

Pyramid Lake Paiute Tribal Council

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PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV December 31, 2020

Members Present:

Anthony Sampson Sr., Tribal Chairman
Judith Davis, Councilmember
Janet Davis, Councilmember
Carolyn Harry, Councilmember
William Miller , Councilmember

Sherry Ely-Mendes, Vice Chairwoman
Irwin Mix, Councilmember
Michele Smith, Councilmember
Georgina Wadsworth, Councilmember

Members Absent: Cassandra Darrough, 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

Chairman Sampson Sr. called the December 31, 2020 Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:01 p.m.

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Darrough was absent. All other Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

No changes to the agenda

Councilmember Harry made a motion to *approve the agenda*. Councilmember Smith seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

NEW BUSINESS

1. Approval/discussion of current plan or extension of furlough.

Vice Chairwoman Ely-Mendes said we are still in a shaky situation and they should give the new council a little time to take a breath and figure out what we need to do to get everybody back to work safely. She recommends they extend the furlough, because we now know that folks that are on unemployment would continue probably through March. It would certainly save the Tribe funds to not bring everybody back full

time and or part time at this point. She recommends extending until March 31, 2021, then they can re-evaluate. At this time they should have everybody vaccinated first and second round.

Vice Chairwoman Ely-Mendes made a motion *to extend the furlough until March 31, 2021.*

Councilmember Judith Davis ask how many people are still on furlough?

Leslie Hawley, Human Resources Director responded the number is 12, still on furlough which includes Childcare.

Councilmember Judith Davis asked they approved a resolution with the 10% cut for the 2021 Budget. When these departments come back at the end of March, and April 1st, are they still looking at the full 10% cut or are they using that as part of the cut.

Jill Mix, Comptroller, responded it will include the 10% cut, it's all they have revenue for regardless of when they come back.

Councilmember Mix ask if that means more people are going to be furloughed? Or are they sticking with the same essential personnel we have now? Chairman Sampson Sr. said it is only the people that are currently furlough at this time. Councilmember Mix asked if they will stay furloughed and does the State have funds for them in regards to unemployment.

Ms. Hawley responded yes, essentially, what we're doing by continuing this furlough is allowing those individuals to have eligibility. According to the state and their benefits, it ended today, to extend it maintains their eligibility.

Councilmember Mix ask if the State funding is there for unemployment.

Ms. Hawley responded it depends on when they applied for it, most likely if they are eligible for pandemic then yes, but if they've already utilized all of their benefits, then unfortunately no.

Councilmember Harry said that was her question also. She didn't want to assume that they are eligible for unemployment because that is all dependent on the income earned for the quarter they were eligible. Right?

Ms. Hawley responded right, and they would apply for the pandemic but they are not guaranteed to be approved and dependent upon what type of other welfare benefits etc., they may have applied for. She is not sure exactly where everybody sits as far as their status. The only thing that she was asking is if it is continued, we have an action so that she can send them letters that they can provide to wherever they are seeking benefits from.

Councilmember Mix stated if they haven't worked in the past six months and they don't have enough funding entered, they are not eligible to get anything. Right. Ms. Hawley responded, right.

Richard Frazier commented most of the people that is on unemployment currently have applied for the extension of 13 extra weeks. And that expired on the 26th of this month. As of the latest signings from Trump, that's going to continue, but there's going to be a two- or three-week delay before that lump sum money kicks in. When it does, they will be getting retro from the 26th to their current filing week. Everybody that is on unemployment has had that extension, which will continue. That's what he is understanding. Ms. Hawley confirmed it is true.

Chairman Sampson Sr. said basically, they will be receiving retro pay, as they've already established their unemployment benefits.

Ms. Hawley said right, there is no continuity, because of how long it took Trump to approve, they will be if they are eligible.

Councilmember Janet Davis said she would like to see it be per individual case by case. They discussed it at one time they were leaving it up to the personnel furloughed, if they needed to they could come back. She is not sure that everyone has their budgets in and that they are ready to go, even if they were to come back. She would like to see the furlough extended for a month or a month and a half, maybe two, but not three months They need to start thing about getting back to work.

Vice Chairwoman Ely-Mendes said the Council can end it any time, you just don't want to be going back and forth with it every month. If you extend it to March, you can end it in February if Council want to. But you give yourself some time to work with. Councilmember Janet Davis said she would prefer to extend it to February.

Vice Chairwoman Ely-Mendes reiterated she made a motion forward to March 31, 2021.

Councilmember Harry said her concern are the services, the original intent for going on furlough was safety, and they are still in the midst of a pandemic. It is even more critical right now. But at the same time, the cares projects are allowing workers to come back safely. She is concerned about the services. We know the language program, the JOM Program, we know right now, our grades and our students are in critical need of support. She does not know if all of the workers can come back and work safely or remotely. Her concern is the services that we're not providing. But she feels like they can safely.

Councilmember Janet Davis said she would give them time to be prepared. She asked Ms. Mix if they the directors on furlough submitted budgets? and do they have a work plan coming back to work because they are not essential personnel? How are they going to plan on coming back? she thinks because of the deadline, they need to decide and they need to allow the new Council to decide how they will move forward. She understands they need a plan to move forward and she does agree on an extension but not to March 31st.

Councilmember Harry said she thought the departments were making their plans on how to return to work safely.

Chairman Sampson Sr. said when you are looking at this pandemic there is 305 new cases in Reno, Sparks, and Washoe County. And on the reservation, we have 49. We had a slight bump, coming up after the Christmas holiday, and we don't know how that's going to go with the pandemic as far as people receiving the vaccine at this time. He agrees with Vice Chairperson Ely-Mendes to extend to March 31st would be a good idea that would give the new Tribal Council and the new Chairwoman be able to begin to mitigate through this whole issue of moving things back into place. You are correct on the healthcare childcare; Wadsworth Daycare was ramping up and getting ready to open. Nixon Daycare wasn't because they are still under renovation, and that's almost completed as well. Once completed they will be able to bring back some personnel for Nixon Daycare and start cleaning it up and making sure that that is safe for the children. And the new daycare centers (the modular) that are in place, they are almost completed, just waiting on connecting the power for opening. He believes Council can move quick enough to get it all in place in three months.

Councilmember Mix said during the last month and a half, they supposedly had the Tribal Chairman and the Executive Team sit down with the directors and go through everything so they can move forward. But it seems like it wasn't done because they are stuck at the same place they are at right now. Now we have to extend it for two to three more months and that's just unacceptable.

Chairman Sampson Sr. said everyone was on a timeline and they were supposed to finish everything by January 31.

Councilmember Wadsworth said she agrees with Sherry to extend to March 31st. She asked Ms. Hawley, HR, if they go ahead and bring back personnel from furlough and something happens again and they have to put them back on furlough will those individuals automatically receive benefits or what happens to their unemployment.

Ms. Hawley said it depends on their eligibility and where they are with their benefits. It's not guaranteed, they did have one person who used up their benefits. They transferred over and applied for welfare then they worked with them to apply for their payout, using the temporary loan through their 401k. Now that it's going on almost nine months, for eligibility, unfortunately, there are going to some out there not eligible. Where is the plan? she thinks it would help some furloughed employees with timelines to reassure them. They were supposed to be contacted and they were supposed to identify where their status was but that had not occurred.

Councilmember Wadsworth seconded the motion. Votes were six (6) **for** and two (2) **opposed** (Janet Davis, Mix) with zero (0) **abstentions**. **Motion carried**. **MOTION PASSED.**

Councilmember Janet Davis said she opposed because she felt 3 months was too long.

Councilmember Harry said she had a couple questions. For the employees that may not be eligible for benefits, she understood they were going to offer the furloughed employees the open positions so they can come back to work. She talked with an employee from the museum and they said they were never

contacted about any of the open positions like the TERO officer or other open positions. If they are not eligible, will they be offering positions that are not filled?

Ms. Hawley asked if Jill Mix can answer the question, she did address whether they would be offering positions. Ms. Mix, Comptroller said when they talked about it a while back, people have to show interest, they just can't select a person for the job. It is an open job and they have to put in for it. And if an employee who is furlough is qualified, then they can transfer them to that position. They haven't received any applications from anyone.

Councilmember Harry said she was not sure if employees were aware of it. This employee said they just were never contacted or they weren't aware of openings. So maybe it's just the way they were communicating what's available.

Vice Chairwoman Ely-Mendes said she thought they had said, offer it up if you feel safe to come back to work that they can work in a reduced schedule., she didn't hear back whether or not people did that. She assumed they offered their jobs back and said hey, if you want to come back, and you feel it's a safe environment and you want to forego your eligibility for unemployment, they can return. If they end furlough now, then furloughed employees will be cut off. They will be left hanging, wondering whether or not they can come back to their job. Their official duty is to say extend the furlough, because they want to we want to give them the opportunity. The new Chairperson and Executive Officer are connected and ready to plan of how it is going to happen. They don't want personnel not getting any benefits and not knowing whether they can come back to their job or not. That is the purpose of this meeting. Personnel can make a choice whether to stay on furlough or come back.

A question was asked if HR knew if when a furloughed employee applies, did she know whether they were approved or not.

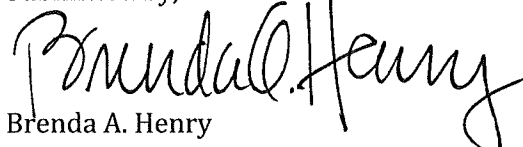
Ms. Hawley said they get the forms, which they complete, then she gets notification of approval or denial. She also stated here is a hierarchy within the organization, any communication to any of the departments is through their executive team supervisor.

ADJOURNMENT

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

The meeting adjourned at 5:27 p.m.

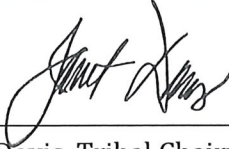
Submitted by,


Brenda A. Henry
Tribal Council 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 February 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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