

Pyramid Lake Paiute Tribal Council

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

PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV April 5, 2020

Members Present

Anthony Sampson Sr., Tribal Chairman	Vice Chairman
Janet Davis, Councilmember	William Miller, Councilmember
Judith Davis, Councilmember	Irwin Mix, Councilmember
Sherry Ely-Mendes, Councilmember	Michele Smith, Councilmember
Carolyn Harry, Councilmember	Georgina Wadsworth, Councilmember

Note: Due to COVID-19 Tribal Council meetings are closed to the public to ensure the health and safety of attendees. Councilmembers attended in person, keeping to 6-foot distancing, and via audio conferencing.

CALL TO ORDER

Tribal Chairman Anthony Sampson Sr. called the April 5, 2020 Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 2:08 p.m.

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Vice Chairwoman Ely-Mendes and Councilmember Janet Davis and Darrough were in attendance via audio conference. All Tribal Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

Councilmember Wadsworth requested to add under New Business #2. Discussion of Vice Chairperson position as a salaried position.

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

NEW BUSINESS

1. Approval/Discussion Mandatory Curfew and Stay at Home Order with Resolution.

Councilmember Smith said she thought Council needed to address a curfew and does the Tribe have the man-power to enforce. Chairman Sampson said he knows the Tribe is down 3 police officers but he will have to address it with the Chief Parsons.

Vice Chairperson Ely-Mendes strongly suggested everyone be advised of a curfew. It's important to set a standard with the curfew but don't think we can strictly enforce. Doesn't know if it should be a part of the Law & Order Code at this point but could possibly add at a later point. The immediate need to try and get across to people is they should be sheltering in place. She's seeing a lot of people driving through and stopping. It's a good declaration but doesn't think we could enforce it when we don't have enough staff.

Councilmember Mix thinks we should put it out there, as a deterrent, to let them know because it's now an emergency. He's noticed traffic has decreased and there's not that many people at the lake. There will be people who don't follow it but there are people who are staying at home.

Chairman Sampson stated we need to change the wording from "shelter in place" to self-isolation. We need to put a stop to the congregation of people. He's been at the lake and seen the influx of people traveling through, especially on the weekends. He will speak with Chief Parsons to see how they can cover the violations of curfew and coverage. They will also need to look at funding, over-time for the employees already out there.

Councilmember Harry asked to confirm if we're talking about being punitive to our own tribal members with a curfew or talking about non-tribal member people coming onto the reservation. She was aware. Reno Sparks Indian Colony enacted one on Friday and it was spur of the moment they said they're having a hard time of enforcing it. The whole object of it, they see the kids out and about in the day time but at night time it's geared towards those that are dealing with addictions. The previous night they had someone crash into the fence above Little Nixon and they all know where the action is stemming from. There are multiple cars, all through the valley, all through the night, people walking all through the night, these are the same people who are going to be out walking around at night, these are the ones who are addicted. Most members are doing the shelter in place, she's worried about the enforcement. What are the benefits of a curfew? There are also tribal members still participating in ceremonies at night as well. They have to define who is "them?"- at-risk workers, essential workers, shift workers, permits? People traveling in for ceremonies. Need to be specific instead of generalized "them". She's also seen older people pulling to the side of the road, taking pictures, maybe we need a stronger language. Chairman Sampson Sr., said signs need to be updated or maybe we need to close borders to all non-members. Councilmember Harry feels we should setup checkpoints but she's not sure of the legality of the State's right-of-ways and needed resources.

There was discussion on getting information out to the membership. Chairman Sampson Sr., said they were putting information out through social media and word of mouth because that was how the majority of the membership is receiving information. Councilmember Miller stated we do need to have more information out, not only through social media but hard copies for the elders and other who don't use social media.

Councilmember Janet Davis would like to see information updated 2-3 days to reassure the membership on what is going on. People were saying they didn't know the clinic was closing down with no notification. Chairman Sampson Sr. said the clinic attempted to call everyone who had prescriptions to pick their medicines that day. He's reached out to the Reno Sparks Indian Colony

Clinic to have our provider there to see our patients but the Clinic Director decided she was going to open the clinic on April 8th for a drive through clinic and pharmacy. She will have the director get it out to the membership next week.

Councilmember Judith Davis said she put the information on Facebook because she heard from the clinic about getting her family members medicines refilled and she was informed by the pharmacist they were closing that day. She did what she could to put the word out. We need to keep moving forward and keeping the membership informed.

Vice Chairwoman Ely-Mendes asked if radio station in Wadsworth still broadcasts, Chairman responded they only do am channel.

Councilmember Harry asked if we can partnership with the high school for use of their electronic board and use as a community marquee.

Councilmember Janet Davis said we need to post everywhere, the post offices, the stores to keep the rumors down.

Councilmember Mix suggested Mondays, Wednesdays and Fridays put out information to the public. Notify the school to request use of the electronic sign for COVID-19 updates.

Councilmember Judith Davis asked and it was confirmed messages can be rotated on the reader boards.

Vice Chairwoman Ely-Mendes said she is not worried for the safety of non-members coming onto the reservation but the safety of the community and tribal members because they are stopping at the enterprise stores.

Councilmember Mix said call Governor Sisilak and request to close or control the road, put a toll in to monitor it. Councilmember Miller said during the floods, NDOT put out signs stating the roads were closed.

Councilmember Harry confirmed the Tribe can post on the high school's electronic sign, they can send their messages to Joe Esposito, who is on leave and can post from home. The sign can hold several messages.

Chairman Sampson Sr., said he will contact the Governor's office on Monday regarding stopping non-residents on the reservation. He was checking on the enterprise stores on the influx of non-tribal members at the stores. Does Council want to limit the amount of gas they can purchase.

Vice Chairwoman Ely-Mendes recommended closing to non-residents, just make it a community store. Councilmember Judith Davis agrees with the restriction but if they're just passing through to get to Pilot or Loves, they can get maybe 5 gallons.

Chairman Sampson Sr. said if this COVID-19 continues does Tribal Council want to close the tribal admin offices until April 30, 2020 to be consistent with the State. The Tribe sent out our first

application for the COVID-19 grant this past week. The grants administrator is monitoring on the grants. We did receive \$70,000, which was for the health clinic. Brenda Henry, Tribal Secretary, confirmed the application that was forwarded on Friday was only for EMS department for \$70,000. Chairman Sampson Sr. stated they received \$87,000 from Indian Health Service (IHS). Councilmember Smith said she also received notification from FTA that Transportation-Transit received an additional \$111,000.

Councilmember Mix said he received a call from a tribal member who has her daughter and boyfriend, both unemployed, living with her and she's running low on funds and she was wondering if the Tribe can assist with funds to help all tribal members. He knows in an emergency they can try and tap into funds.

Chairman Sampson Sr., said they have been talking about getting food and products brought onto the reservation plus a stimulus package. In speaking with the Business Office, they were talking about the language and the need to reach out to BIA, he thinks the amount in there is about \$85,000,000 which they might be able to tap into. There was mention of the Vidler and Ramah funds. Chairman said there is \$1.6 million in the Ramah funds. There was mention of either \$500 plus extra \$100 for children or \$1200. Councilmember Judith Davis said one thing they need to keep in mind, in the Wadsworth area, NV Energy and Southwest Gas, won't be disconnecting anyone, but when this crisis is over, their bills will still be there. Councilmember Harry said we have enough food resources we can access but households still have different needs, i.e. diapers, medical, etc. Maybe a 2-phase stimulus, one now and then one to get them back on their feet. Chairman Sampson Sr. said if the Council votes to move back to April 30th then we have to consider funding because funding was only projected to April 23rd. After this date, employees will have to utilize their annual or sick leave. If we do decide to pull funds out of the stimulus, he'll talk with contracts and grants to see if it's covered through the COVID-19 funds. Councilmember Wadsworth agrees with Councilmember Harry regarding completing in phases, by utilizing the Ramah funds first because it'll take a while for the ED Funds. Vice Chairwoman Ely-Mendes said we should also be encouraging community members to continue to pay their bills if they're able. Councilmember Harry recommended we change the elder emergency requests so elders can use the program more than once if they're having trouble paying their utility bills until COVID-19 is over. Councilmember Judith Davis agrees that we should go across the board because as a Councilmember she doesn't want to deny a tribal member services needed.

Chairman Sampson Sr. said for the stimulus, he'll reach out to BIA. Vice Chairwoman Ely-Mendes said we have to have a resolution request to use funds including a reason with a dollar amount and submit it to BIA. Councilmember Wadsworth reminded everyone that anything over \$600 members will be getting a 1099 from the Internal Revenue Service (IRS). There were suggestions of \$599 or \$500. We will need to figure what language was used so the stimulus is non-taxable.

Chairman Sampson Sr., said in regards to the resolution if we change shelter-in-place to self-isolation and with the curfew from 10 p.m. to 5 a.m., we should address those who work in warehouses at night. Councilmember Mix said some members who work in warehouses have letters in case they're stopped. Councilmember Harry said it should start at 11 p.m. for those doing ceremonies and late shoppers. Councilmember Judith Davis said she would stay with what is already in the Law & Order Code 10 p.m. to 5 a.m. and bring it back forward again. Councilmember

Darrough said there is a difference between self-isolation and shelter-in-place. Self-isolation is for someone who thinks they've been exposed to the virus or are positive for the virus and shelter-in-place is a stay at home order.

Councilmember Janet Davis confirmed what we are doing is just reaffirming what is already out, shelter-in-place. Councilmember Harry stated it's a stay-at-home-order where individuals can leave their residences to provide services, perform work, necessary and essential, does not prohibit individuals in engaging in out-door activities.

Tribal Council went through the proposed resolution stay-at-home-order line by line.

The first WHEREAS lines were okay.

Remove the 5th WHEREAS, the Pyramid Lake Paiute tribal Council is not in session and cannot immediately be called into session;

Remove the following in the 4th WHEREAS, "*and the Tribal Council is not in session;*"

On the 9th WHEREAS on the bottom of the page change "*must be*" to "*have been*" and add "*the*" before Tribe.

Remove "*or Tribal Council Chairman*" twice on the 2nd IT IS FURTHER PROCLAIMED AND ORDERED.

In the 3rd IT IS FURTHER PROCLAIMED AND ORDERED, change to "*that the Pyramid Lake Paiute Tribe is adopting the declaration in accordance with Governor Sisolak's, State of Nevada Declaration of Emergency, Directive 010. STAY AT HOME ORDER. Copy attached.*"

Amend the 4th IT IS FURTHER PROCLAIMED AND ORDERED, to "*that the Pyramid Lake Paiute Tribe hereby establishes a curfew of 10 p.m. to 5 a.m., for the residents of the Pyramid Lake Reservation, with exceptions for emergency reasons and essential services. Violators of this order will be subject to a \$100 fine.*"

Councilmember Harry asked about giving a waiver for ceremonies, some families may be calling in doctor in the middle of the night. Vice Chairwoman said that would fall under an emergency. Councilmember Darrough said anyone performing ceremonies usually lets the EMS know since they are dealing with fires.

Amend the NOW, THEREFORE BE IT RESOLVED, "*that the Pyramid Lake Paiute Tribe hereby approves this Declaration of Emergency for the Pyramid Lake Paiute Tribe effective April 6, 2020, COVID-19 Resolution.*"

It was requested a press release to the public be done to make the everyone aware the lake is closed and non-members and non-residences will be fined.

Brenda Henry, Tribal Secretary, stepped out of chambers to amend the resolution so Council can see the completed resolution for approval.

Councilmember Judith Davis said when Tribal Council closed administration it was until April 23, 2020, does this date need to be extended at this meeting? Chairman Sampson Sr., said they will.

Councilmember Mix asked if the essential workers have gloves and masks. Chairman Sampson Sr., has asked Don Pelt to have EMS do temperatures of the employees every day. Councilmember Darrough said the EMS has equipped tribal maintenance and PUD with gloves and masks. With PUD they weren't going to allow the works to pick up trash that was placed besides the trash cans. She will check back with the departments to see if they have the gloves and masks. Councilmember Judith Davis said she didn't see a notice that PUD wasn't picking up bags, and since everyone is now staying at home she's noticed more bags piled next to trash cans.

Councilmember Harry went over the 5 items to be placed on the high school's electronic sign: mandatory stay-at-home order, curfew 10 p.m. through 5 a.m., lake closed to all non-tribal members, subject to fine, looking for Tribal Chairman updates on PLPT social media and relying on family to share information.

Chairman Sampson Sr., said the current staff on duty are the Tax department, Human Resources (HR) department, Executive Team and IT department, Contracts & Grants Maintenance and Finance. Everyone is on staggered schedules. He doesn't know what the Enterprise Store schedules are but they did reduce their schedules.

Councilmember Darrough provided an update of the Pyramid Lodge, they are on restricted hours with 2 staff on duty, they are open for fuel and food bank, minimal store access, and open for emergency services. They are currently feeding about 50 people through their food bank every Thursday.

Councilmember Harry made a motion to *approve the Amended COVID-19 Pyramid Lake Paiute Tribe Resolution – Stay-at-Home Order and Curfew effective April 6, 2020*. Councilmember Judith Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** **RESOLUTION NO.: PL 048-20 PLPT DECLARATION OF EMERGENCY COVID-19**

Vice Chairwoman Ely-Mendes made a motion to *extend administrative leave for all departments from April 23, 2020 to April 30, 2020*. Councilmember Judith Davis asked if we have it in the budget since they were told they can only carry employees until April 23rd and after that date the HR department said employees would have to use leave or apply for unemployment. Chairman Sampson Sr., said the Comptroller was looking into the funding and would get back to him. Councilmember Judith Davis said she would like the Ramah or Vidler funds be used for the membership and employees who don't have leave should be allowed to apply for unemployment. Chairman Sampson Sr. spoke with Diane Hatcher, manager of the Tribe's 401K, and was told employees can draw from their accounts and wouldn't be charged fees. Councilmember Judith Davis said the Comptroller told them the Tribe can cover them to the 23rd because there is 10 days of administrative leave that can be used, 14 days would be covered by COVID-19 as

reimbursement and after that it was up to the employee to take leave or apply for unemployment. Chairman Sampson Sr., said after speaking with Michael Guss, President Trump extended the coverage to April 30th and they were unsure if they can recover the funds for the extended administrative leave, he's still waiting on a response. Vice Chairwoman Ely-Mendes said she thinks they can find the funds to cover it. Chairman Sampson Sr., would like to see if they can cover before they obligate the funds. Councilmember Judith Davis said the approved 10-day administrative leave ends on April 3rd and the COVID-19 funds starts on April 6th.

Councilmember Mix seconded the motion.

Chairman Sampson Sr. said there was discussion with the Executive Team on whether the funds could be recouped through the COVID-19 funding but hasn't heard on whether it can be done. Michael Guss said he read the appropriations from the Cares Act and there are some appropriations that specifically pay. It is unclear whether they'll pay for administrative leave but it is possible. Councilmember Harry said we have the employee's wages budgeted for the year so we know we can pay them, so what prevents the Tribe from using what was already budgeted. Chairman Sampson Sr., said the budgets that were approved were projected budgets, it is yet to be determined if we have the funds as far as revenue. Councilmember Judith Davis said if we're looking at just one week, then we know that at the end of the year we're possibly looking at laying off employees if we don't collect the revenue. Chairman Sampson Sr., suggested tapping into the Economic Development funds to finish off the year and possibly next year, with revenue the Tribe can keep ourselves out of the red. Councilmember Mix said we should access the Economic Funds to get us through the year because it's an emergency. Councilmember Judith Davis said she's in agreement but she's hesitant to use the Ramah and Vidler funds since we haven't yet received any funds from FEMA to recover from the floods. Any funds we receive from FEMA were supposed to be put back in the Vidler funds. She would agree, as long as Tribal Council knows that it's being done for the safety of the employees, they might have to lay-off employees at the end of the year.

Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**

Enterprise Stores.

There was question of whether Council wanted restrictions on the enterprise stores regarding COVID-19, what type of precautions are they taking, it was recommended this be forwarded to the Business Officer with possible solutions. They are seeing more visitors who are purchasing gasoline, possibly close the stores to non-tribal. Vice Chairwoman Ely-Mendes recommended closing the stores to non-residents of the Pyramid Lake Reservation with exception of residents of Empire and Gerlach. Chairman Sampson Sr., will discuss with the Business Officer to coordinate/discuss with the Enterprise manager and report back to Council. Councilmember Judith Davis would like an update from the Business Officer regarding PUD and PPE for the employees.

Stimulus Package.

Councilmember Harry made a motion to *direct the Chairman to develop a stimulus package options to Tribal Council for the membership payment with a resolution by the next Tribal Council meeting*

scheduled for April 17th. Councilmember Judith Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**

2. Discussion of the Vice Chairperson as a paid position.

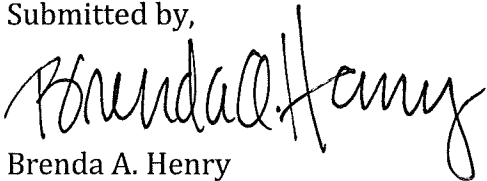
Councilmember Wadsworth asked this item to be added to the agenda to make the Vice Chairwoman position a paid position because we are in an emergency. The Vice Chairwoman would be able to assist the Chairman in his duties, he is always in meetings with the Executive Team and she would be able to help in the decision making. Funding can be used from the Programs Officer position since that position is vacant. Councilmember Judith Davis said we don't have a Programs Officer, but we do have the Executive and Business Officers if you look at the just approved organizational chart, there are positions under them but because everyone is now laid off she's not sure what extra duties would be required of another Executive position. Councilmember Janet Davis said they may need the funding down the road as well from not having the Program's Officer position filled. Chairman Sampson Sr., said he has been reaching out to the Vice Chairwoman often on what they've been doing and she has been a part of the Executive Team meetings. Councilmember Harry recommended a temporary Vice Chairperson position until April 30th being consistent with the timeline. Vice Chairwoman Ely-Mendes said this is a discussion for next year's budget, at this point she doesn't want to appear to overstep her boundaries as a non-paid employee of the Tribe as a Council Vice Chairwoman. The Vice Chairperson only steps in when the Chairman is not available and she wouldn't have a problem with it. She's been on admin leave, but has the ability to come in and work on department tasks that need to be done and also meet with the Executive Team if she needs to. She agrees, they need to hold onto the Programs Officer funds in case it's needed for other expenditures. It was suggested that non-essentials not come into the office but she was given the leeway by her director to be able to come in and work when needed and be paid under the Transportation budget. Councilmember Judith Davis agreed to holding the funding until later in the year because they have small programs with small budgets and she'd hate to see them suffer at the end of the year.

AJOURNMENT

With no further business before the Tribal Council, Councilmember Smith 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 5:45 p.m.


Submitted by,



Brenda A. Henry
Tribal Secretary

CERTIFICATION

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 5th day of **June**, having nine (9) members present, constituting a quorum, by the vote of eight FOR and zero (0) OPPOSED, with zero (0) ABSTENTIONS.

Minutes attested and concurred by: 
Anthony Sampson Sr., Tribal Chairman
Pyramid Lake Paiute Tribal Council

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