



NUMUWAETU NAWAHANA

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

Volume XII, Issue 5

\$2.00

June 2008

Vision and Mission Statement of the Pyramid Lake Paiute Tribe

VISION:

The Pyramid Lake Paiute Tribe envisions an ideal lifestyle where its enrolled members prosper physically, emotionally, spiritually, and economically. Our vision is to increase and use cultural knowledge and experience to protect and preserve the natural resources of the Pyramid Lake and Northern Paiute homelands. We endeavor to foster individual growth and personal responsibility through education and economic opportunity.

MISSION:

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

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Pyramid Lake Tribal Council:

Mervin Wright, Jr., Tribal Chairman
Carla Eben, Vice Chairman
Members: Gordon Frazier, Janet Davis, Johnnie Garcia, Jason Davis, Genevieve John, Judith Davis, Sherry Ely Mendes
Gina Wadsworth, Tribal Secretary.
Regular Tribal Council meetings are held on the first Friday of each month at 7 p.m.



RUNNERS TO YOUR MARK!

May 16, 2007

Runners and walkers preparing to begin the 2008 Eagle Staff Run. This staging area was Natchez School in Wadsworth. Three staffs; men, women and children each carried their staff and relayed to Nixon.

The Eagle Staff run is established to bring attention to violence amongst our reservation communities. This recognition also brings awareness to the contributing factors; alcohol and drug addiction. This event was organized by the Pyramid Lake Police Department, and has been an annual event scheduled during the Pyramid Lake War Memorial holiday.

Special thank you to all of the volunteers, who made this event possible taking care of the participants on the route.



Pictured Above: Susie Albright preparing for the run, while during the run/walk Amos and Lena Wright carry the children's staff.



LAKER BAND SPRING 2008

FLUTES *Austin Gluyas Elissa Barlese Raquel Olivas Eileen Crutcher*

CLARINETS *Leanna Mix, Briana Quartz, Lucy Paddy, Clarissa Horse, Taylor Moore, Dalesah Shaw, Sequoia Decker, Janja Sumner, Conner Dunn, Ashely Wadsworth, Nece Racine*

BASS CLARINET *Lena Wright*

ALTO SAXOPHONE *Dustin Collins, Cameron Hernandez, Roberto Estrada, Rudy Olives*

TENOR SAXOPHONE *Kalihwi Rodarte*

TRUMPET *Richard Balese, Kits Rodarte, Dyron Clark, Sloan Sampson, Jose Gonzales*

TROMBONE *Myron Wadsworth, Kane Marshall, Tommy Drye, Jorge Enriquez, Byron Potts, Ariston Shaw*

PERCUSSION *Carrington Burton, Chase Colombe, Jamison Mashburn, Chauncy Moore, Ty Sampson-Lopez, Will Stevens, Cliff Wilder, Jayci Williams, Nikwich Wright*

BAND DIRECTOR *Ms. McCauley*

... From the Chairman's Office

I hope that you all are trying to keep up with the constant changing weather here in our part of the world. From record high temperatures one week to snow in the mountains on Memorial Day weekend; for May weather this seems typical. At any rate, there is much to report as it is summarized below.

The Tribe was recently issued the team lead (April 25, 2008) with the operations of federal facilities in managing its water resources; namely with the Truckee River Operating Agreement (TROA) – Memorandum of Agreement (MOA). Stampede Reservoir is the primary reservoir that contains tribal water resources for the Pyramid Lake Fishery, as the lead decisions are considered, the tribe is focused on the spawning run while taking into account the snow melt and the spring run off that adds to river flows. It is the Tribe's intention to operate conservatively, but making our attempt to maximize the benefit of releases of stored water for the fish, the river habitats, and enhancing lake resources.

The 2008 Cui-ui spawning run has come to a close as our fish are no longer attracted to river via the Marble Bluff Fish Facility (MBFF). The water releases were being managed with hopes that the spawning run would continue, but with the few fish reaching Marble Bluff after days of monitoring, the attraction flow water releases were ramped down. Natural run off and reduced diversions at Derby Dam are allowing greater flows in the Lower Truckee River. Water management continues throughout the year to support riparian vegetation growth for streambank stabilization and flows needed to support water quality needs – primarily for temperature constraints.

At the time of this report, the Tribe is preparing for the TROA election. Back in the early 1990s the Tribal Council elected to place this vote before the voters of the Tribe. Although the other four signatories are preparing to complete their approvals, the tribal election will authorize the Tribal Council to approve the TROA. The signing ceremony for TROA is scheduled for September 15, 2008. There are a number of requirements that must be completed for TROA to take full effect. The main requirement is the federal district court (Orr Ditch Court) accepting the TROA which will require scheduled hearings and deliberation.

Another important requirement is the confirmation of the Tribe's right to the "unappropriated water" of the Truckee River. In normal to wet water years, there is excess water in the river basin that does not have a water right attached. In 1998, the Tribe won a decision from the State Engineer where the Tribe now has a right to the unappropriated water of the Truckee River. From now until this issue is resolved, it is in the interest of the Tribe to preserve the water with the intention of knowing that constant challenges changes the dynamics of the system. This dynamic occurs every day; every week and forces the Tribe to respond, react and prepare for adjustments in our position. Therefore, although Public Law 101-618 was enacted and the TROA negotiations are completed, the many demands and the many parties presents many issues, many ideas, and many situations of contention, agreement, and potential settlement.

The long history starts at the turn of the 20th century with the Newlands Reclamation Project. The most dramatic change in events came with the Endangered Species Act of 1966 and the promulgation of the Operating Criteria and Procedures (OCAP) in 1968. In addition was the authorization and construction of the Washoe Project that included Stampede Reservoir and the MBFF. In 1984, the Tribe won a decision in the 9th Circuit Court granting the authority of the Secretary of Interior to use water in Stampede Reservoir for the recovery of threatened and endangered species in Pyramid Lake. In 1985, the Tribe conducted a referendum election to decide for negotiation or for continued litigation, and it decided to move forward with negotiation. In 1989 the Tribe and the Sierra Pacific Power Company entered into the Preliminary Settlement Agreement (PSA). Then in 1990 Congress enacted Public Law 101-618.

TROA proposes a greater flexibility to utilize water resources from the Truckee River basin. Current operations are conditioned on achieving the Floriston Rates at 500 cubic feet per second (cfs) past the state line at Farad, California during the summer months and achieving 400 cfs during the winter months. These flows are required to meet agriculture demands under the Orr Ditch Decree. Based on the shift in water use and with the expansion for other water demands, TROA will allow for the Floriston Rates to be reduced during certain times of the year to capture into storage water resources for use of the water at times most beneficial for water users – like the Tribe's use of its water.

Although the TROA can be a complex document, some of the other TROA advantages include: gaining full right to use Stampede Reservoir for Pyramid Lake fishery; increased opportunities to capture water into storage in Stampede and Prosser Creek Reservoirs and Lake Tahoe for Pyramid Lake fishery; improvement for the timing of releases for stored water to maximize the benefit of tribal water resources; conversion of credit water to fishery needs when Municipal & Industrial (M&I) water rights demands are satisfied; increasing the Tribe's technical ability to monitor and schedule river flows and water supplies; the preservation of Tribal Orr Ditch Decreed water rights; and maximizing the management of water gained from water right acquisitions, reduced upstream diversions (OCAP), and with the change in tribal water rights purpose of use (instream flows).

In response to presenting the possible downside of TROA or what the Tribe conceded in achieving TROA primarily comes with the allowance of space for other waters in Stampede Reservoir. The PSA provides for the conversion of credit water from M&I to Fishery and from Fishery to M&I under given conditions and circumstances. The PSA allows for the build-out or water supply for the Truckee Meadows community up to 119,000 acre-feet of annual demand. Water quality is not specifically a part of the TROA or Public Law 101-618 and the Tribe has addressed and moved to preserve its interests on separate tracks. Five lawsuits will be dismissed with prejudice; with three of the lawsuits being resolved, the remaining two are still at stake of being dismissed.

Water quality is a fundamental foundation for any ecosystem. Everything and all activities within a river basin ultimately drains to the bottom of the basin, given it a stream or a lake. The challenge before the Tribe is to use its water resources in a manner that addresses water quality constraints and problems that have been identified for the Lower Truckee River on the Pyramid Lake Indian Reservation. Tribal water quality standards, its treatment as a state, water right acquisitions, OCAP efficiencies, Nevada Division of Environmental Protection's waste water discharge permits, and dealing with "sustainable" growth present opportunities to deal with water quality in the Truckee River.

The Tribal Economic Development Committee is working hard to produce a final economic development plan for the Tribal Council to adopt. This plan will not be decided until the tribal membership has an opportunity to review and comment. The distribution plan has been adopted through the December 2006 election and it will be honored. The economic development plan would include components such as the investment policy/plan, development project types, and percentages contributing to those project types, and principles and concepts supporting the Tribe's economic development objectives.

The Tribe is rich in its natural resources and for many years it has decided not to exploit or gain advantage from the use of its land and water for economic gains. Managing its water for economic gain should be considered as long as the Tribe is the beneficiary of economic development projects using its water or land. It is difficult to understand, however why development projects like gaming, resort and commercial and industrial ideas are not moved forward to eventual realization. There exists distrust throughout the governing system from the tribal membership, to the tribal administration, up to the Tribal Council. Everyone involved should be supportive of making a better situation for our entire membership.

As part of the Tribe's challenge is the management and administration of Tribal finances. Much has been disclosed over the past months about the manner in which our finances have been managed. Gaining credibility is important, having quality accounting will support strong investment ideas for long term benefits. The Administration understands where it stands, what it has endured for the past ten years with financial management, and how it needs to continue into the future. Strong accounting and credible accounting is critical to operations. High level accounting is required to bring the operations current as the Tribe has operated behind schedule for years.

Past historical audits are important to maintain and support current operations and provide for future planning. Due to delinquencies the tribal finance operation has not been efficient. Although planning for operations has not come to full fruition, one accountant can not possibly manage the entire accounting system of the Tribe. A qualified full staff of accountants will be required to work diligently for at least one year to bring the operation current as the 2006 and 2007 audits are needed, the 2007 and 2008 indirect cost rate proposals are needed. This is not to mention that current operations required full attention at the same time. The Administration is doing all that it can to achieve the needed operations.

... From the Chairman's Office, Continued.

Tribal constitutional amendments will be presented soon to the Tribal Council. It is not going to be an overhaul of the current constitution and by-laws, but rather a stepped process to address certain needs to improve the system. Although an overhaul may provide overall improvements, there are certain areas that could be instituted that should address needs that can improve the overall system. The amendments will include 18 year olds right to vote, absentee election ballots, four year terms, simple majority election for the Tribal Chairman and Tribal Vice Chairman, stronger and clear removal clause, and lease terms.

Another document nearing completion is the "Segregation of Authority" of separation of powers. The importance for checks and balances for any government will improve operations and place responsibilities and accountability into the forefront. The document will require review for consistency with policies and codes, but it will be destined to change for the betterment tribal governing operations. The authorities of each branch of government retains ability to function but not without equal inspection and oversight from one branch to another.

The securities fraud hearing was cancelled, and the case is not heading for trial. This case involves the company Mine Central who was intending to locate on the reservation, but the owner was arrested for securities fraud. Now the case has brought into focus the involvement of tribal officials who were involved. The Tribal Council acted cautiously and from their actions, it appears that the Tribe was protected. Representing tribal interests will be focus with the trial.

In closing I want to report that the suspicions of my actions covertly working against the tribe or the tribal membership is incredible. There is nothing that I can report with my ability that has not been authorized by the Tribal Council. There is so much to be done, but as one person I can appreciate the criticism of not completing everything because I am only one person, and achieving objectives takes full support from the levels and components of tribal government, the tribal administration, and the tribal membership.

Please contact me if you have any questions on anything I am reporting or anything involving our tribal governing or tribal administrative operations.

Thank you.

Mervin Wright, Jr.
Tribal Chairman

Welcome to Pyramid Lake

Have a fun and safe time while you are here.

Please take note of a few reminders:

Glass containers are **prohibited** on the beaches

No overnight camping on the East Side of the Lake (includes the Pyramid Beach)

Wood Pallets are **prohibited**

Fireworks, of any type, are **prohibited**

ATV's and/or dirt bikes are **not** allowed

Off-road travel is **not** allowed

Dogs must be leashed at **all** times

Dispose of waste properly; No dumping of trash, waste or gray RV water

Speed limits are strictly enforced

Boating hours are one (1) hour before sunrise until one (1) hour after sunset

If a neighboring campsite makes a complaint about noise, you may be cited

No life guard on duty, enter water at own risk (lake floor is uneven, some areas have significant drop offs)

All vehicles require a permit



Do your part and help keep the Lake clean!

Contact Information:

Emergency	(775) 574-0444
Non-Emergency	(775) 476-1155

*For a complete copy of the rules and regulations contact the
Ranger Station (775) 476-1155*

To all those who pitched in to keep Pyramid Lake clean and beautiful – THANK YOU!!

**Pyramid Lake Tribal
Victim Services
Domestic Violence Enforcement Program**

A new program through a grant from the Dept of Justice Grant to Encourage Arrest Policies and Enforcement of Protection Orders has been added to enhance the Domestic Violence Program, creating a program known as the Domestic Violence Enforcement Program. The program will work towards enhancing coordinated and collaborative responses to domestic violence between public entities like the police, judiciary, prosecution and victim service departments of the Tribe.

Goals and objectives of the program will start with a focus group of tribal departments and interested individuals to determine issues and concerns that need to be addressed. The program will also establish and implement training sessions that will address enhanced pro-arrest and protection order enforcement to ensure that 100% of all tribal police office receive training on enforcement and pro arrest practices, in-service trainings/education programs on quarterly basis for all providers, facilitate off-site travel process for personnel to attend training sessions. One of the main goals of the program will be to strengthen pro-arrest and enforcement efforts through legislation/policy development and revision of tribal law and order codes.

With the new program, come two new employees: Gina Howard, Criminal Justice Liaison and Jackie Cawelti, Assistant. If you have any questions, concerns or issues that you would like our program to address, please contact the Domestic Violence Enforcement Program Office located at the Victim Services Program, 101 Big Bend Ranch Road in Wadsworth or call (775) 575-9444.

FROM THE LIBRARY:

by Linda McCauley, Tribal Librarian

LIBRARY HOURS
TUESDAYS & WEDNESDAYS: 3 P.M. TO 6 P.M.,
AND SATURDAYS, 10 A.M. - 3 P.M.
775-574-0301

New Books: *The Absolutely True Diary of a Part-Time Indian*, by Sherman Alexie; *Authentic American Indian Beadwork and How to Do It*, by Pamela Stanley-Millner (with 50 charts for bead-weaving and 21 full-size patterns for appliqué); *Native American Beadwork*, by Georg J. Barth.

**LIBRARY SWAP MEET / YARD SALE
EVERY SATURDAY**

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(area between the gym and the library)**

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CALL 574-0301

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leave message with contact information
must provide your own chairs and tables*

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all proceeds go to the Library to purchase outdoor furniture for the park

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or

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Tax Department

The Tax Department would like to welcome Maxine Burns and Anita Dunn to the Tax Commission. They were appointed last month by the Tribal Council to serve on the Tax Commission. Congratulations Ladies!!

We would also like to Congratulate Da Nelle Smith for her work well done this past year, she has been promoted from Tax Clerk to Administrative Tax Assistant. She has shown growth and ability to move to the next level.

The Tax Department provides many services such as:

Notary Services-Free of Charge
Pyramid Lake Souvenir License Plates
Pyramid Lake Spousal Tax Exemption Cards
Applications for a Seller's Permit
(Not a Business License Permit)
Pyramid Lake Tribal Member Tax Exemption on deliveries made to the Pyramid Lake Reservation
DMV-Vehicle Tax Exemption Form(s)

For a DMV form you will need to provide:

Person(s) Vehicle is registered to
Year of Vehicle
Make & Model of Vehicle
License Plate Number
V.I.N. Number
Physical and Mailing Address
Nevada Tribal Member residing on Pyramid Lake Paiute Reservation

Tax Department Staff:

Vernelda Frazier-Tax Administrator
Sheri Nakai-Tax Specialist
Da Nelle Smith- Tax Assistant

Tax Commission:

Fannie Ely- Commission Chairperson
Kathy Castodio-Vice Chairperson
Melissa Decker- Commissioner
Maxine Burns- Commissioner
Anita Dunn- Commissioner

Tax Attorney:

John Fredricks
Fredericks, Peebles & Morgan LLP

Tax Auditor:

Rick Marsh

Pyramid Lake Paiute Tribe

Tax Department

P.O. Box 256/208 Capitol Hill

Nixon, Nevada 89424

Phone: (775)574-1000 Ext. 121/123/124

Fax: (775) 574-1007

The American White Pelican

Pelecanus erythrorhynchos

Paiute Name: Toha panosa



The American White Pelican is a seasonal resident of Anaho Island located in Pyramid Lake. Adult white pelicans are the largest of the 8 true species of pelicans, weighing from 16-30 pounds. The pelican is almost immediately recognizable by its prominent, yellow bill and white wings with black wing quills, and flies with its neck tucked. White pelicans are unable to extend their necks straight or raise their face due to a vertebra in their neck. White pelicans can reach a length of up to 5 feet with a wingspread of up to 9 feet. Male and female are very similar in appearance. American White Pelicans feed almost exclusively on fish and feed in shallow water by scooping up fish in their extendable bill as they swim on the surface of the water. White pelicans can consume an average of 3 pounds of fish per day, and during breeding season an adult may eat the equivalent of 40% of its body mass in a single day. Unlike the Brown Pelican, the White Pelican does not dive for food. White pelicans feed and fly in flocks in a diagonal direction, reaching speeds up to 30 miles per hour.

When adult white pelicans are mature enough to breed they will develop large ridges or growths on the top of their bills, their bills also turn bright orange and grow ornamental plumes on the top of their heads. Once the chicks that have hatched begin to feed from the adult, the ridges on their bills fall off and the birds develop black feathers on the back of their head. The eye color of the adult also changes from dark to light as their breeding status changes. White pelicans build their nest on the ground in a depression and usually lay 1 to 3 creamy to blue-white eggs which hatch within 29-36 days. Adult pelican use their feet for incubation since they do not have the typical "brood patch" of bare skin on their belly. Young pelicans feed from the bill pouch of the parent, almost burying their head in the throat region when feeding. The young fledge from the nest after about 10 weeks of being reared by the adult. Look for the pelicans nesting in very large colonies on Anaho Island, a United States Fish and Wildlife Service White Pelican Refuge.



NOTICE

PYRAMID LAKE YOUTH COUNCIL
IN A YOUTH RECRUITMENT EFFORT
INVITES YOU AND YOUR FAMILY TO
ATTEND A CULTURAL SHOWING OF

"That was Happy Life" and "Under One Sky"
at the Visitor Center/Museum
Located in Nixon, NV
on June 18th, 2008 (Wednesday)
starting at 6pm.

There will be a BBQ afterwards.

The Youth Council passed it's bylaws and is looking to recruit members that want to participate in identifying youth issues, community service projects, learning about leadership and being involved in your community.

Please attend and we look forward to seeing you and your family there!



1301 Connecticut Ave NW, Suite 200
Washington D.C. 20036
Phone: (202) 466-7767
Fax: (202) 466-7797
www.ncai.org

Tribal Enrollment Services

The Office of Tribal Enrollment is open Monday through Friday during normal work hours. Please call ahead of time to ensure that staff is available to process your requests. The office has been moved to a different location; please check in at the front desk upon arrival.

ID Cards: The Tribe has not changed the card formats; the card printer was not working for a while but has been replaced and we are now up and running again. The Enrollment Committee is reviewing possible changes to the fee schedule as we are issuing an excessive number of duplicate cards. Some members have already been issued up to nine cards. Repeatedly generating duplicate cards creates a financial strain to the program which already runs on limited funding. The ID cards were initially set up to be used as a second form of identification, and to provide a free service to the membership since the Enrollment Office essentially maintains the vital records of each enrolled member. The card identifies who you are and is just as important as a driver's license and social security card. Yet the card is taken for granted and is not taken care of the way it should be. It is presumed that if lost, the person can just go to Enrollment and get another card. This has resulted in much carelessness and many lost cards. It is extremely important to keep the card secure as these cards contain identifying and sensitive information. There is currently not a fee for card replacements but this will likely change in the near future. The goal is to ensure that tribal members take better care of their card and make sure the card is kept in a safe place at all times.

Relinquishments/Disenrollments: We have received a number of inquiries from individuals who have given up their membership rights through voluntary relinquishment or involuntary disenrollment. Membership decisions should be made with the utmost care as these decisions affect future generations. Membership rights are terminated once an individual has left the Tribe. This includes rights to tribal property and assets. Some people are finding that their children are not eligible in the parent's new tribal affiliation, or the person does not feel like they belong in their new tribe, that their family is here at Pyramid Lake. However, the decision to leave the Tribe is an individual choice. Many people have left to enroll in other tribes without first relinquishing their membership here which leaves them subject to involuntary disenrollment. This choice also creates a break in lineage for the child. Persons who have been disenrolled are not eligible to reapply or be considered for reinstatement. Persons who have relinquished are eligible for reinstatement based on extenuating circumstances to be determined by the Tribal Council. The only persons who can reapply are those who were relinquished or disenrolled as a minor under the age of 18 and they have until their 23rd birthday to reapply.

Membership Criteria: As a reminder, the ordinance has been revised and following is the current membership criteria and other relevant excerpts:

ARTICLE III – MEMBERSHIP ELIGIBILITY

SECTION 1. MEMBERSHIP ELIGIBILITY REQUIREMENTS

The following criteria must be met for membership in the Pyramid Lake Paiute Tribe:

A. ELIGIBILITY FOR REGULAR MEMBERSHIP:

1. All persons of Indian blood whose names appear on the official certified Constructed Base Roll of the Pyramid Lake Indian Reservation as of January 1, 1935.
2. All children born to any enrolled Regular member of the Tribe who is a resident of the reservation at the time of the birth of said children, provided it is proven that said children are direct lineal descendants of a Base Enrollee as identified above.
3. All children born to any enrolled member of the Tribe holding Adoptive membership, provided the child is born after the effective date of the parent's adoption into the Tribe. All children born prior to the effective date of the parent's adoption into the Tribe may only be considered for membership under the provisions of Part B of this Article.
4. Any person whose membership was relinquished while the person was a minor child is eligible to reapply for membership within five (5) years after turning eighteen (18) years of age. If he/she received judgment or per capita funds as a member of another Indian tribe, colony or band, prior to filing the application or prior to the Tribal Council approving the application, such person will be eligible for membership purposes only.

B. ELIGIBILITY FOR ADOPTIVE MEMBERSHIP

1. Any person of one-quarter (1/4) or more Pyramid Lake Paiute blood, or any person of one-half (1/2) or more Indian blood who is married to a member of the Tribe may become a member of the Tribe by filing an application with the Tribe in which the applicant agrees to renounce his/her membership affiliation with any other tribe, colony or band, and by receiving the endorsement of the Tribal Council by an affirmative two-thirds (2/3) vote of its members.
2. Any child of one-quarter (1/4) or more degree of Paiute blood who is less than eighteen (18) years of age and is living with a mother or father, guardian, or relative who is a member of the Tribe, is eligible for adoption by the Tribe into membership by filing an application with the Tribe provided it is proven that the minor child is a descendant of a Base Enrollee, and further provided that the application receives an endorsement of the Tribal Council by an affirmative two-thirds (2/3) vote of its members.

Adoptive membership is at the discretion of the Pyramid Lake Paiute Tribal Council and is a privilege granted to those who do not meet the eligibility requirements to qualify for Regular membership.

For the purposes of this section, any child born to an enrolled member who holds Adoptive membership, if born prior to the effective date of the parent's approval for Adoptive membership, can only be enrolled under Section B of this Article.

SECTION 2. PERSONS NOT ELIGIBLE FOR MEMBERSHIP

In addition to the membership requirements stated in Section 1, persons meeting the following criteria shall not be considered for membership in the Tribe:

- A. Any person who is enrolled, affiliated, or recognized as a member of another Indian tribe, colony or band.
- B. Any person who has relinquished membership in the Tribe, unless such person was less than eighteen (18) years old at the time of relinquishment. In such case, the person will be eligible to reapply for membership provided the application for membership is filed prior to the person's twenty-third (23rd) birthday. If he/she has received judgment or per capita funds as a member of another Indian tribe, colony or band prior to filing the application or prior to the Tribal Council approving the application, such person will be considered for membership purposes only.
- C. Any person who has been disenrolled by the Tribe, unless such person was less than eighteen (18) years old at the time of disenrollment. In such case, the person will be eligible to reapply for membership provided the application is filed prior to the person's twenty-third (23rd) birthday. Such person will be considered for membership purposes only.

Another recent change to the ordinance affects persons who are granted Adoptive membership:

ARTICLE V – ENROLLMENT PROCEDURES (*Excerpted*)

SECTION 7. TRIBAL RIGHTS & PRIVILEGES

Upon receiving approval for Regular membership by the Tribal Council, the applicant shall become entitled to tribal privileges, resources, property, voting power, and right to hold a political office (if the qualifications for voting/candidacy are met) afforded to all enrolled members. Individuals approved for Adoptive or Honorary membership shall have no such rights. Such rights of tribal membership are subject only to the disenrollment and relinquishment provisions of this ordinance, or if the tribal member deceases.

****End of ordinance excerpts****

Anyone wishing to review the ordinance in its entirety may contact the Enrollment Office at 775.574.1000, Ext. 115 and request a copy.

New Members/May, 2008: We welcome the following new members of the Tribe for the month of May: Albert Paz Banda-Phoenix, Nataani Broyce Bitsilly, Alicia Makaylie Diaz, Daisy Mae Eben, Lorena Sara Jane Eben, Jacob Sean Lowery, Kaitlin Mileah Mandell, Alessandra Danielle Mosqueira, Jerab Abraham Pino Jr., AnnaMarie Washington, Chyanna Mae Washington, and Devyn Skylyne Ray Williams.

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



Tribal enrollment continued...

Voter Updates: As part of the TROA public outreach by Water Resources, the Enrollment Office was requested to process a mailing to the qualified voters based on the last certified voter's list. The following individuals need to update their addresses in order to receive future mailings from the Tribe as their mail was returned by the Post Office:

Anissa Anaya	Edna Benner
Alberta Catha	Winona Dodd
Kevin Florez	Dayann Frazier
Kathleen J. Frazier	Carrie Heglund-
Delvin Henry	Lionel Henry
Janice John	Steve Mandell
Jolene Mitchell	Jennifer Moore
Leroy J.D. Phoenix	Allen Primeau
Richard Sander	Peggy Scott
Lorraine Wadsworth	Duane Wasson

If you did not receive any recent mailings from the Tribe and you are on the eligible voter's list, you need to update your mailing address with the Enrollment Office.

Membership Statistics: Below are the most recent statistics of the tribal membership:

2,716	Total Membership
-333	Minus Deceased Members
2,383	** Total Living Membership as of 05/13/2008

**These numbers are subject to change monthly based on Tribal Council action to approve new members, and based on membership status changes (relinquishments/disenrollments/deceased). The first total (2,716) is the number of individuals who are enrolled in the Tribe, the second total (333) is the number of deceased individuals, and the third total (2,383) is the actual living membership of the Tribe. The names of the deceased are not removed from the membership roll for descendency purposes.

If you have any questions or concerns regarding membership issues, please contact the Tribal Enrollment Office 775.574.1000, Ext. 115; or you may email your comments to: plnrollment@plpt.nsn.us.

A Special Thank You.....

I would like to take this time and THANK Pyramid Lake Fisheries and staff for the retirement party held at the Atlantic Casino also, the Pyramid Lake Tribe for the picture of a Cui-ui. Thanks for the many cards, the monetary gifts received and the beautiful blanket and necklace from Besty and Denise. Thanks to every one who attended from the Tribal Council and the letter from the Tribal Chairman of the PLPT, also John Leonard and his wife from Minnesota for the corsage and letter, he is a Tribal liaison for the USFWS.

Again Thanks everyone who attended.

Beverly Houten

The Numuwaetu Nawahana is now published on the Pyramid Paiute Tribes Website. Take a look at www.plpt.nsn.us

If you have articles or events of interest to tribal members and the Pyramid Lake community please submit to newspaper@plpt.nsn.us

If you have business and want to advertise, our rates are as follows: **\$100/full page**

\$75/half page	\$50/quarter page
\$25/eighth page	\$10/business card

If you have any questions please contact me via e-mail or in person.

Thank you -Teresa Wright

TRIBAL CHAIRMAN REMOVED FROM TRIBAL COURT MATTERS

Carman Tobey, Jr. presented the following letter to the Tribal Council on May 2, 2008. Although the signatures were on separate sheets, there were 60 signatures that endorsed the letter. The Tribal Council acted to place the Vice Chair in charge of all tribal court matters. The Tribal Council did not consider any other responses to the charges and allegations contained in the letter. All matters concerning the Tribal Court must now be administered through the Tribal Vice Chair. For more information please see the May 2, 2008 tribal council minutes.

Dated April 30, 2008:

Request for Tribal Council Action to Remove Tribal Chairman from Pyramid Lake All Pyramid Lake Judicial Matters – Past, Present & Future.

We, the members of the Pyramid Lake Paiute Tribe hold the current Tribal Chairman Mervin Wright, Jr. accountable as an elected official in this public forum and seek resolution through Tribal Council action.

We, the members of the Pyramid Lake Paiute Tribe request the Tribal Council remove the current Chairman Mervin Wright, Jr. from all matters pertaining to the Tribal Court. We wish to seek, full, fair and final resolution of the concerns and issues at hand which include current violations occurring within our Pyramid Lake Tribal Court System.

We, the members of the Pyramid Lake Paiute Tribe are holding Tribal Chairman Wright accountable for his unethical behavior, known bias and continued involvement in open cases within the Pyramid Lake Tribal Court without the consent or the knowledge of the Pyramid Lake Tribal Council. He has shown no follow through or has brought forth any resolution of past and present letters of complaint/concern that were presented to him and then to the Tribal Council from November 2007 to present.

We, the members of the Pyramid Lake Paiute Tribe seek a respected, neutral leader with the experience and integrity to remain fair and impartial in regards to the Pyramid Lake Tribal Court. Chairman Wright has proven that he cannot and does not meet this requirement. He has failed to remain unbiased in matters pertaining to current and open court cases and has lost his ability to make fair decisions in the best interest of the Pyramid Lake Paiute Tribe.

We, the members of the Pyramid Lake Paiute Tribe ask the Tribal Council to take the following action:

1. To uphold the Tribal Constitution and the Tribal Members rights to due process and a fair hearing by removing Chairman Wright's involvement from ALL court cases, issues, concerns (including current cases on Appeal from the Pyramid Lake Tribal Court);
2. To move forward with the investigation of violations which have occurred within the Pyramid Lake Tribal Court;
3. To appoint a Pyramid Lake Tribal Council member to oversee the supervision of the Pyramid Lake Tribal Court;
4. To allow due process by hearing both parties and listening to all the facts when making decisions on any complaint filed by the Pyramid Lake Tribal Court in order for equal protection for the Pyramid Lake Tribal Members;
5. To ensure that the Constitutional Rights of the Pyramid Lake Tribal members are protected by allowing them due process and maintaining the integrity of the statement innocent until proven guilty;
6. To review and report information regarding the current funding of the Pyramid Lake Tribal Court to ensure that all resources are being made available to our Tribal Members are required by funding source guidelines;
7. To direct tribal personnel the implement Tribal Council recommendations regarding the Pyramid Lake Tribal Court violations as specified during the December 2007 meeting;
8. To investigate the Pyramid Lake Law and Order Committee for their failure to set up a hearing to answer complaints against the Pyramid Lake Tribal Court that were filed by Pyramid Lake Paiute Tribal members;
9. To comply with the Tribal Members Constitutional rights that prevent retaliation from the Pyramid Lake Tribal Court;
10. To investigate the 2005 Tribal Juvenile Accountability Grant which has been implemented by the Pyramid Lake Tribal Court Administrator since May 18th, 2005 and expires in August of 2008 as there have been no juvenile court programs implemented for our juveniles specifically traditional and cultural.

We the Pyramid Lake Tribal Members respectfully submit this request and are seeking resolution of the Pyramid Lake Tribal Court violations and make a formal request that the Pyramid Lake Tribal Council take a stand and STOP the abuse of power and corruption in all court matters, past, present and future.

Respectfully Submitted, The Pyramid Lake Tribal Membership; Ss//signatures attached



**PYRAMID LAKE TRIBAL COUNCIL
SPECIAL MEETING MINUTES
March 21, 2008**

Members Present: Mervin Wright, Jr., Tribal Chairman
Johnnie Garcia
Janet Davis
Jason Davis
Judith Davis
Carla Eben, Vice Chairman

Genevieve John
Sherry Ely Mendes
Clayton Servilican

Members Absent: Gordon Frazier

CALL TO ORDER

Tribal Chairman Mervin Wright, Jr. called the March 21, 2008 special meeting of the Pyramid Lake Tribal Council to order at 6:30 p.m. in the Tribal Chambers, Nixon, Nevada.

OPENING PRAYER

Chairman Wright gave the opening prayer.

ROLL CALL

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Gordon Frazier did not attend the meeting. Councilmember Janet Davis arrived at approximately 6:40 p.m. All other Councilmembers were present at roll call and a quorum was established.

APPROVAL OF AGENDA

Chairman Wright stated requests were received from Rosalie Dunn of the Numaga Senior Advisory Board and Chyanne Hernandez and can be added to the meeting agenda. Councilmember Judith Davis made a motion to approve the agenda with the additions. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried**.

PUBLIC COMMENT

There were no comments made at this time.

CONSENT AGENDA

Chairman Wright stated there was one item on the Consent Agenda which is for approval of a Seller's Permit for Connie Henderson. The Tax Commission is recommending approval of the permit.

Councilmember Servilican asked if the approval of seller permits could be approved at the Tax Department level. Chairman Wright replied the Tax Code may have a requirement that seller permits have to be approved by the Tribal Council.

Councilmember Jason Davis made a motion to approve the Consent Agenda. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried**.

PRESENTATIONS

Fish Population and Riparian Habitat Surveys near Pyramid Lake – Nevada Department of Wildlife: Dan Fairbank, Pyramid Lake Fisheries Director, was present and introduced Matt Maples, Regional Fish Biologist with the Nevada Department of Wildlife, who will be presenting a PowerPoint presentation on the project. He stated in 2007 they were contacted by Pyramid Lake Fisheries requesting assistance in conducting habitat and fish population surveys on streams that drain into Pyramid Lake.

Matt Maples explained that the Nevada Department of Wildlife (NDOW) has conducted habitat and fish population surveys on most of Nevada's streams with the exception of the streams around Pyramid Lake. The objectives of the surveys are to determine the presence or absence and abundance of any fish species that are present; determine riparian and aquatic habitat conditions; and, provide data to assist the Pyramid Lake Fisheries in prioritizing future habitat restoration and improvement projects. The NDOW will be working with Pyramid Lake Fisheries on the surveys. The Bureau of Land Management and the U.S. Fish and Wildlife Service have been invited to participate in the surveys as well.

There are approximately 19 streams in the vicinity of Pyramid Lake that are selected for sampling. Several of the streams originate on BLM or private land and terminate on land owned by the Pyramid Lake Paiute Tribe. This project includes approximately 56 miles of streams and approximately 80-90 transects and depending on the length and logistics of each stream, it is reasonable to anticipate completing approximately four streams per year. The entire stream survey project will be completed in approximately five years.

The project will require four people for three weeks per year in order to complete the stream surveys and will conduct the surveys on a weekly basis. Ideally, the survey team will remain at Pyramid Lake during the week, 24 hours per day, in order to reduce costs associated with driving time and mileage. The survey teams will include personnel from the NDOW and Pyramid Lake Fisheries.

I-80 Corridor Study Presentation – Nevada Department of Transportation: Leif Anderson, Project Manager, was present along with Kathleen Hale of PBS&J, to give a PowerPoint presentation on the I-80 Corridor Study that is currently being conducted. The I-80 corridor study was developed due to the proposed developments along the I-80 corridor. The Department of Transportation as well as the Federal Highway Administration was concerned that as the corridor was developed there would be impacts.

The study group was developed to conduct a comprehensive analysis of existing and future transportation, economic, environmental, and developmental needs and resources along the I-80 corridor. The study will provide transportation solutions and alternatives to the Nevada Department of Transportation for consideration when making planning decisions within the study area. He explained the study is comprised of two sections: I-80 from the East McCarran Boulevard interchange in Sparks, east to the Wadsworth-Pyramid interchange and I-80 from the Nevada-California state line east to the West McCarran Boulevard interchange. The final study will be delivered in January 2009 with milestone task completions throughout the study.

UNFINISHED BUSINESS

Closed Circuit TV/Technology Grant Budget Approval – Janice Gunderson: Janice Gunderson, Social Services Director, was present. The grant for the Closed Circuit TV/Technology grant had been tabled in order to determine if the funding agency approved the transfer between programs. Janice reported phone calls have been made and a letter sent to the funding agency. A verbal approval was given, but written approval has not been received. Chairman Wright stated this item will remain tabled until the information is received.

Police Department General Orders – Erin Calvin, COP: Erin Calvin, Chief of Police was present. Chief Calvin stated they met with the Law & Order Committee on the General Orders and there were a few minor changes made.

General Order #50 – Juvenile Arrests, item I, Custody, B was changed to read, "If a parent or guardian cannot be found, a responsible adult can take custody of the child with the approval of social services." Councilmember John stated she had a question under item II. Detention, C regarding a report being made to the juvenile probation officer and it's not noted under processing reports. This should be consistent. Chief Calvin stated it is included under General Order #6, item "L".

General Order #46 – Collection and Preservation of Evidence, item XVII-D is changed to read, "Seized property may be disposed of by forfeiture or by returning it to the owner. Forfeited property may be disposed of by destruction or by public sale or auction. Found property may be disposed of by returning it to the owner, returning it to the finder, by destruction or by public sale or auction. These dispositions are controlled by tribal, federal, state statute, state retention regulations, Attorney General and county prosecutor's guidelines, and police department policy." Chief Calvin stated they added tribal and federal.

General Order #42 – Response to Motor Vehicle Accidents, section F was added to read, "All motor vehicle accidents requiring a written report will be completed within 48 hours after completing the investigation."

Councilmember John stated that there is a typo under General Order #12, 1d and it should be "An employee ..." Also, under General Order #60, item VI(a) Lunch Break, it states "An officer must have worked a minimum of four (3) hours before stopping for lunch" and it should be, "four (4) hours."

Councilmember John asked for clarification on the process when changes are made to the General Orders and if the Chief can make amendments. Chief Calvin replied she didn't know the process and suggested they make standing orders and then possibly make them a general order.

Councilmember Mendes asked Jolyne Sander (in the audience) if the Law & Order Committee's concerns were met and Jolyne replied yes and the items that were changed were presented. Most of the items pertain to their department, but there are some that may conflict with the Code and they suggest that the orders be sent to the Law & Order Committee to make sure it is reviewed.

Councilmember Jason Davis made a motion to approve the General Orders for the Pyramid Lake Police Department. The motion was seconded by Councilmember John. Votes taken were all in favor, **motion carried**.

Councilmember Judith Davis asked Chief Calvin about her report and where she reported about not being able to use their funds. Chief Calvin explained there is an agreement with the Wadsworth Justice Court that has been in place for several years and they had been able to use those funds previously. She submitted purchase requisitions to Finance and they were being returned to her. She stated she received several answers from Chairman Wright and Ralynn James and heard that it would be consolidated into the Tribal fund code. Chief Calvin stated this may affect her Tribal budget later on in the year. Vice Chairman Eben said she spoke with Chief Calvin who was frustrated with this situation. Chairman Wright said his understanding is that there are four Department of Justice grants with three being on extension and are in non-compliance. Jon Pishion, prior to his leaving, had reported that the Tribe may

have to pay back one of the grants. The Tribe is still in non-compliance. Ralynn James, Comptroller, would also like to have a chance to explain. She had established an informal concurrence with the Tribal Council that all Tribal funding should be collected and then decide how to allocate the funds. Councilmember Mendes stated a meeting needs to be held with the staff in order to solve this issue.

Human Resources – Billie Jean Guerrero, Human Resources Manager: Billie Jean was present regarding the reclassification of Tribal Comptroller and Contracts/Compliance Officer positions and also a classification of Diabetes Program Assistant. The reclassifications were taken back to the Personnel Committee and are being recommended for approval. The Personnel Committee is recommending to reclassify the Contracts/Grants Compliance Officer position to a Class Code 349, Grade 24 and to reclassify the Tribal Comptroller position to Class Code 607, Grade 36. The Personnel Committee is also recommending approval of the Diabetes Program Assistant at a Class Code 321, Grade 22.

Councilmember Mendes asked if the reclassifications have budget ramifications and Ralynn stated it was included in the approved budget for the Finance Department. The grants position is needed for compliance issues and is replacing the Contracts/Grants Administrator. The question regarding the posting of the position was not addressed at the Personnel Committee level. Councilmember Mendes asked if the positions would be advertised and Billie Jean replied no, it wouldn't be required because it is within the same class code.

Councilmember John stated that Ralynn sent her the organizational chart for the Finance Department, but there were positions in the budget that were not on the chart. Ralynn said there are fewer positions on the chart. Councilmember John asked if that number of positions will be sufficient for the amount of work that flows through the department. Ralynn replied yes, because a lot of the work had been outsourced and one of her goals is to wean the Tribe off of using consultants.

Councilmember Judith Davis stated it should be tabled until the meeting with Appropriations Committee so the Tribal Council can see the chart. This is going to have an impact on funding. Chairman Wright explained that these positions are already in the approved budget. Randa Mitchell (in the audience) stated she serves on the Personnel Committee and would like to clarify that the Committee does not scrutinize the budgets when a department is reclassifying a position because the department head should know if the funding is available. If they are going to have to scrutinize one department's budget, then maybe they should do all of them the same way.

Councilmember Servilican made a motion to approve the reclassification of Tribal Comptroller and Contract/Grants Compliance Officer and classification of Diabetes Program Assistant. The motion was seconded by Councilmember Jason Davis. Votes taken were 4 for, 2 opposed, and 2 abstentions. **Motion carried.**

NEW BUSINESS

“The Guardians of Nature” Film Request – Marianne Waldenstrom: Chairman Wright stated there was no representative present. According to the letter, they will be collaborating with Pyramid Lake Fisheries. Councilmember Jason Davis asked if Ms. Waldenstrom has been in contact with the Fisheries and it was stated it was not discussed. Councilmember Jason Davis made a motion to table the request in order to get approval from the PLF Board. The motion was second by Councilmember John. Votes taken were all in favor, **motion carried.**

Lysie Dunn Request for Donation: Chairman Wright stated Lysie Dunn submitted a letter requesting a donation to assist her with attending a trip to New York. Councilmember Jason Davis made a motion to donate the individual amount to Lysie Dunn. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

Stephanie Zehren-Thomas Invoice: Chairman Wright stated Stephanie Zehren-Thomas submitted an invoice in the amount of \$4,831.71 for the month of February 2008. Councilmember Jason Davis made a motion to approve payment of the invoice. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried.**

Numaga Senior Advisory Board: Chairman Wright stated the Tribe received a request from the Numaga Senior Advisory Board for donation to help with paying for tent rental that will be used for the Senior Fun Day. The cost is approximately \$3,000 from Camelot Party Rentals. Councilmember Servilican asked about the old tent and Chairman Wright said he would check with Maintenance about the tent. Councilmember John made a motion to table for more information. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

Chyanne Hernandez: A request was received from Chyanne Hernandez requesting a donation to assist with her registration fees for the 18 and Under Desert Valley Girls Softball League in Fernley. Councilmember Janet Davis made a motion to donate the individual rate. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

COMMITTEE/DEPARTMENT ACTION REQUIRED

Resolution to Retrocede Physician and Nurse Practitioner to IHS – Cindy Curley: Cindy Curley, Health Director, was present. Cindy explained that the amount of money that is currently allocated in the 638 budget is not enough to pay for these positions. IHS is attempting to recruit more providers and there is a new Title 38 which increases the salaries and more benefit packages. As a result of Title 38, this will hit the Tribe because we won't be able to afford the costs. The feasible thing to do is to retrocede the positions back to IHS and they will be responsible to pay the salaries for the MD and Nurse Practitioner plus doing the recruitment. Chairman Wright stated he received the letter to send along with the resolution and the letter will initiate consultation.

Councilmember John made a motion to approve the resolution to retrocede the MD and Nurse Practitioner positions back to IHS. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 19-08**

Participation in Washoe County Emergency Management Plan – Terry Bohl: Terry Bohl, Emergency Response Coordinator, was present. Terry said he has been in contact with Washoe County Emergency Management who is in the process of doing an all hazards mitigation plan. The Tribe was contacted to find out if we are interested in being a partner in the plan. Terry said he told Washoe County the Tribe is interested but we would have to apply for a grant and the buy-in for the Washoe County program is \$2,000. Washoe County have a grant already in place for an Emergency Management Plan. Terry said he doesn't have this amount in his budget. The all hazard mitigation plan has to be in place before FEMA will certify the Tribe. If the Tribe is not certified by FEMA, they will not reimburse the Tribe if there is a hazard.

Councilmember John asked when Washoe County has to be informed and Chairman Wright said he will work with Terry in locating the funding. Vice Chairman Eben made a motion to table the Emergency Management Plan. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, **motion carried.**

Participation in UNR Needs Assessment Survey – Della John: Della John, Tribal Administrator, was not present but a report had been submitted. Chairman Wright stated that according to Della's report, she is requesting permission to participate in a needs assessment survey. The survey instrument will be provided by UNR and the Tribe could add questions to the format to address specific issues. UNR staff will distribute the survey and compile the results.

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

Land & Resource Committee – Jolyne Sander: Jolyne Sander, Land & Resource Committee, was present with several land assignment applications for action by the Tribal Council.

Land Assignment Application for Leroy Phoenix, Jr.: Jolyne stated Leroy Phoenix, Jr. submitted a land assignment application for one acre in Sutcliffe. His father currently holds the assignment, but the Committee received a letter from him relinquishing that land. Councilmember Jason Davis made a motion to approve the land assignment application for Leroy Phoenix, Jr. for one acre. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 20-08**

Land Assignment Application for Heidi McCluskey: Jolyne stated Heidi McCluskey submitted a land assignment application for one acre in Sutcliffe. Councilmember Judith Davis made a motion to approve the land assignment application for Heidi McCluskey for one acre. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 21-08**

Land Assignment Application for Karole McQueen: Jolyne stated Karole McQueen submitted a land assignment application for four acres in Nixon. Councilmember Jason Davis made a motion to approve the land assignment application for Karole McQueen for four acres. The motion was seconded by Councilmember John. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 22-08**

Land Assignment Application for Lisa Thomas: Jolyne stated Lisa Thomas submitted a land assignment application for one acre in Wadsworth. Councilmember Judith Davis made a motion to approve the land assignment application for Karole McQueen for one acre. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 23-08**

PLHA Future Home Sites: Jolyne stated she met with Christine John, PLHA Director, because the Land & Resource Committee was unsure of how they are doing their developments and if people were putting in applications for those sites. It was reported back to the Committee that the PLHA would have to apply for those areas. Councilmember Jason Davis made a motion to table and ask the Land & Resource Committee to develop a draft form to be included in the Ordinance. The motion was seconded by Councilmember Servilican. Votes taken were all in favor, **motion carried.**

Law & Order Committee – Jolyne Sander: Jolyne stated the Law & Order Committee is recommending approval of a couple of items.

Approval to Post Traffic Code: The draft traffic code has been completed and the Committee is requesting permission to post and to schedule a meeting with Fred Drye and Wes Williams, Jr. to work on the draft. The Police Department has been working with the Committee on the draft. There were a lot of questions on what the intentions were when it was written. Judge Stearns wrote the traffic code and the Committee would like the Judge present at the meeting with Fred and Wes.

Councilmember Mendes made a motion to approve posting of the draft Traffic Code. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried**.

Code of Ethics for Judicial Staff: Councilmember Jason Davis asked if the judicial staff was present when the ethics were drafted and Jolyne replied no. A copy was given to Jeraldine Magee on Monday or Tuesday. She did receive a memo from Jeraldine today asking to table any action on the draft. The ethics provided by Jeraldine only applies to the judges. Jolyne stated the draft code of ethics could also be applied to the Council and all committees and boards. Councilmember Jason Davis said when the Police Department was asking for approval of their General Orders, the Committee wanted to be involved in that process and it should be the same for the judicial staff.

Councilmember Jason Davis made a motion to table the code of ethics for judicial staff. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, **motion carried**.

Complaint Process: Jolyne stated the draft complaint process covers judicial and the Police Department. This complaint process would be a committee to hear the complaints. Jolyne said no responses were sent to the people on complaints that were brought before the Council in January. The people who submit a complaint feel the complaints aren't being handled. The complaint form has not been developed. Councilmember John asked if the Tribe has a current complaint process and Chairman Wright replied yes.

Councilmember Judith Davis made a motion to table the complaint process for clarification and development of the form. The motion was seconded by Councilmember John. Votes taken were all in favor, **motion carried**.

Councilmember Servilican asked for clarification on the changes that were made to the regulations by the Tribal Council. The press release was sent out in November. The Secretary explained that the Tribal Council made changes to the regulations in November and December 2007 and press releases were sent out. It was asked why the regulations weren't changed and she stated the changes to the regulations were made after they were printed.

Approval of Resolution Regarding Trust Fund Accounts: Chairman Wright stated there are two resolutions for action regarding the Tribe's trust fund accounts.

Trust Accounts Resolution – Chairman Wright stated the first resolution is regarding the Tribe's trust accounts and the release of information for these accounts. The resolution authorizes the Tribal Chairman, Vice Chairman, and Tribal Comptroller to receive information, authorize disbursements, and to provide investment instructions on tribal trust funds. Councilmember John made a motion to approve the resolution. The motion was seconded by Councilmember Jason Davis. Votes taken were 6 for, 1 opposed, and 1 abstention. **Motion carried. RESOLUTION NO. PL 24-08**

Resolution Regarding Drawdown of Funds: Chairman Wright state the resolution is for authorization for drawdowns at the BIA and covers all Docket fund accounts. Fred Drye, BIA, recommends a "blanket" resolution for the draws. Councilmember Jason Davis made a motion to approve the resolution. The motion was seconded by Councilmember John.

Discussion: Councilmember Judith Davis suggested removing the words, "time consuming" from the fifth whereas.

Votes taken on the motion to approve the resolution, with the change, for draw downs were 6 for, 2 opposed, and no abstentions. **Motion carried. RESOLUTION NO. PL 25-08**

TRIBAL CHAIRMAN REPORT – No written report submitted. Chairman Wright reported on the Nixon Store closure. He received an email message from the Smokeshop regarding the status of the Store and that they would probably close the Store this week. Two weeks ago it was reported in his report about the PIT royalties that could be used for the Store. The Smokeshop was asked how to make the Store operate and a budget was submitted by Linda Merlin. The Tribe would be responsible for salaries, equipment, capital improvement and the Smokeshop would continue with the merchandise. The PIT funding would be able to support the Store until the end of the year. Councilmember Judith Davis asked Ralynn about the revenue and if it has been earmarked and Ralynn said no and the funding is unrestricted. Councilmember Janet Davis asked if the funding could be used for other programs whose funding had been cut short. Vernelda Frazier said these funds usually go into the General Fund and these funds were not allocated during the budget process. The question is if we use it for the Nixon

Store to keep it open or have the Store close.

Councilmember Judith Davis said she would like to see the Store open for the community but if we are going to put money into it, it needs to be run like a business. She would also like to have a budget and budget justification to the end of the year. Councilmember Mendes said a business plan is needed along with a narrative for the budget and she suggested a working meeting be held to discuss the Nixon Store and Ralynn agreed that holding a working session once the budget has been formalized is a good idea.

Councilmember Judith Davis made a motion to schedule a meeting on Monday, March 24, 2008 at 6 p.m. to discuss the Nixon Store. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried**.

Chairman Wright updated the Tribal Council on the Realty program. Alvin James had been laid off due to a reduction in force and we are discovering several issues with that program. Ralynn and Gina Sander went out to the renters and it was discovered some were not paying rent and they were instructed to come in on Monday to complete an agreement. The Tribe is still acquiring properties with the water rights acquisition program. Ralynn is collecting the information on the realty program.

Chairman Wright stated the securities fraud hearing is scheduled for April 18 at 10 a.m. in Incline Village. As far as High Desert Recreation, he instructed attorney Chuck Zeh that we will only communicate through the attorneys. The Tribe will be receiving a letter from National Indian Gaming Commission on the 60% revenue requirement. He will be meeting with the Gaming Commission on the reporting issue.

VICE CHAIRMAN REPORT – Carla Eben: A written report was submitted. Vice Chairman Eben stated she checked on the Wadsworth Community Center for clarification regarding construction versus renovation. An email had been sent to HUD explaining the situation and she received a message that renovation is acceptable and to make sure that the release of environmental conditions are met with the local HUD office. Councilmember John asked if there was an environmental assessment that has to be completed. Chairman Wright said there should be a letter.

Vice Chairman Eben reported she has been in contact with Suki Graves on the child care grant. It was reported the Tribe had received a grant in the amount of \$129,000 about two years ago and the Tribe never drew down the money and it was reported that \$39,000 had been spent. Ms. Graves asked that a representative from the Tribe attend the meeting. Another meeting will be held in Las Vegas on April 9 and the day care supervisor will attend that meeting.

ADJOURNMENT

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

The meeting adjourned at 10:30 p.m.

Submitted by,

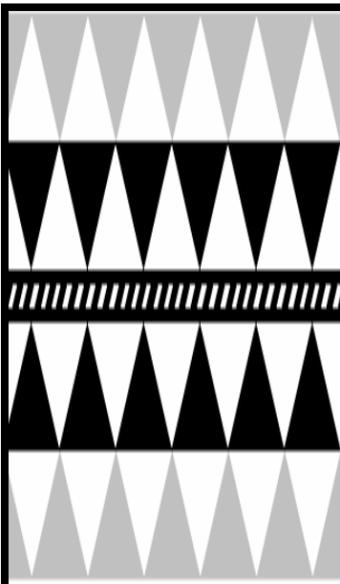
Gina Wadsworth
Tribal Secretary

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 2nd day of May, 2008, having members present, constituting a quorum, by the vote of for and against, with abstentions.

Minutes attested and concurred by: _____

Mervin Wright, Jr., Tribal Chairman
Pyramid Lake Tribal Council



**Tribal Council
Meetings
1ST Friday of
each Month at
7:00PM

3RD Friday of
each Month at
6:30PM**

**PYRAMID LAKE TRIBAL COUNCIL
SPECIAL MEETING MINUTES
March 24, 2008**

Members Present: Mervin Wright, Jr., Tribal Chairman
Johnnie Garcia
Jason Davis
Judith Davis
Carla Eben, Vice Chairman
Gordon Frazier

Genevieve John	Sherry Ely Mendes
Clayton Servilican	

Members Absent: Janet Davis

CALL TO ORDER

Tribal Chairman Mervin Wright, Jr. called the March 24, 2008 special meeting of the Pyramid Lake Tribal Council to order at 6 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmember Janet Davis was not present at the meeting. Councilmember Jason Davis arrived at 6:30 p.m. All other Tribal Council members were present at roll call and a quorum was established for the meeting.

Also present at the meeting were the following staff members: Billie Jean Guerrero, Duane Florez, Ralynn James, and Sandra Hicks.

APPROVAL OF AGENDA

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

UNFINISHED BUSINESS

The Nixon Store: Chairman Wright stated the Appropriations Committee met this morning to discuss the Nixon Store. The Tribal Council had talked about a business plan or operation plan but based on the historical trends and/or data to see where we stand after each year, the audits are critically important to have for a true picture. Because we have no audits, we are unable to put together a true plan. The business plan previously received was for the Smokeshop. He created a plan for the Nixon Store which was distributed this evening.

We are looking to break even and at the same time, we are going to be conducting quarterly routine analysis. We need to be conservative in the approach. The staff will have to be able to pitch in and be able to jump in to do things that may not be in their job descriptions. The budget that had been given to the Tribal Council had been created by Linda Merlin and the salaries had been at the high end because it was based on having a manager at the store. It is realized we can get by with an assistant manager. There will be some savings due to working on a 9-month basis rather than the 12-month basis. It was reported that the Smokeshop does not have the money to provide for the inventory at the Store. Under the Capital Improvement line item, the money was moved to other line items. Sierra Pacific will be contacted to do a review of the electrical system. Linda doesn't believe the draw from the electrical system may not be totally true. The air conditioning at the Store is all electrical and we may be looking at switching it to a swamp cooler.

Councilmember John asked about the gas pumps and what needs to be done to be in compliance with the EPA. Vice Chairman Eben said the State EPA visited the Tribe last year and next month EPA-Region 9 will conduct a site visit. Councilmember John said the cost is something we have to keep in mind. Councilmember Mendes asked what the cost would be to meet the 80%. Chairman Wright replied that to fill the tanks to 50% will cost about \$14,000. The capacity of the tanks will have to be determined.

Ralynn James, Tribal Comptroller, said the salary line item includes three staff which will be enough to cover from 7a.m.-7 p.m., seven days a week and overtime during peak seasons. The salary is based on current classifications. Councilmember Servilican asked for clarification if this plan is breaking away from the Smokeshop and Chairman Wright replied no, that it is not possible right now.

Councilmember John asked how much is the insurance cost and Ralynn said this flows through the Tribe. It was asked who the assistant manager will be reporting to and Chairman Wright said supervision would be under the Vice Chairman. She asked if the assistant manager job description would know what they will be responsible for and would it require a revision of the job description. Ralynn said this was discussed at this morning's meeting and we would have to sit down with that person and let him/her know what is to be expected. Billie Jean Guerrero, Human Resources Manager, said the job description would probably not have to be reclassified because it is stated in the description that the person is responsible for acting in a supervisory capacity at the Store, learning Tribal policy and procedures, functions and activities of the store and other activities as assigned. Chairman Wright said with the staffing it was reported that if we are going to post for all positions we will have to allow for a learning and training curve and so we will be using staff from the Smokeshop.

Councilmember John said there has been a lot of involvement in trying to put this together, but is there an option of giving this money to the Smokeshop to operate the Store. Duane said they don't have the money to operate it any longer. Councilmember Mendes said she doesn't believe we should do that because we have not had the opportunity to clearly see what the potential is for each business and they are dependent on each other. She would like to see the Store stand alone so we know how to operate it later on down the line. The Smokeshop is one enterprise that has not been very successful and she would like to see the facts of why it has not been successful. Both Duane and Linda have done a great job, but they continually state they are saddled with the Store and are not able to do what they want to do at the Smokeshop.

Chairman Wright said if the stores are operated this way, we can see how they are operating by the end of the year. Councilmember Judith Davis said she would like to see them separated completely to see how they can be operated.

Councilmember Servilican said the Tribal Council gave the Smokeshop \$50,000 and he was told only half was used to pay the invoices so he would like to know what happened to that money. Ralynn said there should be an interdepartmental transfer noted somewhere and she has asked for those expenses. There have been cases where the Tribe has paid invoices for the Smokeshop. Councilmember Jason Davis said it was supposed to have been a loan and was going to be paid back in six months.

Chairman Wright stated the plan will begin on April 1. Councilmember Mendes stated she is leery of approving anything until she sees the narrative for the budget or business plan. Ralynn said it is critical in getting the enterprises included with the Tribe's audit. Right now we are at a point of where we keep the Store open or not.

Councilmember Servilican asked about alcohol sales. Chairman Wright said it was included, but there is concern in the community about selling alcohol. It is a personal choice and the only thing the Council can do is to promote a positive image to our youth. He would like to get the data from the Police Department and courts on violations that involve alcohol. Councilmember Mendes said there is the social decision and there is the business decision. The Tribal Council has to make a business decision and we are trying to make the Nixon Store a viable business and those two issues should be separate from each other.

Councilmember Servilican asked about maintenance and Chairman Wright said the employees will have to be able to step up and help out and Duane said his maintenance staff will continue to work at the Store.

Councilmember Judith Davis made a motion to approve using the PIT royalties fund for the Nixon Store. The motion was seconded by Councilmember Servilican. Votes taken were 7 for, 0 opposed, and 1 abstention. ***Motion carried.***

Councilmember Servilican said he has a concern regarding the beneficiary plan that was discussed at the Council level. In talking to Smith Barney on the beneficiary plan, it was report it was done and was supposed to have been brought back to the Council. Chairman Wright informed the Council that Ted Haberfield is no longer with Smith Barney. Carol Smith said the Enrollment Committee had met with the previous Vice Chairman, Randy Tobey, about the form and changes were supposed to have been done with their recommendation. Chairman Wright said he would find out the status of the beneficiary form. Councilmember Mendes stated she would like to have an update from the Economic Development Committee.

Councilmember Mendes said she has been thinking about the Council's role and being a part of what is happening administratively and feeling there is a disconnect between the legislative and administrative bodies because things have changed. Her thought is to go with the initial plan in the Constitution to have an appointed Treasurer. The Tribal Council had opted to not include a Tribal Treasurer. She spoke with Genevieve about this and she is aware of this idea. Councilmember John stated she would accept the nomination because she is interested.

Councilmember Mendes made a motion to appoint Genevieve John as the Tribal Treasurer in name only. The motion was seconded by Vice Chairman Eben. Votes taken were 7 for, zero opposed, and 1 abstention. ***Motion carried.***

Vice Chairman Eben stated there is a meeting with the Department of Health & Human Services in Las Vegas on April 8 and 9 and she is requesting approval to attend this meeting from the Tribal Council. She spoke with Suki Graves and she stated a Tribal representative should attend. A meeting has been scheduled on April 9th with Walker River and Pyramid Lake.

Councilmember Judith Davis made a motion to approve the travel request from Vice Chairman Eben depending availability of funds. The motion was seconded by Councilmember John. Votes taken were 6 for, 0 opposed, and 1 abstention. ***Motion carried.***

ADJOURNMENT

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

The meeting adjourned at 7:55 p.m.

Submitted by,
Gina Wadsworth, Tribal Secretary

**PYRAMID LAKE TRIBAL COUNCIL
REGULAR MEETING MINUTES
April 4, 2008**

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

CALL TO ORDER

Tribal Chairman Mervin Wright, Jr. called the April 4, 2008 regular meeting of the Pyramid Lake Tribal Council to order at 7 p.m. in the Tribal Chambers, Nixon, Nevada.

OPENING PRAYER

The opening prayer was given by Mervin Wright, Jr., Tribal Chairman.

ROLL CALL

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

APPROVAL OF AGENDA

Chairman Wright stated #1 under Unfinished Business can be tabled and item #2 under New Business can also be tabled. An Emergency Senior Request and a letter requesting minutes was received and can be included under New Business. He stated Duane Florez was present regarding a liquor license for the Nixon Store and can be included under Unfinished Business.

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

PUBLIC COMMENT

Terrylee Sampson: Terrylee Sampson stated it was brought to her attention that the Tribe's Judge, Bill Kockenmeister, is being investigated by the State of Nevada. Several people have talked to the Council about the court and it's not just the Native people who are complaining, it's written in black and white. It should be an embarrassment, especially with the chief judge.

Terrylee stated she didn't know if she had to request for the minutes again, but the transcriber couldn't transcribe the CD she was sent because it was so low and has requested it again. She would like all of the minutes up to the executive session. Chairman Wright stated we would follow-up on the request.

CONSENT AGENDA

Chairman Wright stated the Consent Agenda includes Tribal Council meeting minutes of February 29, 2008 and March 7, 2008. Councilmember Jason Davis made a motion to approve the Consent Agenda. The motion was seconded by Councilmember John. Votes taken were all in favor, *motion carried*.

PRESENTATION

High Desert GeoCulture – Shuman Moore and Donna Noel: Donna Noel, Energy Project Manager, and Shuman Moore of High Desert GeoCulture, were present to give a Powerpoint presentation on the energy project. Shuman stated he has been working with the Tribe since 2000 and they have been looking at several energy opportunities that exist on the Reservation. He and Donna Noel will be reviewing what has been done so far. Donna stated some of the activities completed include a database that includes geologic mapping, geophysics for gravity and magnetic surveys, three gradient holes were drilled along with one slim hole, and started the NEPA process through the Bureau of Indian Affairs. They are now moving forward in conducting the environmental assessment for the entire project.

Donna stated the objectives of the project was to identify the geothermal resources on the reservation and to preserve the cultural and spiritual sites, provide economic development and opportunities for the Tribe and to look at areas that could be developed.

Shuman stated there are many opportunities for the Tribe with respect to geothermal. It is suitable for power production and at lower temperatures, it could be used for direct heating, greenhouses and aquaculture. The real question is to define the geothermal resource first and then this will automatically help determine the best type of business and economic development opportunities for the Tribe.

Councilmember Janet Davis asked if anyone else was working on the economic development plan or the business plan with John. Councilmember Servilican said the Council received a draft but there were no comments. Chairman Wright stated he didn't know the status on the draft. John said they decided to go with the federal appropriations set up by the Tribe which is allowable. He spoke with Holland & Knight to draft a Section 7 corporation for this project. He did receive the draft and will be editing it and answering questions concerning the organization structure. It should be completed in about a

month. It will be a federally recognized corporation that is developed and approved by the Tribe. The corporation will be a separate entity. It will be a way to start a business and there won't be any need to get involved with the Tribal Council. The shares distribution will have to be decided upon. Councilmember Servilican asked if the Tribe can move forward or do we have to wait. Chairman Wright said we need to gather the information and bring it back to the Council.

ATTORNEY REPORT

Wes Williams Jr., Report and Invoice: Chairman Wright stated Wes Williams, Jr. submitted his February report and invoice. The invoice is in the amount of \$1,427.81. Councilmember Jason Davis made a motion to approve the February invoice in the amount of \$1,427.81. The motion was seconded by Councilmember Janet Davis. Votes taken were all in favor, *motion carried*.

Robert Maddox & Associates Invoices for November and December 2007: Chairman Wright stated Don Springmeyer submitted invoices for the general counsel contract and Tribal council contract for November and December 2007.

Councilmember Jason Davis made a motion to approve the invoice for the November special counsel contract in the amount of \$12,425. The motion was seconded by Councilmember Frazier. Votes taken were all in favor, *motion carried*.

Councilmember Judith Davis made a motion to approve the invoice for the November general counsel contract in the amount of \$14,470.80. The motion was seconded by Councilmember John. Votes taken were all in favor, *motion carried*.

Councilmember Jason Davis made a motion to approve the invoice for the December special counsel contract in the amount of \$12,525. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, *motion carried*.

Councilmember Judith Davis made a motion to approve the invoice for the December general counsel contract in the amount of \$9,088.11. The motion was seconded by Councilmember Jason Davis. Votes taken were all in favor, *motion carried*.

Vice Chairman Eben asked who makes up the water team. Don said he generally refers to the Water Team as the attorneys including himself, Bob Pelcyger, Stephanie Zehren, and Chris Mixson, Ali Shahroody, the Chairman and John Jackson. Councilmember Mendes asked if this should include Bob since he is on a retainer type contract and Councilmember Janet Davis thought it included everyone because we are relying on that consultation. Vice Chairman Eben said she spoke with a previous Council member and they said it was three Council members, Tribal Chairman, Vice Chairman, John and legal.

Don said he thought the program was that he is the Tribe's attorney and Bob would be the consultant and would be in transition. Councilmember Janet Davis said this is a decision of the Tribal Council and it should be a consultation. Don agreed and that if the Council wants them to be doing everything, then that is their choice. Councilmember Janet Davis said everyone should be in agreement on who is going to take the lead on the projects. Councilmember Mendes said we want to make sure everyone is in the loop and to make sure everyone knows that. John stated that Don is the Tribe's attorney of record according to the BIA and that Bob is a consultant for the Tribe.

Councilmember Janet Davis stated that she thought the entire Water Team would be reporting to the Tribal Council and she would like to hear from the Team collectively. Don said he didn't know that was the way the Council wanted things, but it could be changed. He said he thought it would be a diminishing role for Bob over a period of several years. Councilmember Mendes said she didn't believe the Council was at that point. She would like to see communication on the issues by the Water Team.

Don said he thought the way it was supposed to work was the Council was to make the policy decisions, then for more particular direction the Chairman and John give more instruction about implementing those policy decisions and then they figure out how to make it happen. Councilmember Janet Davis said she thought the entire Water Team as a whole would do that and she asked John to explain how it worked previously. John replied that the Water Team had previously met with Council on an as needed basis, based on the current legal decisions that were needed. Councilmember Jason Davis stated that he was under the understanding that Bob was hired as a consultant.

UNFINISHED BUSINESS

Approval of a Budget for the Closed Circuit/TV Technology Grant – Janice Gunderson: Chairman Wright stated no one is here tonight to report on the grant so it will continue to be tabled.

Request for Donation for the Senior Fun Day – Numaga Senior Advisory Board: Chairman Wright reported the budgets were reviewed and there is funding available to pay out of the Contingency line item for the rental of a tent. The old tent is worn, pipes are broken and is unsafe.

Councilmember Jason Davis made a motion to approve the request to pay for the Senior Fun Day tent. The motion was seconded by Vice Chairman Eben. Discussion: Councilmember Mendes asked that the budget also be presented when funding is

going to be used for a point of reference. Votes taken on the motion were all in favor, **motion carried.**

Nixon Store – Duane Florez: Chairman Wright stated Duane is here to request a liquor license for the Nixon Store. Councilmember Jason Davis asked if the Nixon Store is currently under the Smokeshop. Chairman Wright explained the accounts payable is being handled by the Smokeshop and the Tribe is responsible for the salaries and supervision. This will continue until the end of the year.

Chairman Wright said there are social concerns with the sale of alcohol, but with regard to the business operations it would provide an opportunity for revenue. Councilmember John said her opinion is that we shouldn't do it because it just started under new management and we don't know how it's going to go. To add this new sales item is too new and we don't know if we are going to make it.

Councilmember Janet Davis made a motion to deny the request for same reasons as before, because of the community support against the license. The motion was seconded by Councilmember John.

Discussion: Chairman Wright stated in light of what is being considered, the revenue the Smokeshop is earning from alcohol sales could be separated out and if we look at the sale of alcohol, it could give some indication of what could occur at the Nixon Store. Councilmember Jason Davis said the community of Nixon was strongly against selling alcohol at the Store. Councilmember Servilican stated it is a business decision that has to be made. Councilmember Mendes said there may be social ramifications and there may be ramifications for any type of business that may be proposed. The Council needs to look at it as being a viable business. Chairman Wright stated that it is a personal choice for a person on whether or not to purchase alcohol.

Votes on the motion to deny the request for a liquor license was 4 for, 5 opposed, and no abstentions. **Motion failed.**

Councilmember Judith Davis stated she voted against it because she would have liked to have seen the data in order to help make a choice and we do need to look at it as a business. Chairman Wright said this will give time to gather the information and bring back to the Council.

Councilmember Servilican asked about the number of charters and guide services that we have. He is hearing that a lot of these guys are going to areas where they shouldn't be. Chairman Wright explained that the changes in the regulations were included in the newspaper based on Council discussion. Councilmember Mendes said it would be more helpful for the Rangers if signs were posted. Joe Mendes said he and several others will be putting out the buoys. Randa Mitchell (in the audience) said it should be the responsibility of the charters to find out what is included in the regulations.

Jason Mitchell, Tribal Ranger, stated that the confusion is under Section 5, Closed Waters, fish pens and rearing facilities; 5.2.1 reads, "*The fish pens located in the Sutcliffe area shall be closed to fishing. Section 5.2.2, fishing prohibited within a 1,000 radius around the fish attraction channels at the fish pens located in Sutcliffe area.*" This clearly defines the area that is closed. However, Section 4 reads, "*due to spawning season the open waters of Pyramid Lake shall be open to fishing year-round with the exception of trout season which shall be open from October 1 to June 30 of each year. From March 15 to May 16 closed areas are from the Sutcliffe marina up to and including the south nets beach area. Fishing within 500 feet of all boat docks is prohibited.*"

NEW BUSINESS

Fishing Guide License Application for Chris Evison: Councilmember Mendes clarified that this license is only for on shore guide services and can these people go on a boat and fly fish from the boat. Councilmember Jason Davis stated he would have to be on the Reno Fly Shop's boat that he listed. Councilmember Judith Davis made a motion to approve the guide license for Chris Evison. The motion was seconded by Councilmember Jason Davis. Votes taken were 6 for, 1 opposed, and 2 abstentions. **Motion carried.**

Councilmember Servilican asked if the Council is going to set a limit on the number of guides and charters. Chairman Wright said that is a decision of the Tribal Council.

Proposal to Sell Potable Water at Burning Man – Toby Caskey & Larry Matzen: Toby Caskey and Larry Matzen were present. Larry stated he is the owner/operator of Wet-n-Wild Water Company and they currently sell potable water to recreational vehicles at Sand Mountain. He is permitted with EPA to sell potable water. He is proposing to sell water at Burning Man and give 100% of profits to the Tribe. Councilmember Jason Davis said if he is going to be selling right at Black Rock City, this request would not be applicable because we only deal with persons on the Reservation. Larry said Burning Man has an ice company and they won't allow anyone else to sell.

Spring Wings Tour Request: Chairman Wright stated we received a letter from Janet Schmidt of the Spring Wings Festival requesting a waiver of day use fee for participants on their tour to the Reservation. They will be observing bird life on Anaho Island. They have been working with Beverly Harry of the Environmental Department. Councilmember Mendes made a motion to approve the request for a waiver of day use fees. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor,

Kelvin Guy Request to Film on the Reservation: Vice Chairman Eben explained that Kelvin Guy was here about a year ago and Tribe had waived the fee. Mr. Guy is doing a documentary on Brother David and he is requesting permission to film on the Reservation. Councilmember Mendes made a motion to approve the request. The motion was seconded by Councilmember Servilican. Votes taken were 8 for, 1 opposed, and no abstentions. **Motion carried.**

Special Olympics Donation Request: A letter was received from the Nevada Special Olympics requesting a donation. Councilmember Jason Davis made a motion to approve the group rate amount to the Special Olympics. The motion was seconded by Councilmember Judith Davis. Votes taken were all in favor, **motion carried.**

Nita Lucas Request to Post Signs: Nita Lucas sent a letter requesting permission to erect signs for a craft fair she has scheduled for May 24 and 25 and August 30 and 31. The signs will be posted three to four weeks prior to the events and will be taken down the week following each event. Councilmember Jason Davis made a motion to approve the request. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried.**

Emergency Senior Request for Albert Phoenix: Albert Phoenix submitted an emergency senior request to assist in purchasing propane. The amount is \$366 for Bi-State Propane. Councilmember Janet Davis made a motion to approve the request. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried.**

Request for Minutes – Terrylee Sampson: Chairman Wright said Terrylee Sampson had mentioned this during public comment. Councilmember Jason Davis clarified that follow-up will be done on the request and Chairman Wright replied yes.

COMMITTEE/DEPARTMENT ACTION REQUIRED

Enrollment – Carol Smith: Carol Smith, Enrollment Officer, was present with recommendations for Tribal Council action.

Approval of Three (3) Applications for Regular Membership: The Enrollment Committee is recommending approval of three applications for regular membership. Councilmember Jason Davis made a motion to accept the Enrollment Committee's recommendation of approval. The motion was seconded by Vice Chairman Eben. Votes taken were 8 for, 0 opposed, and 1 abstention. **Motion carried. RESOLUTION NO. PL 26-08**

Chairman Wright then read the names of the accepted individuals: Bryce Quadah Blindman, Noah Edison Lee Sarabia, and Angel Morning Star Yessliith.

Conduct Three (3) Disenrollment Hearings: The Tribal Council scheduled three disenrollment hearings. The parent signed for all three letters and there has been no contact. Councilmember Jason Davis made a motion to accept the recommendation from the Enrollment Committee to disenroll the three individuals. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, **motion carried. RESOLUTION NO. PL 27-08** (Hugh Ellis Edmo); **RESOLUTION NO. PL 28-08** (Isabella Marie Edmo); **RESOLUTION NO. PL 29-08** (William David Edmo, IV)

Request for Meeting: Carol said the Enrollment Committee is requesting a meeting with the Tribal Council and they would like schedule the meeting at the Tribal Council's May regular meeting. The purpose of the meeting is to discuss the reinstating disenrollees and possible ordinance revisions.

Water Resources – John Jackson: John Jackson, Water Resources Director, was present with a couple of items for the Tribal Council.

Approval to Conduct Tour of the Terraced Hills Area of Pyramid Lake: John said he received a request from the Sierra Club for a tour of the renewable energy site and a short tour of the Needles area. There will be about 30 people. Chairman Wright said there has been nothing done at the Needles area, so they won't need to go there. Councilmember Judith Davis asked what does the tour consist of and John said it would be going over the geothermal areas. Councilmember Mendes made a motion to deny the request due to limited information. The motion was seconded by Councilmember Judith Davis. Votes taken were 8 for, 0 opposed, and 1 abstention. **Motion carried.**

John informed the Tribal Council that a TROA workshop is scheduled for April 16th at 7 p.m. Chairman Wright suggested using some of Bureau of Reclamation's informational items. He attended the Election Board meeting and they spoke about the question for the ballot and spoke about information sharing. The Board members were considering options for information sharing during the election because they did not feel comfortable about answering questions on TROA.

Water Team: John stated Don Springmeyer is present to discuss water issues. Ali Shahroody was not able to attend tonight's meeting. Don requested an executive session because a major portion of his discussion is attorney/client privilege.

Councilmember Mendes made a motion to move into executive session. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried.**

April 4th, Tribal Council Minutes continued...

There were questions from audience on why there has to be an executive session. Chairman Wright explained to the audience that the information discussed in an executive session was related to the Tribe's litigation. Following a brief discussion, the motion was pulled.

Don gave a brief update on the Washington D.C. trip which related to the second phase of the Vidler settlement. He said they met with the Vidler staff and their lobbyists. They also met with staff members of the Senate Committee on Indian Affairs, House Committee on Natural Resources, Senator Ensign and Senator Reid's Washington staff. They met in person with Senator Heller and staff, and administration officials of BIA and the Department of the Interior. The purpose was to generate support for the legislation that is needed to implement phase two of the Vidler settlement. Don said this is specifically called for in the agreement that was signed in 2007. Legislation is required for the second payment to the Tribe in January 2009.

Don said the Federal court issued two orders this week. One order is the denial of the Tribe's appeal of the State Engineer's refusal to grant the temporary transfer of the Claim 3 rights. This really doesn't matter right now because the Tribe is about to file a permanent transfer application of those rights, in combination of the ones that the local governments are doing.

The second order is regarding the petition cases. The ruling stated the Tribe had failed to properly serve process on all but about 64 of the owners of the parcels in the petition cases. Don said the first meeting was held and was productive on the 5747 Tracy segment ruling and the settlement negotiation with TRI. He will discuss this further with the Tribal Council during the executive session.

Don said there are two briefing efforts in progress right now; the 9th Circuit recoupment appeal briefing and the wetlands transfer duty briefing. The recoupment appeal is by both sides of Judge McKibben's ruling after the recoupment trial. The wetlands transfer duty appeal involves the State Engineer's approval of the attempts by the Nevada Department of Wildlife and the Nevada Water Fowl Association to transfer full duty from irrigation rights to the Carson Lake and pasture wetlands and not what the Tribe advocated which was only for consumptive use.

There are several issues happening on the Carson River protests and appeals. The State Engineer issued a ruling on the Dayton Valley group of protests. He said there is enough water in the Dayton Valley hydrographic basin to handle the underground water transfers and application that were in the group. We are now faced with the question of appeal and further action.

Don said the cui-ui delisting subject has been worked on through Senator Reid's office whose office has told him that the Senator will call the Secretary of the Interior to defer or abandon the delisting. Regarding TROA/MOA, Don said he met with Bob Williams and was informed they decided they have to do a biological opinion and that it would be done quickly. A draft will be sent to John on Wednesday. Don said with regard to the Fernley comprehensive negotiations, the most current plan is to have the two groups develop a proposed statement of principles for the negotiations which will then be taken to the Fernley City Council and to the Tribal Council to go over each part of what is being discussed and to see if there are any questions or agreement in the direction it is being taken before it goes any further.

Chairman Wright stated Don has completed his update as far as the factual basis of the issues the Tribe is dealing with and we will now have to get into the advisory discussion. Vice Chairman Eben then made a motion to move into an executive session. The motion was seconded by Councilmember Mendes. Votes taken were all in favor, **motion carried**.

The Tribal Council then moved into an executive session at 10:08 p.m.

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

The Tribal Council then moved into an open session at 11:47 p.m.

Tax Commission Vacancy: The Tax Commission has two vacancies and there are three candidates. The candidates are Anita Dunn, Denise Shaw, and Maxine Burns. The Tribal Council voted by secret ballot. Anita Dunn received 7 votes, Denise Shaw received 5 votes, and Maxine Burns received 6 votes. Anita Dunn and Maxine Burns were appointed to the Tax Commission.

TRIBAL CHAIRMAN REPORT – Mervin Wright, Jr.: Report was submitted. Chairman Wright stated his request is to schedule a meeting with the Appropriations Committee. Following discussion, the Tribal Council scheduled a meeting on April 11, 2008 at 6 p.m.

VICE CHAIRMAN REPORT – Carla Eben: Vice Chairman Eben distributed a copy of her monthly report. She reported that she will be traveling to Las Vegas to meet with the child care funding agency along with the Cheryl Ewing, Day Care Coordinator. Vice Chairman Eben stated she spoke with Billy Trimble of Herbst Gaming on the slot route and they are waiting for legal advice, however they are interested in a route.

ADJOURNMENT

Councilmember Jason Davis made a motion to adjourn the meeting. The motion was

seconded by Councilmember Garcia. Votes taken were all in favor, **motion carried**.

The meeting adjourned at 12:07 a.m.

Submitted by,

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 2nd day of May, 2008, having members present, constituting a quorum, by the vote of for and against, with abstentions.

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

PYRAMID LAKE TRIBAL COUNCIL SPECIAL MEETING MINUTES April 14, 2008

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

Members Absent: Janet Davis Jason Davis

CALL TO ORDER

Tribal Chairman Mervin Wright, Jr. called the April 14, 2008 special meeting of the Pyramid Lake Tribal Council to order at 6 p.m. in the Tribal Chambers, Nixon, Nevada.

ROLL CALL

Roll call was taken by Gina Wadsworth, Tribal Secretary. Councilmembers Janet Davis and Jason Davis were not present at the meeting. All other Tribal Council members were present at roll call and a quorum was established for the meeting.

Also present at the meeting were the following staff members: Billie Jean Guerrero, Sandra Hicks, Della John, Vernelda Frazier, Terry Bohl, Ben Aleck, DaNelle Smith, Sheri Nakai, and Sgt. Henry.

APPROVAL OF AGENDA

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

NEW BUSINESS

Appropriations Committee – Chairman Wright stated that the meeting scheduled for Friday, April 11th had been rescheduled for tonight. He said he attempted to contact Ralynn several times today, but was not able to. He did receive a text message from Ralynn and he received a faxed letter of resignation from Ralynn giving a 2-week notice, "I regret to inform you that I will end my employment with the Pyramid Lake Paiute Tribe and this letter is to serve as my two week notice. It is no longer economically feasible to travel to the remote location of Nixon, Nevada on a daily basis, especially with the rising fuel costs. I am forced to seek employment in the Reno/Sparks area at this time. I simply cannot afford to deal with these expenses any longer. Contributing with this decision it has also become quite evident that Mervin and I are responsible for the success of the Tribe but have no authority. My work plan has been constantly challenged by the Council and members of the executive management team. Without being able to get the proper resources in the time frame needed, this endeavor is comprised and I am not willing to tarnish my career reputation for this failed engagement. That is not fair to me at all. I am a good manager and Mervin is a great boss. We, however, cannot make a difference without cooperation and authority to make decisions and have them followed through with. Although I have enjoyed the challenges with my positions and I have developed many good professional relationships. This engagement has been a hardship to me and my children due to the conditions of employment. The time, commitment and location are unreasonable to be managed any longer. As a professional accountant I am so obliged to extend my assistance remotely on a contractual basis after my two week notice has expired once you hire a replacement in order to transition that unfortunate individual. I wish my Tribe the best of luck and future success. Respectfully, Ralynn C. James"

Chairman Wright stated Sandra is here to give a report on some of the grants issues. We will get a report from the Finance Department once Ralynn comes in. Councilmember Mendes asked if there is going to be an exit plan and she asked if the position will be posted. This meeting was supposed to be the opportunity for the Council to talk about the financial reports. Chairman Wright replied an exit plan can be developed.

He stated that part of the planning was to get the audits completed and Ralynn expressed the resistance she has experienced. There is a huge liability because if we don't come into compliance with the audits, we could be jeopardizing all of our funding. There are sanctions that are in place by several funding agencies. Doug Coleman expressed the plan for the audit while on a conference call.

Councilmember Judith Davis said she would like to hear about the exit plan so we know who is going to step into that role so the directors will know. Chairman Wright said he just received the fax about a half hour ago and hasn't had the time to formulate a plan and the strategy will have to be developed. Councilmember Judith Davis asked if there is an employee who would be able to step up for a period of time and Chairman Wright said there are employees who are familiar with the system. Councilmember John asked that by Friday's meeting, the employee should be identified. Councilmember Judith Davis said she would also like to see an update on the audits, a list of the contacts and open contracts for those who are doing work for the Tribe.

Councilmember Mendes said beyond doing the allocation process, does the Committee follow the budget throughout the year. Billie Jean replied that the original intention was to have follow-up and monitoring of all of the financial statements and if there were any inconsistencies or discrepancies, it would be brought to the attention of the Committee. Regular meetings were held, but recently we fell out of the schedule but throughout the year we met on an informal basis as requests are received. Vernelda explained that capital improvement, infrastructure, tourism, parks and recreation are in its own account. If a department has a request, for example, under capital improvement or if there is an emergency, it is taken to the Committee. Councilmember Mendes said if requests are being done after the fact, the Council should be aware of it.

Chairman Wright stated there are three grants being considered to be returned to the Nevada Division of State Parks. The projects are for the Sand Hole Beach boat launch ramp, Pelican Point boat ramp improvement and Pelican Point campground. Each of the projects had a 100% cash match in the amounts of \$70,000, \$100,000 and \$100,000 respectively and we don't have the funding available for the match. There is a letter from the Fisheries Director indicating that they also don't have the funds. Della explained that a few years ago the Tribe did identify the money, but it had to be used for the attorney contracts because no funding was received from BIA.

Sandra Hicks, Contracts/Grants Compliance Officer, said that in January Jon Pishion had asked her to follow-up on these grants. She and Della met with the Economic Development Committee, Environmental, Pyramid Lake Housing Authority, and Fisheries to review the grants to determine if they were feasible. The grants were under the Fisheries, but they were unaware of the projects. They also met with the State project manager, Jennifer Scanlon and she is recommending the Tribe send a letter stating we would like to terminate the agreements with the State. Sandra also asked Dan Fairbank to submit a letter that they are in agreement to terminate the grants.

Councilmember John clarified that the financial reports will be ready by Friday and Chairman Wright replied yes. He also has a list of the items that are being requested by the Tribal Council. Councilmember Judith Davis made a motion to have the items from Comptroller prior to her departure and final pay. The motion was seconded by Vice Chairman Eben. Votes taken were all in favor, **motion carried**.

Sandra said she has been reviewing the grants and is finding that sometimes the budget versus what is being funded, don't match. She then looks at the goals and objectives of each grant. Her job is to report on the grants to the Appropriations Committee and let them know what the grants are for and how much. This year, she wants to work with the directors on their goals and objectives. The financial side is doing okay, but when looking at goals and objectives, it's way out in left field. Sandra continued and said her question is that the directors are asking for funding, so what are they doing to justify the funding. Are the directors meeting the goals and objectives of the grant and if not, why? She plans to be meeting with the directors this year to make sure they know and understand their grant's goals and objectives.

Chairman Wright said when items are discussed at Appropriations, Sandra reports on the issues and the Committee tries to give advice. Councilmember Mendes said the Committee should not have to deal with that because it is a personnel matter. Billie Jean stated it is part of the performance based budgeting to make sure that if there is BIA funding or other federal funding sources, they all have that performance assessment rating tool and that there is movement towards that direction. Along with that, funding is needed to accomplish those goals. Contracts and Grants can fill in that piece to see if the requirements being met and not anything specific that is deficient.

Della said as a supervisor, she is responsible for a large number of departments and programs and each have different objectives. As a supervisor, you can advise and make recommendations but it is the director who is making programmatic decisions and they need to be in on the audit compliance issues as well because they are the ones

making the decisions. If those decisions are not in compliance with the grant, they need to answer for it and not the people in Administration or Finance. The Finance Department is doing the financial reporting and if program directors don't do their reports, it jeopardizes other grants.

Other: Chairman Wright said notification had not been sent on the TROA workshop and has been rescheduled to next week.

Vernelda said someone needs to find out about the billboards along I-80. The lease expired about 3-4 years ago. The previous company was Outdoor Systems and is now CBS. They have not paid the possessory interest tax which is why the Tax Department was involved. After they were notified the lease expired and they didn't move the billboards within 90 days, they became the Tribe's property. Chairman Wright said he will follow-up with Wes Williams on this.

Chairman Wright said he has a meeting on Friday with a company who is requesting permission to mine sand on Section 35 which is off the reservation. He has notified some of the Tribal members who live along Hill Ranch Road. They will be discussing how they will be doing the mining and how it will mutually benefit both parties.

He said he also spoke with Mark Momola who is currently operating Paiute Pit. They will be discussing renegotiation of the lease, reclamation issues and expansion issues. Billie Jean asked if an air quality study will be done in that area or has there been discussion on one. Chairman Wright stated he discussed this with Judie about the air quality and part of the analysis will have to include respiratory concerns for the residents in that area and we will probably have to contact the IHS along with EPA.

Councilmember Judith Davis asked if another meeting is going to be held regarding the budgets and Chairman Wright said the Council can schedule the meeting at Friday's meeting.

Councilmember Judith Davis made a motion to terminate the three grants from the Nevada Division of Parks. The motion was seconded by Councilmember John. Votes taken were all in favor, **motion carried**.

ADJOURNMENT

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

The meeting adjourned at 8:12 p.m.

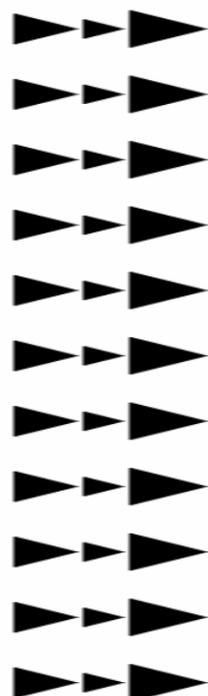
Submitted by,

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 2nd day of May, 2008, having members present, constituting a quorum, by the vote of for and against, with abstentions.

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



**Pyramid Lake Board & Committee
Scheduled Meetings**

Tax Commission	1st Tuesday
Cattlemen's Assoc.	1st Monday
School Board	2nd Tuesday
Personnel Committee	2nd Wednesday
PLF Board	2nd Thursday
Law & Order Committee	1st Tuesday
Enrollment Committee	3rd Tuesday
Higher Education Cmte	1st Wednesday
Land & Resource Cmte	4th Monday
PLHA Board	3rd Tuesday
Economic Dev. Committee	Last Tuesday
Inter-Disciplinary Team	1st & 3rd Tuesdays
Tribal Council	1st & 3rd Fridays

For more information, contact (775)574-1000

Letters to the Editor

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

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

MAIL LETTERS TO:

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

Newspaper Submittal for **JULY** Paper **DEADLINE: June 20 @ 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 must be saved on CD** in Adobe Acrobat, Publisher, Word or WordPerfect format. (Media will be returned).
- **Articles can be submitted via e-mail to newspaper@plpt.nsn.us.** A hard copy of article must also be submitted by deadline.
- Pictures should be submitted in black & white. (Dark backgrounds do not scan well).
- Digital pictures must be taken with a high resolution for a good quality picture.
- REMEMBER: Pictures represent the quality of the picture submitted.
- Submit all information to the Tribal Manager's Office by deadline

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

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Advertising space will be provided to any business, organization or individual at the following rates:

\$100/full page \$75/half page \$50/quarter page \$25/eighth page \$10/business card

All advertisements must be camera ready and cannot be returned. Each advertisement must be paid in full by the deadline date for publishing.

DEADLINES FOR THE YEAR 2008—Fridays @ 3:00 p.m.

July -June 20 August -July 25 September -August 22
October -September 19 November -October 24 December -November 21

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

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

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