

# Pyramid Lake Paiute Tribal Council

Post Office Box 256  
Nixon, Nevada 89424  
Telephone: (775) 574-1000  
Fax (775) 574-1054

## REGULAR MEETING MINUTES

Tribal Chambers ~ Nixon, NV

April 2, 2021

### Members Present:

Janet Davis, Chairwoman  
Harriet Brady, Councilmember  
Edward Ely III, Councilmember  
Carolyn Harry, Councilmember  
James Phoenix Councilmember

Steven Wadsworth, Vice Chairman  
Nathan Dunn, Councilmember  
Natalia Gonzales, Councilmember  
Irwin Mix, Councilmember  
Georgina Wadsworth, Councilmember

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*Note: Due to COVID-19 Tribal Council meetings are closed to the public to ensure the health and safety of attendees. Councilmembers attended via zoom teleconferencing.*

### CALL TO ORDER

Chairwoman Janet Davis called the April 2, 2021, Regular Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 6:00 p.m.

### ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Mix connected to the meeting at 6:04 pm. All other Tribal Councilmembers were present at roll call and a quorum was established for this meeting.

### APPROVAL OF AGENDA

Councilmember Dunn requested to have a COVID Update added under New Business #5.

Councilmember Mix connected at 6:04 pm.

Councilmember Brady made a motion to *approve the agenda with the addition*. Councilmember Wadsworth seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Mix). **Motion carried.**

Councilmember Mix connected at 6:04 pm. Abstained from vote.

**PUBLIC COMMENT.** No public comment.

### CONSENT AGENDA

Following items were approved on the consent agenda:

1. Approval of Minutes: February 5, 2021, Regular
2. Approval Enrollment Applications (2) for Regular Enrollment with Resolution.

Councilmember Wadsworth made a motion to *approve the consent agenda*. Councilmember Ely seconded the motion.

Councilmember Brady had minor changes to the minutes: page 4 the correct the acronym for IHS, computer autocorrects to HIS, page 5 correct the statement "Councilmember Brady stated that they are NOT following the safe six feet distance" and there is an extra letter added to Councilmember Harry's name.

Councilmember Dunn had a correction on page 3 under New Business 1a, correction to "I-80 Smoke shop and PL Marina".

Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Mix). **Motion carried.**  
**RESOLUTION NO.: PL 045-21 ENROLLMENT – REGULAR MEMBERSHIP (2)**

Chairwoman Davis welcomed the newly approved Pyramid Lake Paiute Tribal members: **Jayayah Christine Mashburn and Arturo Caleb Madera De La Gaza**

## **PRESENTATION**

**1. NextEra Dodge Flat and Fish Spring Solar Projects Status Update.** Bill Watson, Construction Manager Dodge Flat Solar.

Mr. Watson explained the Fish Springs Solar Project is just starting and will provide an update after the Dodge Flat Solar update presentation. The Dodge Flat facility is located north of Wadsworth on the west side of State Route (SR) 447. They started construction in November 2020 and are on track to meet their December Service Date. They are finishing up the earthwork, the pushing of dirt and dozers in the next couple of weeks and next is the solar panel installation. NV Energy will be installing their facility at the northwest end of the project and they are 1/3<sup>rd</sup> percent complete. Target date for completion is December 1, 2021. In regards to concerns brought up associated with traffic control, there were two primary areas of concern. One, related to employees exiting the site along SR 447 and the other was traffic control. They have discussed some options with Chief of Police, Chris Parsons and are in the midst of implementing his recommendations. Chief Parsons recommended a flag person at the exit along SR 447 at quitting time since this was a risk for southbound commuters from Nixon. They have a flag person posted from 4 to 6pm every day to stop traffic exiting the site when they see someone coming south on SR 447.

Councilmember Brady was wondering where they are situated because she didn't see anyone there when she went by the previous day.

Mr. Watson said if that was the case he would address it with the person who runs the crew. That person should have been 20 yards off the highway.

Councilmember Mix said he's gone through there around 3:20 pm and has seen a flag person there and wondering how long they are supposed to be in place.

Mr. Watson said in the contract they are supposed to be on-site from 4-6 pm. If those hours are not working he can adjust.

Councilmember Mix addressed the trash, the trash has gotten worse from the transfer station to the solar project. The whole area is covered with plastic bags, potato chip bags and wondering if the workers are throwing out their lunch bags.

Mr. Watson said he will monitor it since they do provide dumpsters and trash cans with lids. Another recommendation from Chief Parsons was to provide electronic warning signs on both the south and north end of Wadsworth for approaching traffic to warn of the speed limits in those areas. There is a firm out of Sparks that will provide the signs and he's hoping within the next week and a half they will have the signs in place. The next topic of concern was cultural monitoring, currently there are two who are alternating, unfortunately he can't give an update yet since they are not under his supervision and don't provide a report to him. He thinks they report directly to the Tribe but they are providing the funding for them. The general premises are if they find something that merits it, they have the authority to stop work instantaneously.

Chairwoman Davis said since they are funding the cultural monitors, she can contact them and have them provide a report which she can forward to Mr. Watson.

Mr. Watson and Betty Aleck, THPO for the Tribe will coordinate with each other in providing a status report.

Councilmember Brady wanted to know how it was logically possible with the big machinery on site.

Mr. Watsons said it's usually two activities where one is surface inspections, and they look for things that are indicators of something more that warrants a closer look and then there is the excavation where you might see them physically looking and feeling the dirt.

Ms. Aleck said the original Archaeological Survey will drive where he surveys and the area where they are basically didn't have much. There was a lot of historical archaeological refuge from the 1930s to 1950s, old cans, glass, and other items. There were a lot of dump piles because it was a historic road from the Olinghouse Road to Derby Road.

Councilmember Mix said that area was a dump, he is familiar with the area. The monitors are supposed to have a radio along with an employee with them to stay in contact with the supervisors. Because the area is dangerous with the big equipment they need to be able to keep in contact via a radio and have high visibility vests for safety with daily updates, not weekly. They should also have an office locally to keep them updated. Ms. Aleck said the archaeologist is experienced and he knows to keep away from the heavy equipment.

Mr. Watson confirmed there is not a person on site who doesn't have full vest, full boots, safety glasses and hard hats. They are not allowed to leave the trailers without those in place and everyone has radio communication on the equipment. The monitors do have the authority to shut down work immediately, no questions asked. One other thing he would like to discuss with Council is to find a way to reach out to tribal personnel to bring on tribal members onto the project.

Chairwoman Davis asked him to forward the information to her and she will direct it to the appropriate parties. They have a TERO officer as well as the Human Resources (HR) office.

Mr. Watson said the only caveat is because of the agreement they have to go through the union but they can guide them through the process. The 2<sup>nd</sup> site is Fish Springs, it's northwest of Pyramid Lake. They just started pushing dirt and they do have a cultural monitor and a number of biologists on site. They are improving roads since its 13-14 miles to the site and the roads need work. This is a smaller project and the completion date is the same as Dodge Flats, December 1<sup>st</sup>.

Autumn Harry, on the phone, asked about the dust coming from the construction zone, will the roads be paved at some point.

Mr. Watson said there are 2 components to the dust, for one there shouldn't be dust since they are putting thousands of gallons of water on the roads every day to mitigate the dust and once they are done with construction, this will be an unmanned facility. The only thing driving over the roads would be a golf cart once a month. He will be getting with his team on Monday to go over and brainstorm the issues regarding dust, trash and issues still concerning traffic on SR 447.

Councilmember Harry would like to know about the water they used mitigating the dust. Where are they getting it from, the basin?

Mr. Watson said the water is coming from a well from the Lake Mountain Mining Company, they have rights to 1800-acre feet of water a year and they bought the rights to pull water out of the existing well on site. They bought the rights to use 10% of the water this year and they estimate they will use 150-acre feet.

Diana Mitchell commented she drives from Wadsworth to Fernley and the traffic is just as ferocious as coming in as going out. The big trucks are speeding through Wadsworth and onto SR 447. Need to address or monitor because this traffic is going pass the elementary school.

Mr. Watson said he will include this in his report to the team and they may have to extend the signage further out. They can't fire the workers but they can bar them from entering their sites. He will work with Chief Parsons because he understands their resources are already strained.

Councilmember Harry commented that in attracting workers they might think about putting on a job fair, the Tribe can setup the community building and those seeking work can attend there.

Councilmember Mix suggested getting with Mr. Chapin at Natchez School to coordinate with the school police for monitoring. Chairwoman Davis said she will follow-up with Principal Chapin and possibly the Nevada Highway Patrol as well.

## **NEW BUSINESS**

### **1. Approval Pyramid Lake High School Request to use Pelican Point for Graduation 2021.** Sarah Russel, Assistant Principal

Ms. Russell requested tabling this request. While a few months ago the graduates thought this was a good idea, they have since changed their mind. They now want to have their graduation on the football field.

Ms. Russell provided a quick update on the high school. They are currently tracking the data on how the kids are doing through weekly meetings where they look at every student's performance and figure how they are doing and if they need to intervene. They are following a focus group of students who are not thriving and have negative attendance. They invited them back to campus six weeks ago and now overall school grades have improved and they now have nearly perfect school attendance. The students are enjoying being back on campus and they are able to maintain social distancing with small groups. The next year, students will be writing individual growth goals and personalized learning plans. They recently submitted a CTE grant which is for indigenous students to get more hands-on work experience so they can make sure they graduate with a strong career path. They have 22 seniors this year and will see 20 of them make it across the finish line.

Councilmember Dunn made a motion to *table the Pyramid Lake High School request to use Pelican Point for Graduation 2021*. Councilmember Gonzales seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Steven Wadsworth). **Motion carried.**

### **2. Approval Mutual Aid Agreement between PLPT and Lyon County.** Chris Parsons, Police Chief, Pyramid Lake Police Department

Chief Parsons is asking for reapproval of the inter-local agreement to provide public safety mutual aid between the Pyramid Lake Paiute Tribe and the County of Lyon. This agreement was first approved in 2017 when it was originally created. It was vetted through the Tribe's legal counsel Wes Williams, himself and approved by Tribal Council in 2017. It was also vetted by the Lyon County District Attorney, the Lyon County Sheriff and approved by the Lyon County Commission in 2017. Built into the document, Lyon County wanted a four-year expiration, but they also wanted to revisit it every year. The mutual aid provides mutual aid through law enforcement services and does mention search and rescue but primarily it's to back each other up in an emergency situation. Both Lyon County and legal counsel has looked it over and there are no changes to the document, they are asking to be approved for four more years.

Councilmember Brady asked if there is an adjustment in the cost which lists a possible \$25,000 incurred cost.

Chief Parsons said there is no cost to either side, with that caveat, if either side feels the cost is going to exceed \$25,000 they can stop and discuss if it's costing too much. The only incident in the past six years that took more than 30 minutes of mutual aide was the Rocky Boyce situation in Wadsworth but that was

Washoe County, the FBI and other agencies. The mutual aid incidences are typically 30 minutes or less or maybe an hour. The only time they came close to \$25,000 is requesting assistance for Burning Man, where they needed additional staff.

Chairwoman Davis said they reiterated during an Executive Team meeting the Tribe's emergencies on the reservation are priority.

Chief Parsons stated it is addressed in the paragraph two of the agreement that either side can decline to respond, without penalty.

Councilmember Dunn made a motion to *approve the Mutual Aid Agreement between the Pyramid Lake Paiute Tribe and Lyon County*. Councilmember Ely seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### **3. Approval Regulations Workgroup Recommendations.** Randa Mitchell, Regulations Workgroup

Ms. Mitchell said the recommendations are from the Regulations Workgroup meeting held on March 25, 2021 and is for the upcoming season.

Items discussed were: increasing fishing guide and boat fees, limit the amount of fishing guides and boat charters, season passes for locals only (elders – 65 years and older), dogs, no Dogs, Horses, Drones, Increasing Bonds, No Vendors, and only on-line sales.

Workgroup recommendations were:

1. Increase Fishing Guide and Boat Fees. Workgroup recommended an increase in guide/boat charter fees to \$3,200, double the current amount from \$1,600
2. Limit the amount of Fishing Guides and Boat Charters, Work group recommended a limit of 28 fishing guides and boat charters (total for both).
3. Recommendation/discussion to make the Regulations Workgroup into a Committee.
4. Open more beaches. Workgroup recommends opening the additional 7 beaches with limits of 15 campers per beach. Open all skids at Pelican Beach which is an additional 19.
5. Sani-Huts. Workgroup recommends adding a Sani-hut to beaches that don't have any.
6. Seasonal Permits. Workgroup recommends seasonal permits for everyone (or local Nevada residents only) which would allow seniors & those with limited income to enjoy Pyramid Lake.

There were various discussions regarding the fishing guide fees and opening of extra beaches.

Ms. Mitchell named the beaches to be opened are Monument, Nine-Mile, Shot Dog, Spider Point, Separator, South Nets and Cattleguard.

Councilmember Brady asked about signage, when will they be putting up signs.

Chairwoman Davis said they would be putting it on the website and people can only purchase permits to those areas on-line. Randa Mitchell also has the capability to limit the number of permits that are sold to those beaches.

Councilmember Harry asked if there is a potential of not having enough beaches for tribal members if they are opening under COVID restrictions. If all the permits are sold per beach and here comes tribal members and they are no longer COVID compliant. Is there a risk that tribal members can't access because the beaches are overcrowded?

There was further discussion regarding overcrowding on the beaches and tribal members.

Councilmember Harry said she may be confused, because the opening plan written by former Executive Officer was based on social distancing. How many camps can be opened with social distancing in place. Maybe there is enough room where they are able to still meet COVID restrictions. She asked what is the numbers based on? The number of payments being sold currently? Is it a limited number like 25%?

Ms. Mitchell said she is not prepared to provide that information, but they are looking at revenue that is being lost because the beaches are not open. It's revenue that can be going to the Rangers, originally the guide and chartering fees went to the Ranger Department.

Councilmember Brady said she can see problems already since her family goes to Block House and there is the big RVs there that push out tribal members.

Councilmember Dunn said they have to look at this as a business perspective, not personal. It's a business to make money off of tourism, they need to focus on that.

Councilmember Mix commented on the percentages going to the Rangers and Lake Maintenance. That started when Sheri Hunter and Lela were in the finance department, they created the job, lake maintenance out of the funds. Not sure why the discussion is about the funds going that direction when it should currently be going there already.

Councilmember Dunn asked about the fireworks sales from the Enterprises.

Chairwoman Davis said it goes to pay for the beach cleanup and safety for emergency response. Ms. Mitchell said it goes to the Rangers, Police, EMS and Lake Maintenance.

Councilmember Dunn made a motion to *approve the Regulations Workgroup's recommendation to open the 7 beaches with the 15-campsite limit and to open the extra skids at Pelican Point by May 1, 2021.* Councilmember Phoenix seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Harry). **Motion carried.**

#### **4. Approval Request River Justice Gathering.** Autumn Harry

Ms. Harry said her and her mother are working on some river justice initiatives in the Reno Sparks area. They have been organizing river cleanups since early February and are currently hosting their 5<sup>th</sup> cleanup.

There are a lot of issues along the river in Reno Sparks and a lot of it has to do with the homeless camps that are along the river. Their main objective is to work with different communities to clean the trash so it doesn't go down the river to the lake. They are trying to educate the residents of Reno Sparks that what goes down the river affects the residents at Pyramid Lake. They want to organize a gathering to thank the volunteers who helped during the cleanups. It would be for 35-50 people at the Marina. It would be from 4pm to 8 pm on April 24th. They would follow all COVID protocols. They are also asking for a day-use waiver for non-tribal members who will be attending. She is working with the local government to make them aware the trash and the importance of water quality.

Chairwoman Davis said the commissioner mentioned Native American representatives on other boards and commissions would also be helpful that these concerns can be addressed at that level.

Councilmember Phoenix made a motion to *approve the River Justice Gathering and to waive the day-use fees for non-tribal members*. Councilmember Ely seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Harry – lost connection & texted her abstention to the Tribal Secretary). **Motion carried.**

#### **4. COVID Update.**

Chairwoman Davis said the Tribe currently has 0 positives. The clinic has completed 312 shot for the 2<sup>nd</sup> dosage. Furloughed employees are coming back to work except for JOM and Tribal Recreation.

Councilmember Ely said when he went to the clinic he was told they are doing vaccinations for anyone who calls in and makes an appointment which is good news.

Councilmember Wadsworth asked if the clinic will be doing the younger kids yet or are they still waiting on guidance from the CDC.

Councilmember Dunn (Health Clinic Board Member) said they haven't discussed the under 18-year-olds yet for vaccinations. He also asked about the usage of the gym.

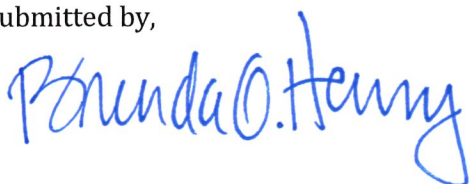
Chairwoman Davis said the buildings are not yet open to the public but the Transit employees are currently using the restroom facilities.

#### **ADJOURNMENT**

With no further business before the Tribal Council, Councilmember Ely made a motion to adjourn the meeting. The motion was seconded by Councilmember Wadsworth. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 8:05 p.m.

Submitted by,





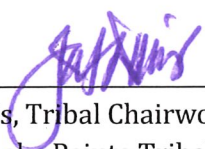
Brenda A. Henry  
Tribal Council Secretary

## CERTIFICATION

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The foregoing minutes were adopted by the Pyramid Lake Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 6<sup>th</sup> day of August, 2021, having nine (9) members present, constituting a quorum, by the vote of eight (8) FOR and zero (0) OPPOSED, with zero(0) ABSTENTIONS.

Minutes attested and concurred by: \_\_\_\_\_

  
Janet Davis, Tribal Chairwoman  
Pyramid Lake Paiute Tribal Council

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