a fourth ranger was hired temporarily for the July 4 holiday. He will be cautious for the rest of the year with the budgets. Grants had been applied for prior to his hiring and he is waiting for a decision. Chief Shinn said he did review the vehicle and fuel expense line items and most of the officers live either on the reservation or very close to the reservation and no one is abusing that privilege. If there was any abuse, it would be with use of the phones and he did inform the officers that he would take away all phones if there was abuse. If there were overages beyond the basic monthly charges, the officers have to pay for those overages. The officers have hand-held transceivers although it is not used for general calls.

*Emergency Response:* Terry Bohl, Emergency Response Coordinator, stated he is on track with budget line items and the only area of concern is the salary line item. The salary line item will run out in August and when that happens, he will be laid off. There must be an operating budget for the program. Burning Man operations have been organized with three stations. He has 14 volunteers and he will continue to work on this event as a volunteer. The July 4 holiday there was a Lake search for an individual who was brought back to shore. There were a couple minor incidents at the Lake. He said two weeks ago there was a 2-year old who drowned. Fred Davis and Ginger Howard responded and they were able to revive the child who is now doing fine. Robbin stated that in reviewing the grants, there is money available in the EMPG fund and they did discuss reducing some of the line items and **moving to the salary line item. Terry said he doesn't want to do that because those are expenses that will be needed for repairs.** Robbin would like to request a meeting with Terry to

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review his budgets and to see how it will work. Councilmember Mendes strongly suggested that this program be kept viable and intact. Councilmember Davis asked that an update be given to the Tribal Council at the July 17 Council meeting.

**Contracts/Grants:** Sandra Hicks, Contracts/Grants Administrator, said the program is doing well and according to the budget they are at 73%. A new employee was recently hired. They are kicking out about four grants per month and they are working with the directors on their goals and objectives. Between January and June, 24 proposals were submitted for approximately \$18 million in grants. They have received about \$700,000 in grant funding. She is working on the Wadsworth community building grant and she will be re-establishing the working group. The departments are current on their financial and narrative reports. Councilmember Davis asked how many grants have been approved this year and Sandra they have written 24 grant proposals and the amount is about \$700,000. There are four pending grant proposals. Councilmember John said the Council is asking Sandra what grants she initiated and were approved. Sandra said she is working with the directors on any of the grants they want to apply for. The directors are responsible for writing the narrative, summary, scope of work and the budget because they know their program needs. Once they have this information she meets with the directors. It was suggested that Sandra provide the Tribal Council with a spreadsheet to include the current grants, grants that have been written and the expected decision, and any future grants that may be applied for.

Councilmember Davis said the Council received the letter from the Social Services Director and does it excuse those programs who do not receive Tribal funds, indirect, or General Fund. Chairman Wright said that was a question from the high school because he was not sure of the directive from the Tribal Council as to the directors having to be at this meeting. Councilmember Mendes said she thinks the Council wanted to talk to everyone on their program. Perhaps it was not clearly defined by the Tribal Council or the Administration. Councilmember Davis said her understanding was to meet with the Appropriations Committee in reviewing the indirect and General Fund so the Council knew what the budget stood and for those programs that are funded under the General Fund could be notified as to where they are in their budgets. Councilmember John said there could be other meetings because there is the Housing Board, Fisheries Board, and the School Board and how they fit into the General Fund. They are part of the overall operation. Councilmember Mix thinks the Council should hear from those departments because the Tribe is the grantee for the Housing, Fisheries and high school. Councilmember Mendes asked if those programs impact the General Fund or any other funding. Robbin said **they do impact the General Fund whether you're looking at indirect or if they overspend.**

**Realty:** Gina Sander, Realty Manager, said the budget is okay, but there were a lot of unforeseen repairs on the rental properties. She will be working with the Sacred Visions Pow-wow Committee on providing tent and RV space and showers and restrooms for the visitors. Gina said they rely on community service workers. Her workers assisted with the Ranger Station and they will be making arrangements to move the modular unit and portable restroom. The rental and utilities were being paid by the Lake Maintenance program. Robbin said she will be meeting with Jim Plympton and Clayton Servilican about this sometime next week. Gina said she has been working with Washoe County on the fee properties and they have been citing those people who have been dumping their trash. On the Verizon lease status, they were waiting on the environmental assessment and work should begin once the BIA has signed off on it. They will be working on the agreement with Trash Pros. Councilmember Mendes recalled that Trash Pros had agreed to install a taller fence and it should be included in the agreement. Chairman Wright said John Mosley will be working on this.

**Planning:** Scott Carey, Tribal Planner, stated his budget is under fund code 128. He has been working on getting situated with the office and functions. His role will be the point of contact for economic development and zoning areas. He is working on regional planning issues, the weekend planning groups, and issuing press releases. Scott said he is assisting the Tribal Administrator with parks and recreation issues. Chairman Wright reported Fred Drye stopped by and they discussed the question about access to the interest money

and the decision to distribute 100% per capita. The BIA has **requested the Solicitor General's office to render an opinion** as to whether per capita distribution is economic development. Fred suggested that in order to expedite the **Solicitor General's opinion that the Tribal Council approve a resolution about this.** Scott has had conversations with the BIA about this issue and the request to the Solicitor General for an opinion on per capita to each Tribal member is Tribal **economic development in the law. Fred's feeling is that if the** Solicitor General had a problem with it, it may have come about already, but we would like to have a firm definition or clarification about this.

**JOM Program:** Dorothy Ely, JOM Director, gave an update on her program. During the school year tutoring is offered for all the kids. When school begins, she usually goes to Fernley High School and Fernley Middle School, Mendive, and Reed to inform the counselors that they are available for tutoring if the students need it. Every Wednesday they go to Mendive Middle School for tutoring. The after school program is offered to all the kids, mostly elementary students attend. They work with the Title VII program that has tutors available for the kids. Dorothy said there is a small budget for correspondence classes offered through Brigham Young. The summer program is going on right now. There are 14 children attending the 10-12 year old session and there will be 18 children attending the 4-5 year old session and during the last week is the 7-9 year old session and they have 25 students signed up. She and the teacher aide work 4 days per week. The budget is okay but she was not sure of the exact amount of funding she received from the BIA.

**Numaga Program:** Jeannette Allen, Numaga Program, stated she has been working for three months and getting organized. They operate under three grants and are down to bare bones. The transportation grant was approved but had it already been overspent. Due to the minimum wage increase in July, a wage comparability study had to be done which will have an impact on the budget. Jeannette said she will be applying for another grant that will fund the senior fun day.

**I-80 Smokeshop:** Duane Florez, Smokeshop Manager, said **the Smokeshop doesn't receive any grants. Things are going slow.** With the opening of Fox Peak, it hit them hard especially with the Silver Springs customers. Basic brand sales are down and the sodas and other items are okay. Robbin said the inventory has not been booked yet for June. Duane said he is looking at a different brand of cigarettes that will be lower in price. He is trying to stay on top of things due to the opening of Fox Peak. The drive-up window has been installed and they just have some electrical work that has to be done. Councilmember John asked if thought about **extending the hours and Duane said that after 6 o'clock, there is no business.** Councilmember John asked Duane if he is planning on accepting tribal checks with a minimum purchase and Duane said no. She explained what she meant and Duane said he could look into that. Robbin said there was a 13% variance in the inventory and asked Duane if he had reviewed that. Duane said no. Robbin said the goal is to get the stores to pass audit on December 31<sup>st</sup> in order to be **included in the Tribe's financial statement. Duane said when the inventory was done the kitchen inventory was not scanned.** Robbin suggested another inventory be done on September 30<sup>th</sup>. Councilmember John asked if the inventory could be done after hours. Vice Chairman Servilican asked Duane if he is writing a business plan and Duane said he could and that Linda Merlin had written one which was given to the previous Vice Chairman. Councilmember Mendes suggested a planning meeting be held in order to determine **what is going to be included in the inventory so it won't be a surprise.**

**Maintenance:** Jim Plympton, Facilities Manager, informed the Council he will be retiring in September. He anticipates a lot of repair on the heating units because the units are older. He received quotes on some of the units. There are projects that he wants to get done and his budget should be okay until the end of the year. Councilmember Christensen said an inventory of the building repairs should be done so that during the budget process, the Council will know what is required. Jim said he does have a list of all buildings and what needs to be done. Councilmember Davis asked if the building use fees are going back for building upkeep. Jim said he believes the money goes back into the General Fund. Chairman Wright stated that a lot of the individuals who use the buildings ask for an exemption. Jim said if it is a Tribally-associated program or church events, 4-H, they receive an exemption.

Councilmember Davis stated money does come in, is it going back for that building. Robbin said she will look into that.

**Lake Maintenance:** Jim said the permanent restrooms are a definite improvement, but he would have liked to have stainless steel stools installed because it would have been easier to clean. They will be using a pressure washer to clean the inside and outside of the restrooms. Next week the contract with Sierra Restrooms will begin. Several of the portable restrooms will be picked up. For the months of October through May, he projects that we will be paying only about \$600 per month for the restrooms. They are currently **working on a "pack-in, pack-out" policy. Councilmember Davis** said when Robbin checks into the money that is being paid for the rental of the modular unit for the temporary Ranger station, will that money go back into the Lake Maintenance budget. Robbin said that is correct. Councilmember Mix stated a percentage of permit sales goes to fund a portion of the Lake Maintenance budget.

**Technology:** Greg Gardner, Technology Services, said he is currently on track with his budget as long as nothing major happens. Equipment is running about 6-7 years old and will start to deteriorate faster than he anticipated. The network is almost at 100% capacity during the day and the complaints he receives are about the system being slow. Because we **don't have home systems in place, the Tribe is in danger of** being encroached by High Desert Wireless. He has been able to switch frequencies, but there are no other frequencies available. If more people sign up, there will be more antennas installed on Virginia Peak. They are running on the same unlicensed frequencies and if they start to interfere with the **Tribe's operation, there is nothing we can legally do. This** could jeopardize network operations in the Nixon community. Chairman Wright stated he did request the information from Greg that we will review the information. Greg said he is currently on a maintenance mode. Councilmember John asked if he applied for any grants and Greg said there are no grants available because it is operational. Councilmember John believes there may be grants available for tribes for administrative purposes to upgrade their IT. Sandra said there are some available and she will assist Greg in looking for grants. Councilmember John asked Greg if he is the only person who is able to add new users he said yes because of the nature of who has insured rights and the fact that computers are required to be properly secured to the network. This is mandated by any company that runs an internal **operation. Councilmember John believes it shouldn't be only** one person. Greg said if it were other people, that would be okay but it also involves the security of the system. It was stated that it should include another top manager to have the ability to do that. Chairman Wright said this is part of the reason he asked for the information.

**Roads:** Roy Dunn, Roads Maintenance, reported his budget is alright. He has been working with Johnnie Garcia on information for equipment needs. A letter had been sent to the Art Wilson Company about maintaining the road at Warrior Point and said he would again start in August. But Roy said after he graded the road he heard the trucks were running again. Councilmember Mix stated he did see their trucks out there. Chairman Wright stated he would notify Art Wilson. Roy said he wanted to ask if he could still purchase the equipment that was approved last year. He only purchased the dump truck. He would like to purchase a sander. Robbin said the money should be there. Roy will follow through with that to purchase the sander.

**Visitors Center:** Ben Aleck, Visitors Center, said as far as his budget, a modification had to be done. Robbin said there is only 17% remaining in the IMLS grant budget. The other item is the Vidler funding that was given to the Visitors Center in order to expand the retail portion. He did meet with Scott Carey and the Small Business Development Center at UNR for assistance with a business plan. When he first started working, it was more along the lines of an educational institution. It does generate revenue in the gift shop. Robbin would like to meet with Ben and Clayton about a business **plan. Ben said he doesn't have retail or business background** and he thinks someone could be hired to handle that part of the museum. There were about 5,610 visitors in 2007. In 2008 there were 4,267 visitors which was a decrease possibly due to the economy. He has been working with the Vice Chairman and Dan Fairbank in trying to get a shade donated through Washoe County Parks through the May Foundation. Councilmember Davis asked Ben if he had a committee to oversee the program and Ben said there is an advisory

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committee but for the last 2-3 years they have been inactive. Councilmember John asked if he has worked with Charlotte about the Language program and Ben said he did not and there is all the equipment that is still there. Chairman Wright stated the equipment has to be used and there has to be a way to salvage the language program. Ben said one suggestion was to channel the language program into the school. Perhaps the school could pick up the cost through the Native Studies program.

**Day Care:** Cheryl Ewing, Day Care Coordinator, stated her budget is okay. She is attempting to collect outstanding debts from families who no longer utilize the day care and the families who still use the day care. They are trying to make payment agreements. It was mentioned to take this into court **but they haven't started this process yet.** Cheryl reported another supervisor was hired to assist in the day care. Fundraisers have been held to purchase outside equipment. The policy and procedure handbook is being worked on. She **will be meeting with the Children's Cabinet for their assistance** on the policies. She did meet with Social Services for a regular license; they currently have a provisional license. There were discussions with the Head Start, Anthony Sampson and Sandra Hicks about options for getting a new building for child care and Head Start.

**Library:** Jeremiah Sampson, Library, stated he works with two grants and both budgets are okay. He had to make a budget modification because no travel was allowed so he had to fix that. The second modification is to move a portion of the salary line item into supplies. He plans to update the technology for the library. He did meet with the Library Manager of the Washoe County Library who showed him the different types of services that are offered.

**Enrollment:** Carol Smith, Enrollment Officer, stated her budget is okay. She said she was not informed she had more funding available from the BIA. There will be an Enrollment meeting on June 23-24 and 40 people representing 10 tribes will be attending this training. The carryover amount is not known yet. Robbin stated they are working on the carryover amounts. Once they finish them, the information will be sent to the BIA for their review. Carol distributed her mid-year report to the Tribal Council.

**Pyramid Lake Housing Authority:** Christine John, Housing Director, stated the goal of the Pyramid Lake Housing Authority is to provide affordable housing, safe and sanitary clean homes. They have objectives that have to be met and their performance is evaluated annually. They just received approval of their evaluation. The Housing Authority received notification last week that they were approved for approximately \$465,000 from the stimulus money which the majority will be used for new construction. They will be building 10 new homes and with this stimulus money they hope to add another three homes. The BIA would like information on the FY 2009 application and the funding has been at Area Office and Pyramid Lake has a potential of receiving \$135,000. The BIA is verifying the three families whose applications were submitted for the Housing Improvement Program (HIP). There are two for renovation and one new construction. The 2008 audit for the Housing Authority has been completed but has not been published. Christine said they were able to increase their operating budget for 2010 to approximately \$2 million. Councilmember **Mix asked if the Housing Authority was no longer "red-tagged"** in order to receive the funding and he explained what he meant. Christine stated they are only eligible for \$1.3 million. **But as far as the "red-tag" it goes back to NHASDA and the amount of funding that is received which is based on the Tribe's population and enrollment. In 1998 the law came into effect, which was called debt forgiveness and it allowed the Housing Authority to amend the agreement from 25 years to 15 years. The information was reported the Phoenix office, however the information was to have been reported to the Denver office. A negotiated payback was approved because the homes had been conveyed to the homeowner. The Housing Authority should not have been receiving a subsidy for the homes for a period of 4-5 years. They were over-subsidized and entered into a payback agreement. Pyramid Lake was not the only Tribe to do this.**

**Victim Services:** Mary Dodd, Victim Services Coordinator, stated a lot of her grants will be closing this year. There are four grants pending from Department of Justice, Office of Violence Against Women. The rural domestic violence grant is requesting additional information. The transitional housing grant was applied for, but the agency wanted revisions to the

narrative. One shelter advocate is funded under the Tribal Victims Assistance grant. She did attempt to apply for this grant but they did not meet the application requirements. Her main concern is keeping the shelter operational.

Mary stated there may be some issues with State funding. The programs are being discouraged from applying for State funding. She said there is no indirect involved, but this is **funding that provides services and money that the Tribe can't fund.** Chairman Wright said it would be a decision of the **Tribal Council whether the Tribe will have to "shoulder" the costs** that the IDC would otherwise cover. Councilmember John stated this would also affect the Numaga Program. Robbin said the programs were encouraged to seek other federal types of grants. Chairman Wright this is a decision to be made by the Tribal Council that as we look at the deficit. Councilmember Mix suggested looking at the General Fund programs to see if they could get to bare bones and if they really need travel and training. Chairman Wright said we can look at non-essential spending for the General Fund programs or even a percentage.

Mary said she has applied for several other funding sources and is looking for direction on what to do. There was a letter from the Department of Justice stating taking costs from one grant year to another is unallowable. This is an ongoing issue. She did meet with the Appropriations Committee and it was her understanding at that time that it had been resolved that the Tribe would have to take the deficit. She received a response from Robbin that the deficit had to go before the Tribal Council. There was a phone conference with the Department of Justice (DOJ). The DOJ wanted detailed information as well as the summary and they are now waiting for the decision. Robbin stated she does not have the authority to state the Tribe is going to go into further deficit status. Councilmember John thought this had been resolved. Robbin stated the DOJ wanted detailed information on the expenses and we are now waiting for a response. They should know this week and will report back to the Council on **June 17. Mary's concern is keeping the shelter open. The Tribal Victims Assistance grant and the Transitional Housing Assistance grant will end on August 31 unless the extension is granted. Referrals are accepted from the Inter-Tribal Council of Nevada from other programs.**

**Higher Education:** Anthony Sampson, Higher Education Coordinator, stated his budgets are okay. There was a big turnout on applications for scholarships. There was carryover funding available and the money was put into the scholarship line items. There were 10 \$2,000 scholarships awarded to the Tribe for the Grand Canyon University and there were two students that did take advantage of this. The Tribe may receive funding from the Safe Schools Healthy Initiative grant. This funding is for elementary, middle school, and high school students. There is a 477 program that would help students who need assistance with other types of assistance such as clothing, certain of type of shoes, etc. This program is based on enrollment and the type of jobs available with the Tribe. The Tribal Council discussed having an education department that could oversee all age groups. Chairman Wright suggested that a job description for an education director be written and submitted.

**Language Program:** Sandra reported Charlotte Harry had been working on the narrative report. The grant ended in December 2008 but there was a carryover amount. The final narrative report had been submitted but the funding agency denied the report. Sandra, Della John, and Charlotte met to discuss a plan on how to spend the carryover. An ANA grant **had been applied for, but they won't know about the decision** until September or October. There is a lot of equipment that was purchased and needs to be inventoried. Chairman Wright stated that the program could be housed at the high school, but there has to be outreach to other age groups. Charlotte **did tell Sandra she didn't want to come back as a director but would rather be a teacher.**

**Tribal Chairman:** Chairman Wright stated he is concerned about the Water Resources funding. John Jackson had reported the 163 account is limited. There are the Fernley negotiations and recoupment hearing that will be held in San Francisco. Don Springmeyer said he could focus on items when they come up. There are the transfer issues in the Carson area. If the water team ends up being only being John and himself, they will pick up the slack.

Councilmember Garcia asked if the directors are a part of the drawdown process. Robbin spoke with Pam Gibson about the drawdown process and they decided that they will prepare the

SF 269 report and will be sent to the directors for their review and after the review, it would be sent to the BIA. Councilmember Garcia

Councilmember Davis stated she would have liked to have seen the expense and revenue statements prior to the meeting. Robbin said they just closed on July 11 and she suggested having the quarterly meeting later in the month. Councilmember Mendes stated it was nice to have all of the directors to be here and to hear what they are doing with the programs.

#### ADJOURNMENT

A motion was made by Councilmember Christensen and seconded by Councilmember Mendes to adjourn the meeting. Votes were 7 for and none opposed, with no abstentions. *Motion carried.*

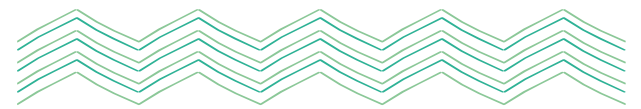
The meeting adjourned at 4:35 p.m.

Submitted by, /s/ Gina Wadsworth, Tribal Secretary

#### CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 7<sup>th</sup> day of AUGUST, 2009, having 8 members present, constituting a quorum, by the vote of 7 for and 0 against, with 0 abstentions.

Minutes attested and concurred by:  
/s/ Mervin Wright, Jr., Tribal Chairman  
Pyramid Lake Tribal Council



#### PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES July 15, 2009

#### Members Present:

Mervin Wright, Jr., Tribal Chairman		
Clayton Servilican, Vice Chairman		
Johnnie Garcia	Lela Christensen	Genevieve John
Judith Davis	Irwin Mix	Sherry Ely Mendes
Gordon Frazier	Elwood Lowery	

#### CALL TO ORDER

Mervin Wright, Jr., Tribal Chairman, called the July 15, 2009 special meeting of the Pyramid Lake Tribal Council to order at 5 p.m. in the Tribal Chambers, Nixon, Nevada.

#### ROLL CALL

Gina Wadsworth, Tribal Secretary, took roll. Councilmember Mix arrived at 5:05 p.m. All other Council members were present at roll call.

#### APPROVAL OF AGENDA

Councilmember John stated she would like to include a recap **on Saturday's meeting. Chairman Wright stated this could be placed as item #2 under New Business.** Councilmember Davis made a motion to approve the meeting agenda as amended. The motion was seconded by Vice Chairman Servilican. Votes were 8 for and none opposed, with no abstentions. *Motion carried.*

#### NEW BUSINESS

**Land & Resource Committee:** Chairman Wright stated the Barlese land assignment issue had been brought before the Tribal Council for the last two months. There was a request for this hearing at the last Tribal Council meeting on the issues associated with this land assignment. The Council should listen to both sides and he would like to know how the Council will proceed. He asked if this will go into an executive session. A procedure will have to be determined on how to go about hearing both sides.

Councilmember Garcia asked if the guidelines were followed

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by the Land & Resource Committee. Jolyne Sander, Committee Chairman, said they were going to hold a hearing at the committee level but two of the committee members had a conflict and because of that, it was being sent to the Council level. Councilmember Mendes suggested they proceed by getting the information or confirmation of the work done by the Committee and then to talk with both sides. She thinks the ultimate decision was already made by the Committee.

A motion was made by Councilmember Mendes and seconded by Councilmember John to move into an executive session. Votes were 7 for and 1 opposed, with 1 abstention. *Motion carried.*

The Tribal Council moved into an executive session at 5:10 p.m. and reconvened into an open session at 8:00 p.m.

Recap on July 11, 2009 Meeting: The Tribal Council discussed the meeting that was held on July 11, 2009. Chairman Wright stated he informed Athena Brown that he would not be able to attend the Tribal Budget Advisory Committee meeting that is going to be held in August, but plans changed and he would be able to attend. There is an ITCN is meeting scheduled for next Thursday and Chairman Wright said he would ask the Vice Chairman if he could attend the meeting. Councilmember John asked why no one from the Nixon Store attended the July 11 meeting and Vice Chairman Servilican said the financial report wasn't ready. Councilmember Mendes said Bonnie Smith began working on Monday, July 13.

Councilmember John asked if a letter was going to be sent to the Land & Resource Committee and if a motion had to be made. Councilmember Christensen suggested that it should wait until it's changed.

Della John, Tribal Administrator, asked if her request was going to be acted on. Chairman Wright informed her that it will be discussed at the July 17, 2009 Council meeting.

#### ADJOURNMENT

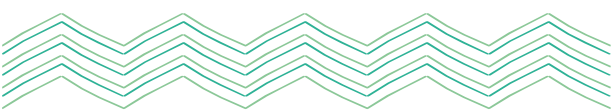
Councilmember Mendes made a motion to adjourn. The motion was seconded by Councilmember Christensen. Votes were 9 for and none opposed, with no abstentions. *Motion carried.*

Submitted by, /s/ Gina Wadsworth, Tribal Secretary

#### CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 7<sup>th</sup> day of AUGUST, 2009, having 8 members present, constituting a quorum, by the vote of 7 for and 0 against, with 0 abstentions.

Minutes attested and concurred by:  
/s/ Mervin Wright, Jr., Tribal Chairman  
Pyramid Lake Tribal Council/



### PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES July 17, 2009

#### Members Present:

Mervin Wright, Jr., Tribal Chairman	
Clayton Servilican, Vice Chairman	
Johnnie Garcia	Lela Christensen
Judith Davis	Irwin Mix
Gordon Frazier	Elwood Lowery
	Genevieve John
	Sherry Ely Mendes

#### CALL TO ORDER

Mervin Wright, Jr., Tribal Chairman, called the July 17, 2009 special meeting of the Pyramid Lake Tribal Council to order at 6:30 p.m. in the Tribal Chambers, Nixon, Nevada.

#### ROLL CALL

Gina Wadsworth, Tribal Secretary, took roll call. Councilmember Mendes arrived at 6:35 p.m. All other Council

members were present at roll call and a quorum was established for this meeting.

#### APPROVAL OF AGENDA

Chairman Wright stated under Unfinished Business, remove item #2, Integrated Solid Waste Management Plan and under Committee/Department Action Required remove item #3, contract with Gilmore Tragus Strategies. Under Committee/Department Action Required, add two Senior Requests and also add a request from Della John regarding the use of Tribal facilities for Burning Man. Councilmember Garcia said he has another resolution for consideration by the Tribal Council. Chairman Wright stated the Council can review the resolution while discussing the Consent Agenda. Councilmember Frazier made a motion to approve the Consent Agenda with the changes. The motion was seconded by Vice Chairman Servilican. Votes were 8 for, none opposed, and no abstentions. *Motion carried.*

#### PUBLIC COMMENT

Carla Molino addressed the proposed changes in the fishing regulations. She stated changing the opening day for fishing season will make a big impact. An information sheet was given to the Tribal Council. She wanted to know why they are proposing the change in the date and if an analysis had been done on the loss and gain factors.

Lyle Kochamp spoke about the trash around the Lake. He also talked about Trash Pros not cleaning up the area by the transfer site. He stated the police officers are coming up with reasons to harass the people, especially the youth, who are camping.

Karen Williams of the Sacred Visions Pow-wow Committee asked for permission to take the Council's picture. This picture will be used for the pow-wow program.

#### CONSENT AGENDA

Chairman Wright stated there are six items on the Consent Agenda. Councilmember Davis would like to have item #6, resolution for Nevada Tribal Foster Home Regulations & Standards, removed from the Consent Agenda. Chairman Wright stated Johnnie Garcia presented a resolution he would like included on the Consent Agenda. Johnnie Garcia, Transportation Planner, explained the second resolution is being submitted for the ARRA Road Repair and Restoration Project. Councilmember John stated the Council should stay with the process and include the resolution under Committee/Department Action Required for discussion.

Councilmember Davis made a motion to approve items 1 through 5 on the Consent Agenda excluding the resolution that was submitted by Johnnie Garcia. The motion was seconded by Councilmember Mendes. Votes were 9 for, none opposed, and no abstentions. *Motion carried.*

RESOLUTION NO. PL 70-09 (ARRA Roads Construction Fund)

RESOLUTION NO. PL 71-09 (Grant Submittal to the Department of Energy)

The items approved on the Consent Agenda were as follows: Wes Williams, Jr. June invoice; a contract with Otis Bay for Streambank restoration; a resolution for obligation of ARRA Roads construction fund; job description reclassification for Case Worker, Kitchen Aide, Assistant Cook, and Van Driver/Kitchen Aide; and a resolution for grant submittal to the Department of Energy Renewable Energy Program.

*Resolution for Nevada Tribal Foster Home Regulations & Standards:* Phoebe Brow, Social Services Director, thinks the regulations should be reviewed by the Tribe's legal department. These standards were approved in 2008 by the Inter-Tribal Council of Nevada. The Tribe has not implemented the regulations. Councilmember John made a motion to table the regulations for a legal review. The motion was seconded by Councilmember Davis. Votes were 9 for, none opposed, and no abstentions. *Motion carried.*

Councilmember Davis stated that she thought the resolution should read Pyramid Lake Paiute Tribe. Also, on page 8, #2 states there is a cost for fire inspections and who is going to pay for this cost. The regulation also makes reference to state departments.

#### UNFINISHED BUSINESS

Crosby Lease & 68 Railroad Avenue – Realty Program: Gina Sander, Realty Manager, present along with Dan Allen, Realty Specialist for the Bureau of Indian Affairs, Western Nevada Agency. Dan stated one of his functions as the Realty Specialist is being in charge of leasing and contracts. When a tribe wants to lease a business for profit, he is the agent responsible for initiating the compliance documents and submission of lease documents for recording. He also handles agriculture leases for the Western Nevada Agency and for right-of-way actions. Rosanna Roberts handles housing and Amy Roberts handles conveyances such as land sales and gift deeds. Currently there is no Realty Officer at the Agency but the position is being advertised.

Dan said Chairman Wright had asked him to speak about commercial leasing. The two documents that govern his actions, and every action in every agency, are 25 CFR, 162 Chapter 600. This handles all commercial leases, non-agriculture leases. The second document is the Regional Procedure Handbook. This handbook gives administrative direction for implementing the law. Commercial leasing is a simple process. They do not handle fee land because it is not tribal property. If a tribe decides they want to enter into a for-profit venture and decide they want to go out for competitive bid or run it themselves, he gets involved only when there is a third party. The negotiation of the lease is the privilege of the tribe. Once the lease is negotiated, they ask that the lease be approved by the Assistant Secretary. He receives the draft document which is forwarded to the Regional Office in Phoenix and they review it for content. The content of the lease says how long the lease is for, who conducts the billing, how the proceeds are to be collected and distributed, if conflict resolution is included, National Environmental Protection Act (NEPA) compliance including National Historic Preservation Act. These two federal laws must be complied with.

Chairman Wright asked if there are conditions that exist within the NEPA for categorical exclusion or does a full assessment have to be conducted. He would like to know what circumstances need to exist for that. Dan said if there is going to be disturbance of vacant ground and if something is going to be built on it. This is a level 1 and depending on what is found, there may have to be a full Environmental Impact Statement (EIS). Pyramid Lake has issued a special use permit to itself for geothermal exploration which entailed a full blown EIS. If they are looking a continuation of an existing business or for example, a right-of-way, it would be a renewal and this would probably be a trigger for a categorical exclusion. An EIS is more involved because they have to review the Endangered Species Act, air and water quality and the other laws he mentioned. Then the regional office will look at the environmental assessment (EA) and evaluate it for content. If something triggers it that doesn't make sense or needs further review, it would need negotiation to ask questions on why something was looked at. If the EA is negative and the Regional Office approves it, they will request from the tribe a Finding of No Significant Impact (FONSI) which states they looked at the EA and there is no impact and everything is okay. Once the FONSI is signed, assuming all other documents are in place, the Superintendent could approve the lease. The lease is then encoded in the TAM system and a hard copy is mailed to the Land, Titles, and Records office in Albuquerque for recording. The lease is compared to make sure there are no discrepancies. If there are no discrepancies, the document comes back to the Agency and copies are then mailed to the tribe and to the lessee.

Chairman Wright asked what role an appraisal has with regard to negotiating or establishing a lease. Dan said in a commercial lease, the BIA will not approve a lease that is less than fair market value. It can be more but cannot be less. Dan said there is a question of why tribes have to go through this process and the CFR is the codification of all the bad things that happened to Indians in commercial ventures throughout time.

Chairman Wright said this came up is because there were questions raised regarding the Crosby lease. Gina Sander distributed documents regarding the Crosby lease. She went over what has taken place over the last year involving the property at the Sutcliffe trailer park. Her involvement with the expired Crosby lease started in April 2008 when she questioned the monthly payments received from Fred Crosby.

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She did speak with Fred Crosby on several occasions and he said the payments were for a trailer park. The monthly payments sent to the Tribe referred to a trailer park and not a lease agreement. **It wasn't until October 2008 when files were located in the Finance Department that the payments were for a lease agreement for 4.63 acres of Tribal land in Sutcliffe.** In January 2009 she met with Dan Allen and the last document the BIA had on file pertaining to the Crosby Family lease was a Tribal resolution dated October 8, 1991 for the 4.63 acres of Tribal land. The last renewal of the lease agreement expired in 1992. **According to 25 CFR 162.623, "If a tenant remains in possession after the expiration or cancellation of a lease, we will treat the unauthorized lease as a trespass."** According to the BIA, if the Tribe chooses to take over the operation of the trailer park, Tribal sovereignty gives the Tribe that authority that the Crosby Family is in trespass. On January 9, 2009 the Tribe sent a letter to the BIA notifying them of the trespass issue. In order for the BIA or the Tribe to assess trespass fees, formal approval from the OST is needed. A formal appraisal was conducted in April 2009. In May 2009 it was decided that the Realty Department would take over management of the trailer park and a 30-day notice to vacate was sent to Fred Crosby. A meeting was held on June 8, 2009 with Fred and Judy Crosby to discuss the transition and the issue of water delivery. The Tribe would need 90 days to connect the trailer park to the community water system and in exchange Fred would be allowed to keep his personal property on the formally leased land. Because it was anticipated that the Tribal Council would direct the Realty Department to negotiate a new lease agreement with the Crosby Family, Fred was asked to submit a proposal. On July 9, 2009 the BIA sent a 30-day notice to vacate to the Crosby Family. A survey was requested however a formal report has not been issued as of this date. There is a map that outlines the fee properties in Sutcliffe as well as the abandoned right-of-way railroad which is approximately 10 acres.

Gina said a decision is requested from the Tribal Council on a resolution directing the Realty Department to negotiate a new lease agreement with the Crosby Family and take over management during the negotiation process or approval of a resolution directing the Realty Department to negotiate a new lease agreement with the Crosby Family and allow the Crosby Family to continue managing the trailer park and remain in trespass; a resolution rescinding the 30-day notice to vacate; and a resolution directing the Realty Department to pursue trespass fees.

Chairman Wright said these are options that are being presented to the Tribal Council. Councilmember Mendes asked if the Tribe is currently receiving payments or is everything at a standstill. Gina replied (inaudible, both talking at one time) and putting toward the trespass damages and giving them credit for it. She found out that, because Fred is still generating money off of the land, he is also subject to Possessory Income Tax of 7% off of the income. So he also owes the Tax Department in excess of \$8,000. The Tax Department can assess fees only for a certain amount of time.

Councilmember Mendes asked if there was a legal opinion on whether the Tribe can go back a certain number of years to say he was in trespass. Neither party knew that the lease had expired. The Council needs to know before making a decision. **It doesn't seem fair that we would tell him he is in trespass because we didn't know the lease expired and didn't manage the property and no information was received from the BIA who holds the lease.** She is trying to be fair and what we could legally go after. Vernelda Frazier, Tax Administrator, said you can use the same situation with the billboard lease because it was a similar situation and the billboard company was in trespass. **They made payments but they didn't have a lease in place. The Tribe was able to take that over. It's a part of the BIA's trust responsibility to let the Tribe know of all leases and right-of-ways.** When the Crosby lease came up, **the Tribe didn't know what it was. There is another issue of a water line running across Tribal property and is there a right-of-way in place and Gina replied yes.**

Councilmember Mendes asked Dan Allen if the BIA had trespassed the lessors of the billboards and he replied yes. Gina said they are not done with this yet because they still owe some taxes. Even though they were in trespass, they continued making monthly payments. Councilmember Mendes so the Tribe is saying we could have made a certain amount of money on the billboards and they were in trespass

and now we want more money. Gina said the amount they were paying was above the fair market value when the billboards were appraised so they were paying more than **what the billboards were worth so we couldn't go back and charge more.** Gina said with the Crosby lease, she asked for information such as financial statements so we knew what was being paid on the land. The amount being paid to the Tribe is much lower than the fair market value.

Dan said that is a factual statement and with the Crosby lease, the lease expired in 1991 and there was no renewal clause or no new lease issued. As far as 25 CFR, leasing component, they are in trespass and the question now is how much the Tribe wants to charge for trespass damages which is a privilege of the Tribe. Councilmember Frazier asked if Crosby paid all the time and Chairman Wright said no, not all the time which was reported by Fred when they met with him. There were times it was a lesser amount and times there was no payment. If we were able to look at the financial records we may see times where there was no payment, but generally speaking, there may have been payments.

Gina said when she was in contact with Fred Crosby last year, his attitude was why we wanted to know this information and that he was paying the same amount for the last 20 years. The Tribe needs to know what the \$900 was being paid for. Councilmember Mendes said the one of the resolutions states the Tribe was going to renegotiate a lease and that during the time Fred could keep his things there but we would take over management of the property. Is there water available to continue this service? Gina said she has been working with the Environmental Department in checking the wells and the map shows there is one well which would not serve all 18 mobile homes and the houses. When she met with Fred in June, the plan was to enter into a 90 day agreement – Fred said he owns 6 mobile homes plus horse corrals and horses – he would have to move it all within 30 days or it would become the property of the Tribe. Fred was told he would be given an additional 90 days while continuing to provide water to the tenants. The Environmental Department would then tie them into the community water system.

An environmental assessment needs to be done in order to locate the leach lines. Gina said if the Tribe wants to **negotiate a new lease, it would be Fred's responsibility to get the environmental assessment completed.** Councilmember Christensen asked if Fred was notified that this was on the agenda. Chairman Wright replied that it is dependent on the **Council of the decision and it's not dependent on Fred what the Council is going to do.** If the Council is going to enter into negotiations there are choices that could be made. Councilmember Frazier asked if Fred was paying the Tribe or the BIA. Dan said it is important that the Council makes a decision. At this point, the BIA has sent a 30-day notice and if the Tribe does not enter into negotiations, because Section 162.623 says if the property is being occupied in a trespass situation and a 30-day notice is issued, the only thing that could stop the eviction is if the Tribe chooses to enter into **negotiation. If the Tribe does not rescind it's action and tell the BIA that negotiation is taking place, on August 9<sup>th</sup> he will have to make issue a notice to law enforcement to enter into eviction of Crosby Lodge.**

Gina suggested a time limit should be included if Crosby is allowed to continue occupying the land during the negotiations. Councilmember Mendes said the Tribe has the ownership and that for anybody, the Tribe decides what the price would be. Councilmember Frazier stated the Tribe has the other two leases and the eviction was terminated to **negotiate the lease, why couldn't the Tribe do that again.** Dan said an agriculture lease is different from a commercial lease. **If the Tribe owns the land, the Tribe can set any value and it's not necessarily based on an appraisal.** On agricultural leases, the regulations allow for a lesser amount if certain stipulations are made.

Chairman Wright said there are three items for Council consideration. Gina said in order to move forward she needs a decision on either Item 1 or 2 and Item 3. Councilmember Mendes asked Gina if it would take her a year for the negotiation. Gina replied it could be done in six months. Dan said as far as the trespass, it could be a separate negotiation; the Tribe could assess the damages as part of the lease package; or the Tribe could choose to forgive any trespass damages. There are a number of ways to handle the trespass case. He said it is clearly a trespass case and is non-

**negotiable. At this point, it is the Tribe's decision to proceed with the trespass and negotiate.**

Councilmember John made a motion to approve resolution 1 to direct the Realty Department to negotiate a new lease and take over management during the negotiation process and to change the time limit from one year to six months and change **"during the negotiation process the Realty Department should" to "during the negotiation process the Realty Department will".** Vice Chairman Servilican seconded the motion.

Discussion: Anthony Sampson asked if the Council will also inherit the environmental cleanup or will Crosby be held accountable for any type of damages. Dan said the environmental compliance is a negotiable item between the **Tribe and the lessee. It's not written in any statute that the potential lessee has to pay for the environmental compliance.** The law states that the environmental compliance will be done and it is common that the lessee would pay for the **environmental survey. It is however the Tribe's decision to negotiate that point.** Vice Chairman Servilican said **since it's the Tribe's property and after it's leased out, Crosby would be responsible for it. Dan said it's however the Tribe chooses to negotiate.** As far as environmental compliance, if anything needs to be cleaned, he would recommend that it be written into the lease that the lessee has to mitigate that. If there is any damage to the building the lessee has to repair it to the satisfaction of the Tribe.

Councilmember Davis said if the Tribe took it over, Fred has the right to the water and if he decides to turn off the water, where would we get the water if we are managing the property. Gina said she was not sure but thinks that he would leave the water on because six of the trailers belong to him. **If he shuts off the water, we don't have to give him the six trailers.** Chairman Wright stated it would be an understanding between the Tribe and Fred that this is what could happen. Gina said she met with him to discuss the transition and the problem about the water. He also has a problem in that he has six mobile homes on the property and has 30 days to remove them. She told him he would be given 90 days to either remove the property or enter into a rental contract for each of the homes; meanwhile we would be tying the trailer park into the community system. Councilmember Mix stated **the Council didn't know what was going on and was in the dark.** They heard things from Fred and Gina is telling the Council things and it would have been better to have Fred here and told what they talked about. From what he has heard, Fred will shut the water off. We have to have water for those tenants. Councilmember Mendes stated it should be put in writing about the water. Chairman Wright said if Fred is saying he is going to shut the water that is not what he said during their meeting.

Vote on motion to approve resolution 1 to direct the Realty Department to negotiate a new lease and take over management during the negotiation process and to change **the time limit from one year to six months and change "during the negotiation process the Realty Department should" to "during the negotiation process the Realty Department will"** was 2 for and 2 opposed, with 5 abstentions, resulting in a tie vote.

Councilmember Mendes stated she abstained because a piece is missing, the water which may or may not go through. Councilmember Garcia asked if the Tribe would be liable if good water is not provided. Gina said John Mosley will be working to get it done within the 90 day time frame. Councilmember Davis said she voted against it because she would have liked to have had the meeting take place regarding the water so that the Tribe is not liable. Chairman Wright said it will be beneficial in that the Council will be adopting a resolution rescinding the 30-day notice to vacate. He is looking at this as an opportunity to discuss the issue in a constructive manner so both parties receive mutual benefits. The negotiation of a new lease is a process within itself. The terms in what can be agreed to is something separate than just the fact that we are going to be negotiating.

Chairman Wright broke the tie by voting in favor of Item 1, *motion carried.* RESOLUTION NO. PL 72-09

Chairman Wright stated the next item is Item #3, the resolution rescinding the 30-day notice to vacate. Councilmember Davis made a motion to approve the resolution rescinding the 30-day notice to vacate. The motion was seconded by Councilmember Christensen. Votes were 9

(Continued on page 17)



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for, none opposed, and no abstentions. *Motion carried.* RESOLUTION NO. PL 73-09

Councilmember Christensen asked what does taking over management entail. Gina explained that she will be meeting with each tenant for the rental agreement. Some of the tenants will have to pay for their own utilities and Fred had **paid the utilities for other tenants. She said this won't change.** Once it is decided to take over the management, which may be August 1, anything that is owed to Fred prior to that date will have to be paid to Fred and they start with the Tribe on August 1. The tenants will have to pay the Tribe and any maintenance issues will go through the Realty Department. Councilmember Mix asked if it was lot space for those who own their trailers and Gina replied yes, they are renting the land.

Chairman Wright said the next issue is Item #4, resolution directing the Realty Department to pursue trespass fees. Dan indicated there are a number of ways in collecting trespass damages. It could be a separate negotiation or it could be included in the lease; it could be prorated or even lump sum. This is a Council decision on how they want to pursue the fees. On the trespass resolution if, for some reason, the negotiations break down and the Tribe asks the BIA issue another notice to vacate the property, the time would start over. Chairman Wright suggested the Tribal Council take some time to consider the options with regard to the assessment of the trespass.

There was a question about the appraisal and what the fair market value was based on and Gina said the Office of Special Trustee conducted the audit and the Tribe had no involvement with that. Dan said the law allows for two actions; a fee appraiser could be hired by either the Tribe or the lessee to conduct an appraisal on the property but the law requires that the appraisal be reviewed by the Office of Appraisal Services in Phoenix which must meet their criteria. The other mechanism is that if the Tribe chooses to direct BIA Realty to request an appraisal through the Office of Appraisal Services, the request would go to Phoenix. The appraisal would then be scheduled to conduct the appraisal.

He said as far as trespass issues, the law is very specific in stating that at the end of the expiration date, the tenant has **30 days to vacate. This is in the law and doesn't have to be in** the lease. If the tenant does not vacate at the end of 30 days, then the Tribe or the BIA can move to remove the tenant. If the BIA is not notified that the lessee is in trespass, nothing happens and they consider the lease to be over.

Dan said a point in law that whatever improvements the tenant made to the property if, at the time the lease expires, and the lease is silent on that, those improvements become property of the Tribe. In this particular case there are six mobile homes which would then become property of the Tribe. Dan said he will check to see if mobile homes are considered personal property. Gina said if the mobile homes are on foundations, it would not be personal property, they become part of the land. Dan said if the Council would like him to come back, he would be willing to do that as long as the request is in writing to the Superintendent.

**68 Railroad Avenue:** Gina stated that this home was previously given to Emergency Response for a command center. There was no money in his budget to improve the properties and the garage was given to the Environmental Department for a recycling center. She would like to take over interest in the house for renovation and to rent out. If it ends up costing too much, she will board up the house. Councilmember Mix said the Housing Authority was looking at demolishing the home and to use as a home site on the property. He believes a lot of work needs to be done. Councilmember Davis said Alvin James, the previous Realty Manager, approached the Housing Authority where those units would go under their property. They did an appraisal on all of the rental properties and it would have been too much money for them to renovate the house and would only use it as a home site. Gina said she does have the funding available for the renovation.

Councilmember Mendes made a motion to approve the resolution dedicating the home to the Realty Department. The motion was seconded by Councilmember John.

Discussion: Vice Chairman Servilican asked who did the

estimate or was a contractor brought in. Gina said she did her own estimate by conducting a walk-through. The work will be done by her maintenance. Councilmember Mendes suggested including a second exit for the basement area.

Votes on the motion to approve the resolution were 5 for, 4 opposed, and no abstentions. *Motion carried.* RESOLUTION NO. PL 74-09

Approval to Purchase Carpet – Pyramid Lake High School: Chairman Wright stated this item had been tabled to send back to the School Board. Councilmember Mendes stated the School Board approved the purchase and received clarification on why the bid amounts were close to the available funding. The bid that was accepted was the only company that could do the entire renovation. The school was given a certain amount and if the school did not expend the money, it would have to be returned. Councilmember Davis made a motion to approve recommendation from the School Board for the purchase of the carpet. The motion was seconded by Councilmember Christensen. Votes were 8 for, none opposed, and 1 abstention. *Motion carried.*

#### COMMITTEE/DEPARTMENT ACTION REQUIRED

Land & Resource Committee – Anthony Sampson: Anthon Sampson, Land & Resource Committee member, stated there were two applications for land assignments. The first application is for Melonie Randall. She received approval for a HIP home and is looking for a home site. The Committee is recommending approval of the application. Councilmember John made a motion to approve the land assignment application for Melonie Randall. The motion was seconded by Vice Chairman Servilican. Votes were 8 for, none opposed, and 1 abstention. *Motion carried.* RESOLUTION NO. PL 75-09

Anthony said the next application is for Norman Frazier. The land assignment application is for N-54 which was originally assigned to Gordon Frazier. Councilmember John asked if there was a letter from Gordon for the transfer and if there is no letter she would like to note that that is what they are doing. Anthony said the Committee recommends approval. Councilmember Davis said it needs to be put in writing. She then said the individual is requesting the land assignment, but there are two other home sites at that location. Clarification is needed on the site that the two HUD homes sit. There needs to be something in writing to grant the relinquishment of land to his son. Councilmember Mendes clarified that it needs to be clear on the piece of property that would be going to his son and who owns the property where the homes are located. Councilmember Davis said there should be three resolutions for this land assignment because there is the land base plus two home sites. Councilmember Mix made a motion to table the land assignment for Norman Frazier. The motion was seconded by Councilmember Christensen. Votes were 5 for, 3 opposed, and 1 abstention. *Motion carried.*

Councilmember Davis asked Anthony if an individual is requested to locate a different site, is there another application that is completed and he replied yes.

**Resolution to Solicitor General's Office** – Scott Carey: Chairman Wright stated in meeting with Fred Drye, a request had been submitted to the Solicitor General on an opinion with regard to economic development and distribution of the per capita.

Scott Carey, Tribal Planner, stated there was a meeting with Fred Drye and Fred requested the Tribe to approve a **resolution urging the Interior Solicitor General's office for an opinion on the per capita issue.** The BIA believes that the Public Law does not explicitly state what can be done with the interest and that the Tribe can distribute per capita to each Tribal member. He said it makes sense to get an official **decision from the Interior Solicitor's office now rather than later.** He is trying to avoid having the federal government say **the Tribe can't do per capita. The resolution that was distributed included comments from Fred Drye.** The changes are not major but are more specific to what the BIA wants to have included. Chairman Wright said the Agency requested this because they feel this resolution will expedite the Solicitor to issue an opinion.

Councilmember Christensen made a motion to approve the resolution for an opinion on per capita distribution as it relates to the plan. The motion was seconded by Councilmember

Davis. Votes were 9 for, none opposed, and no abstentions. *Motion carried.* RESOLUTION NO. PL 76-09

Chairman Wright said in meeting with the Office of Special Trustee, they recognize that the Western Nevada Agency, along with the Justice Department, have expressed concerns about the Tribe using the interest with regard to per capita. **They were asked if the BIA would approve the Tribe's** determination and decision to distribute 100% of the interest as per capita and the Office of Special Trustee said they would not approve that.

**He met with Senator Reid's office today and reported that the** Tribe submitted the legislative statement regarding access to the interest. Mary Connelly stated they would be willing to help in any way the Tribe is interested in utilizing the funding and gaining access. The Justice Department had indicated, through the TROA negotiations, that the Tribe cannot access any of it until the TROA is implemented. We have to utilize **our best effort in building a strategy with the Senator's office.**

Councilmember Davis asked if Fred Drye had scheduled a date to meet with the Tribal Council regarding economic development. Scott said Fred did talk about an evening session with the Tribal Council and he is still working on that.

Purchase of a Vehicle – Janet Crutcher: Janet Crutcher, Diabetes Program, stated she would like to purchase a vehicle for the Diabetes Program. The three bids were submitted and carryover funds will be used to purchase the vehicle. She is recommending purchasing a KIA Sol in the amount of \$19,238. Councilmember Mendes asked what the vehicle will be used for and Janet said it will be used for transporting patients and travel between the three communities. Councilmember Christensen made a motion to approve the purchase of a KIA Sol in the amount of \$19,238. The motion was seconded by Councilmember Frazier. Votes were 7 for, none opposed, and 2 abstentions. *Motion carried.*

2009-2010 Higher Education Scholarships – Anthony Sampson: Anthony Sampson, Higher Education Coordinator, informed the Tribal Council that there were 110 applicants received for scholarships. There are 89 applications being recommended for approval for the Higher Education Scholarship, Enrichment, Tribal Scholarship and Adult Vocational Training.

The Education Committee is recommending a funding amount of 45% of the unmet need for the higher education scholarships. The students are Edward Dick, Jr., Muannet **LeMay, Nathan Dunn, Michelle O'Daye, Gerald Hunter,** Brandon Brady Martinez, Mathew Zumoff, Chelsey Calvin, Margaret Gunshows, Louis Barlese, Dwight Garcia, Rachel Lowery, Lenora Lowery, Mark Carducci, Sicily Ruiz, Galen Barlese, Kaylea Dunn, Patricia Zuniga, Rebecca Moore, Austin Chaney, Mario Carducci, David Brady, Jr., Adriene Salazar, Cassidy McClusky, Heidi McClusky, Lena Migala, Janine Winnemucca, Chenoa Williams, Brian Wadsworth, Carrie Heglund, Teola Shaw, and Jeffery Williams.

Councilmember Mendes made a motion to approve the higher education scholarships as recommended by the Education Committee. The motion was seconded by Councilmember John. Votes were 8 for, none opposed, and 1 abstention. *Motion carried.*

The next item is the \$350 Tribal Scholarship for the following students: Gerald Hunter, Christine Braunworth, Marcy Lucas, Savannah Ely, Jeremiah Sampson, Anthony Lara, Chelsey Calvin, Edward Dick, Jr., Louis Barlese, Dwight Garcia, Mark Carducci, Margaret Gunshows, Paula Paul, Lenora Lowery, Rachel Lowery, Sicily Ruiz, Galen Barlese, Annissa Frazier, Michele Williams, Mario Carducci, Dorian Diaz, Shasta Juarez, Lena Migala, Janine Winnemucca, Carrie Heglund, Angela Wilt, Spencer Dick, Jr., and Jeffery Williams. The Committee is recommending approval of these students for the Tribal Scholarship.

Councilmember Christensen made a motion to approve the \$350 Tribal Scholarships as recommended by the Education Committee. The motion was seconded by Councilmember Mendes. Votes were 8 for, none opposed, and 1 abstention. *Motion carried.*

The next item is for the Enrichment Scholarships and there

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were 17 students who applied for this scholarship. The Education Committee is recommending approval for the following students: Tanda Roberts, Christine Braunworth, Savannah Ely, Jeremiah Sampson, Harriet Brady, Kathleen Wright-Bryan, Paula Paul, Lindsey Kreller, Michele Williams, Dawna Brown, Michelle McCauley, Amanda Davis, Jennifer Moore, Jose' Sanchez, Melva Shaw-Hunter, Pamela Gibson, and Stephen Jim.

Councilmember John made a motion to approve the Enrichment Scholarships as recommended by the Education Committee. The motion was seconded by Councilmember Christensen. Votes were 8 for, none opposed, and 1 abstention. *Motion carried.*

There were 12 students who applied for Adult Vocational Training and the Education Committee is recommending funding the scholarships at 55% of the unmet need. The students are Desirae Henry, Holly New Moon, Marcy Lucas, Anthony Lara, Byron John, Rachel West, Tara Juarez, Daniel Leyva, Shasta Juarez, Lysie Dunn, Dorian Lowery Diaz, and Stan John.

Councilmember Frazier made a motion to approve the Adult Vocational Training scholarships as recommended by the Education Committee. The motion was seconded by Councilmember Davis. Votes were 7 for, none opposed, and 2 abstentions. *Motion carried.*

Law & Order Committee – Jolyne Sander: Jolyne Sander, Law & Order Committee, was present. She said the Committee would like clarification from the Tribal Council on a few issues. She did meet with the Police Chief and Sgt. Miller today who had concerns on the Rangers role. This will be reviewed and taken back to the Committee. Chairman Wright asked if the draft had been reviewed by legal counsel and Jolyne said there has not been anything added, but there were some items that were removed. She said there had been a request to post the draft Law & Order Code and she reminded the Tribal Council that there is a procedure in place for posting of ordinances. The Committee is there for a reason and what had been proposed included a lot of items that do not fit what happens on the reservation. A lot of money was paid for the draft. They are reviewing the draft Code but it is being done by sections.

On page 20, as far as exemption for State required registration, driver's license and insurance being applied to ranch vehicles only, they need a clear definition of "ranch" vehicle. They would ask that if approved, are the placards going to be permitted by the Court or by the Tribal Council and what would be the fee for each farm vehicle. There also was the question of where the money go. The last time she brought this before the Tribal Council, it was approved that it would apply to ranch vehicles. Chairman Wright informed Jolyne that she should develop options for the Tribal Council to consider. Jolyne clarified that the Council will review it once it is included in the Code and the Council replied yes. Councilmember Davis said she would like to see the comments.

The Committee is requesting approval to attend a training that is going to be held in Reno on August 19-21. The sessions will cover Federal Indian law policy, Indian land, tribal trust, Indian Gaming and other issues. The cost is \$485 per person and there are presently four Committee members. Steven Wadsworth stated he will be asking the Gaming Commission to attend this training so the request may be for three Committee members. Chairman Wright stated the budget will have to be reviewed and that the travel requests should be submitted.

Two Elder Assistance Requests: The Secretary stated there are two requests for assistance under the Elder Assistance program. The first request is from Lileah Scott and she is requesting \$284.25 to purchase blinds and \$200 for NV Energy for her electricity. Councilmember Davis made a motion to only approve payment of the NV Energy bill for Lileah Scott in the amount of \$200 because the other request is not an emergency need. The motion was seconded by Councilmember John. Votes were 9 for, none opposed, and no abstentions. *Motion carried.*

The second request is for Virginia Lefthand who is requesting assistance to repair water damage to her home. The amount totaled \$1,474. The Pyramid Lake Housing Authority has a program where they may be able to assist an elder and

because this was negligence on part of the homeowner, the Housing Authority would agree to pay 1/3 of the cost if the Tribe agrees to pay 1/3. The homeowner would also be responsible to pay 1/3. The amount would be \$491.34. The Policy states the Tribe would pay 50% of the cost if it were over \$501. This would amount to \$737. Councilmember Mendes made a motion to accept the recommendation from the Housing Authority and authorize payment of \$491.34. The motion was seconded by Vice Chairman Servilican. Votes were 9 for, none opposed, and no abstentions. *Motion carried.*

Della John Request: Chairman Wright stated Della John, Tribal Administrator, had submitted a memorandum asking the Tribal Council for clarification on the rental of Tribal facilities to Tribal members during Burning Man. The PUD Board is working on the regulations. Between all of the Tribal facilities, no one is paying the water fee. Councilmember Davis asked if the individuals are under the assumption that the water use was included or does the agreement state they have to pay a certain portion. Chairman Wright said it's not clarified. Councilmember Mix suggested putting water meters on the faucets in order to charge for the use of the water. Councilmember Davis said she would like the working group continue working on clarification and to discourage the use of a personal PUD bill for a group activity because there is discrepancy with the billing process. The other question is use of the buildings for groups rather than individuals. There is a planning meeting on Monday with regard to Burning Man.

Transportation – Johnnie Garcia: Johnnie Garcia, Transportation Planner, said he is requesting approval of a resolution for the American Recovery and Reinvestment Act (ARRA) Road Repair and Restoration Project to enter into a PL 93-638 contract. This resolution works hand-in-hand with the resolution that was included on the Consent Agenda. The road and repairs will include patching and crack sealing. It is a one time allocation in the amount of \$500,000. He will be attending a training to review everything that is included in the contract.

Councilmember John made a motion to approve the resolution for the ARRA Road Repair and Restoration project. The motion was seconded by Councilmember Mix. Votes were 7 for, none opposed, and 2 abstentions. *Motion carried.* RESOLUTION NO. PL 77-09

TRIBAL CHAIRMAN – Mervin Wright, Jr.: Chairman Wright reported that Todd Cutler, Mayor of Fernley, resigned today and will be working with the Lassen County School District. They talked about the negotiations and what may happen. He assured Mayor Cutler that having a unanimous vote on the agreements by both Councils that the framework is there. Curt Chaffin, Fernley Mayor pro-tem, will be taking over.

Chairman Wright said he was informed that the Bureau of Reclamation, through the 2010 Energy and Water Bill, set aside funding for TROA implementation. It was reported that Bob Abbey, former State Director of BLM, had been appointed as a commissioner to BLM. Chairman Wright stated he has been dealing with some complaints. Negotiations with Trash Pros will be scheduled and they are looking at a permanent location near Paiute Pit on the south side.

Vice Chairman Servilican asked the Chairman if he will be traveling to Alaska. He then made a motion to approve the Chairman's travel to Alaska for the TBAC meeting. The motion was seconded by Councilmember Christensen. Votes were 9 for and none opposed, with no abstentions. *Motion carried.*

VICE CHAIRMAN – Clayton Servilican: Vice Chairman Servilican reported he has been working with all of the programs under his supervision. Councilmember Mendes asked the status of the progress on the management plan for the I-80 Smokeshop that was discussed during the Appropriations meeting. Information was to have been given to the Tribal Council on what their plan is for making a profit. Vice Chairman Servilican stated Duane Florez has completed some of it.

Chairman Wright said there is a memorandum from the Tax Department about the new tax rate. Vernelda Frazier, Tax Administrator, said Duane had failed to adopt the new tax rate which was effective July 1. Councilmember Mendes said there needs to be a plan in place and to bring options on the property to the Tribal Council. Vice Chairman Servilican said

there was a business plan that was brought before the Council. Vernelda said they need to get back into compliance because that is the only business that has not complied with the new tax rate and they also did not do the cigarette inventory that is required by the end of each month. They just learned of this today. It's the Council's responsibility to oversee the Smokeshop. Councilmember Christensen cautioned that they may be talking about personnel issues. Chairman Wright said this will be discussed in a general conversation. Karole McQueen asked who is overseeing the Smokeshop and Chairman Wright said it was the Vice Chairman. She asked if he would be handling it and Vice Chairman Servilican said he would be getting it corrected. It was stated that the hours need to be expanded. Councilmember Davis asked what needs to be done to extend the hours and Vice Chairman Servilican will check with Duane. Councilmember Mendes stated a business plan is needed or recommendations from Administration about the plans for that property.

Vice Chairman Servilican said he would like to attend the Ruby Pipeline meeting that will be held on Monday. Chairman Wright said he did receive the announcement from the Council of Energy Resource Tribe and there are a lot of tribes concerned about the Ruby Pipeline. This meeting is proposing opportunities for the tribes to buy-in to the idea and who are allowing that pipeline through their reservations. Scott Carey stated there is a free conference at the Grand Sierra which will be attending to get information about tribal energy. Chairman Wright said this pipeline starts in Wyoming and a lot of the tribes are concerned the pipeline will be going through sacred lines and desecrating certain areas. The Tribe's participation has been about trying to consult with the BLM and other federal agencies so they will affectively address the tribal concerns that have been brought forward. Vernelda stated before the Tribal Council approves the request, the Vice Chairman has to straighten up the tax situation at the Smokeshop. Vice Chairman Servilican stated he would not attend the meeting on the Ruby Pipeline.

Councilmember Davis stated she has a concern with regard to the Nixon Store employees. If there are personnel that work 40 hours per week in one position and they work on the weekend at the Store, the individual is paid overtime. Robbin said the Nixon Store personnel are paid under the Tribe's EIN and if there is an employee working, the individual has to be paid. It was proposed to the Vice Chairman that the payroll for the Nixon Store employees be paid by the Nixon Store under their EIN. The Nixon Store is doing well and has a profit.

#### ADJOURNMENT

A motion was made by Councilmember Mendes and seconded by Councilmember Christensen to adjourn the meeting. Votes were 9 for, none opposed, and no abstentions. *Motion carried.*

The meeting adjourned at 10:30 p.m.

Submitted by, /s/ Gina Wadsworth, Tribal Secretary

#### CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 7<sup>th</sup> day of AUGUST, 2009, having 8 members present, constituting a quorum, by the vote of 7 for and 0 against, with 0 abstentions.

Minutes attested and concurred by:  
/s/ Mervin Wright, Jr., Tribal Chairman  
Pyramid Lake Tribal Council

/

/



# HONORING OUR FUTURE

## POW WOW

### SEPT 19-20, 2009

SCHURZ, NEVADA

HOST DRUM

# MIDNITE EXPRESS



MASTER OF CEREMONIES  
**JERRY BEAR**  
 SKULL VALLEY, UTAH

MINNEAPOLIS, MINNESOTA

ARENA DIRECTOR  
**LORREN SAMMARIPA**  
 SCHURZ, NEVADA

#### SPECIALS

OLD STYLE PAIUTE DRESS CONTEST 3  
 PLACES  
 SPONSORED BY LORREN & PEARL  
 SAMMARIPA

LILLY SANCHEZ  
 OUT GOING  
 LIL' MISS PINENUT FESTIVAL  
 JR. GIRLS FANCY SPECIAL  
 3 PLACES

ASHLEY ALLEN  
 OUT GOING  
 MISS WALKER RIVER  
 WOMANS GOLDEN AGE SPECIAL  
 3 PLACES

VIVIANNA SANCHEZ  
 OUTGOING  
 LIL' MISS TINY TOT  
 TINY TOT JINGLE SPECIAL  
 WALKER RIVER

GRAND ENTRY:  
 12 p.m. and 7 p.m. Saturday  
 11 a.m. Sunday

## CONTEST POW WOW

POINT SYSTEM WILL BE USED

#### COMMITTEE SPECIAL

In conjunction with the  
 Walker River Paiute Tribe  
 79th Annual Pinenut Festival

#### OTHER EVENTS

- PINENUT BLESSING
- FUN RUN/WALK
- INDIAN CAR CONTEST
- HORSE SHOE TOURNAMENT
- ADULT HANDGAME
- ARM WRESTLING
- CRADLEBOARD CONTEST
- FREE BBQ
- RODEO
- KIDS GAMES
- TEEN DANCE

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 Fawn at (775)773-2306 ext 306  
 or email [fawnb@wrpt.us](mailto:fawnb@wrpt.us)

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The Pyramid Lake Paiute Tribal Newspaper welcomes your "Letters to the Editor."

- ◆ Letters must be 200 words or less. Letters are subject to editing for conformance to the 200 word limit, as well as for libel and taste.
- ◆ Letters must carry a full, legible and signed name of its author. The newspaper staff does not withhold names of letter authors. Pseudonyms are not allowed.
- ◆ Each author is allowed one published letter per newspaper issue.
- ◆ To be published, all letters must have a permanent address and/or a daytime telephone number for verification. This information will not be published.
- ◆ Letters addressed to specific parties other than the Pyramid Lake Paiute Tribal newspaper, to readers, letters from other publications, form letters that do not contain original writing content by the signatory or personal complaints outside the public domain are not published.
- ◆ Letters are published in the order which they are received. Promptness of publication depends on the volume of letters received and space availability.

MAIL LETTERS TO:

Letter to the Editor  
 PYRAMID LAKE PAIUTE TRIBE  
 P O Box 256  
 Nixon, NV 89424

Newspaper Submittal for OCTOBER Paper DEADLINE: September 25th @ 3:00 p.m.

Please complete this form and submit with your article.

BE SURE TO:

- Include your name, phone # and address.
- Personals may submit a hard copy of article. Hand written Personals ONLY must be printed legibly.
- Submitted articles saved on CD in Adobe Acrobat, Publisher, Word or WordPerfect format. (Media will be returned).
- Articles can be submitted via e-mail to newspaper@plpt.nsn.us. A hard copy of article must also be submitted by deadline.
- Pictures should be submitted in black & white. (Dark backgrounds do not scan well).
- Digital pictures must be taken with a high resolution for a good quality picture.
- REMEMBER: Pictures represent the quality of the picture submitted.
- **Submit all information to the Tribal Manager's Office by deadline**

DATE: \_\_\_\_\_ NEWSPAPER MONTH: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_  
 TITLE OF ARTICLE: \_\_\_\_\_  
 ITEMS TO BE RETURNED: YES or NO  
 IF YES, ADDRESS: \_\_\_\_\_

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Each advertisement must be paid in full by the deadline date for publishing.

DEADLINES FOR THE YEAR 2009 — Fridays @ 3:00 p.m.

October — September 25th    November — October 23rd    December — November 20th

This schedule will allow us to get the newspaper prepared, edited, and printed and ready for bulk mailing the first week of each month. The Tribal Manager's office collects your articles and will forward them to the Editor.

Thank you for contributing your articles for our Newspaper this past year. Please continue to contribute to our Newspaper and let the people know about your program or department's activities and accomplishments. Please submit in Microsoft Word, WordPerfect or Publisher format along with a hard copy of article.

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**October Deadline  
 September 25, 2009**