

# Pyramid Lake Paiute Tribal Council

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## PYRAMID LAKE PAIUTE TRIBAL COUNCIL REGULAR MEETING MINUTES Tribal Chambers ~ Nixon, NV March 6, 2020

### Members Present:

Anthony Sampson Sr., Tribal Chairman  
Judith Davis, Councilmember  
Janet Davis, Councilmember  
Cassandra Darrough, Councilmember  
Carolyn Harry, Councilmember

Sherry Ely-Mendes, Vice Chairwoman  
William Miller, Councilmember  
Irwin Mix, Councilmember  
Michele Smith, Councilmember  
Gina Wadsworth, Councilmember

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### CALL TO ORDER

Tribal Chairman Anthony Sampson Sr. called the March 6, 2020 Regular Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:06 p.m.

### ROLL CALL

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

### APPROVAL OF AGENDA

Chairman Sampson Sr., requested the following changes to the agenda:

Councilmember Judith Davis requested the Organizational Chart be added to the agenda, even though it was approved, it was brought up at the last minute and she would like to have more discussion. Councilmember Wadsworth agreed, stated there was a concern brought to her attention. Consensus was to place under Unfinished Business #2.

1. Add under Consent Agenda add #5. Approval TERO Job Description, and #6. Approval Wild West Burgers Business License Renewal.
2. Add under Unfinished Business #2. Organizational Chart

Councilmember Judith Davis made a motion to *approve the agenda with the additions*. Councilmember Darrough seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### EXECUTIVE SESSION

Vice Chairwoman Ely-Mendes made a motion to *move into Executive Session*. Councilmember Miller seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**. *Tribal Council moved into Executive Session at 5:10 p.m.*

*Councilmember Mix stepped out of chambers at 6:28 p.m.*

Councilmember Harry made a motion to *move out of Executive Session*. Councilmember Smith seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**. *Tribal Council moved into Executive Session at 6:34 p.m.*

Councilmember Darrough stepped out of chambers at 6:35 p.m.

Councilmember Mix returned to chambers at 6:38 p.m.

## **PUBLIC COMMENT**

**Angie Dunn.** Ms. Dunn voiced her concern regarding the use fee policy the Earl Dunn Basketball Tournament which her family has put on for years now and for which they always had the use fee waived under the elder exemption. This exemption was based on the “old” policy which they’ve been using but has since found out there was a new policy approved and put in place that they knew nothing about. Would like to know who approved it and what processed it went through.

Recommendation was for Ms. Dunn to speak directly with the Chairman on Monday to address this issue.

**James Phoenix.** Mr. Phoenix came to see if there was an update on the park in Sutcliffe, the community building and signage from Sparks to the Lake (Welcome to Pyramid Lake).

## **CONSENT AGENDA**

Councilmember Harry requested to pull the four minutes for discussion and Councilmember Judith Davis requested to pull #5. Approval TERO Job Description.

2. Approval Four (4) Applications – Regular Membership with Resolution
3. Approval to Amend Resolution No.: PL 026-20 Transportation Planning
4. Approval to Purchase 2 Vehicles for Ranger Department. PLPD
6. Approval Wild West Burgers Business License Renewal.

Vice Chairwoman Ely-Mendes made a motion to *approve #2, 3, 4, & 6 on the Consent Agenda*. Councilmember Judith Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**. **RESOLUTION NO.: PL 026-20 AMENDED TRANSPORTATION PLANNING – NTTFI DATABASE UPDATE**

Councilmember Mix returned to chambers at 6:46 p.m.

Councilmember Harry would prefer the minutes to be more of a summary, based on her review of historical Council minutes and minutes of other organizations. Councilmember Judith Davis said she prefers to see the dialogue of an agenda item to see how Council came to their decision.

Councilmember Harry made a motion to *table Minutes: January 17, 2020, February 7, 2020 & February 11, 2020*. Councilmember Darrough seconded the motion. Votes were six (6) **for** and three (3) **opposed** (Mix, Smith, Judith Davis) with zero (0) **abstentions**. **Motion carried.**

Councilmember Judith Davis said after looking at the job description and the memo attached she doesn't think the funding is in place plus she hasn't seen a budget for it.

Councilmember Judith Davis made a motion to *approve the TERO Manager job description but hold off posting until Council has a budget to review*. Councilmember Harry asked Douglas Williams, Executive Officer, for a background of TERO. Mr. Williams said this job description is in accordance with the TERO Ordinance, which was Council directed to get operational. He confirmed there is a budget for the TERO Manager whose job will be to implement the program and coordinate projects. Councilmember Darrough seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Mix). **Motion carried.**

**Chairman Sampson Sr., announced the names of the new members of the Pyramid Lake Paiute Tribe:**

**Mark Anthony Chavez Jr.  
Charles Steven Gipson II  
Mason Wade O'Neil  
Julayah Marie Ann Saunders**

**ENROLLMENT** – Joanne Shaw, Enrollment Office

Ms. Shaw, on the recommendation of the Enrollment Committee is requesting to schedule a hearing date. Recommendation date for a hearing was April 3, 2020.

Vice Chairwoman Ely-Mendes made a motion to *schedule a rejection hearing for April 3, 2020*. Councilmember Janet Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

Councilmember Harry said she knows membership approval is based on lineal descendancy which historically is how the Tribe determines membership. There are 60% of grand-parents raising grand-children and with this break in lineal descendancies, parents may not be making the best decisions on part of young tribal members. Dropping membership to go to another tribe to support unhealthy habits but yet the child is living with grand-parents of the enrolled members. She would like the committee to take a look at these situations. Ms. Shaw said she will add it to the agenda for the committee and provide an update in her monthly report.

**UNFINISHED BUSINESS**

**1. Approval of Law & Order Code Chapter 12 Title 3 Probate Code with Resolution.** Diana Mitchell, Law & Order Committee

Ms. Mitchell said the committee met at a special meeting the previous month which included the Executive Team, Land & Resources and Pyramid Lake Housing Authority in attendance. They incorporated all the comments received and recommendations from the Executive Team. The copy presented is with the committee's recommendation for approval.

Councilmember Judith Davis said 12.112, definitions, under Real Estate, this definition is also used for 12.316 Estate of Life. If someone can leave a life estate to their spouse, referring back to the definition, the home and the land, this shouldn't supersede the Land & Resource Ordinance.

It was agreed 12.316 Estate of Life could be removed from the Probate Code.

Councilmember Harry made a motion to *approve the Law & Order Code Chapter 12 Title 3 Probate Code with Resolution with the removal of paragraph 12.316 Estate of Life*. Councilmember Judith Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.** **RESOLUTION NO.: PL 035-20 LAW & ORDER CODE CHAPTER 12 TITLE 3 PROBATE CODE**

**2. Organizational Chart.**

Councilmember Judith Davis said previously when the organizational chart was done there were five (5) programs to remain under the Chairman's supervision, the High School, Housing Authority, Fisheries, the Health Clinic and Water Resources which was later combined into Natural Resources because of the water attorneys. These departments didn't get tribal funding, they received grants and when needed they would need the Chairman's signature authority. Councilmember Janet Davis said she was told it justifies the Chairman's 50% of the IDC.

Jill Mix, Comptroller, said according to 2 CFR 200, the Tribal Council, Tribal Chairman and Tribal Secretary are budgeted at 50% IDC and 50% General funds.

Chairman Sampson Sr., said it allowed him to be more active with outside entities and to allow directors to be under the management of the Executive Team.

Councilmember Wadsworth noted it was a concern that was brought to her from an employee and because these departments have their own charters, they should have been separate from the chart.

Ms. Mix said the reason the Executive Team was created was to have continuity which is the reason the departments were put under them. They made the organizational chart fit what was stated in the resolution approved in 2016.

Councilmember Judith Davis made a motion to *AMEND the Organizational Chart resolution to place the Natural Resources Department and Pyramid Lake Health Clinic under the Chairman's*

*supervision.* Councilmember Wadsworth seconded the motion. Votes were seven (7) **for** and one (1) **opposed** (Ely-Mendes) with one (1) **abstention** (Harry). **Motion carried.**

Councilmember Smith stepped down at present the next item at 7:39 p.m.

## **NEW BUSINESS**

### **1. Approval to apply for FY21 5311 NDOT Grant with Resolution.** Michele Smith, Transit Manager

Ms. Smith is asking for permission to apply for FY21 5311 NDOT grant which includes a resolution. This is a year grant the Transit Department applies for every year.

Councilmember Harry asked if this was a competitive grant for FY21. Michael Guss, Contracts & Grants said it is a competitive grant but only in Nevada.

Councilmember Wadsworth asked what are the obligations for the Tribe as stated in the resolution. Ms. Smith stated there is a match through the Bureau of Indian Affairs (BIA) transportation funds. Ms. Ely-Mendes, speaking as the Transportation Assistant, confirmed this is approved and allowable.

Councilmember Janet Davis made a motion to *approved the submission of the FY21 5311 NDOT Grant with Resolution.* Councilmember Judith Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.** **RESOLUTION NO.: PL 036-20**

### **2. Approval Film Application 811 Outdoors.** Mark Stowe.

Brenda A. Henry, Tribal Secretary, stated this item went before the Inter-Disciplinary Team (IDT) and was recommended for approval with stipulations and forwarded to Tribal Council for final approval. Mr. Stowe did agree to the stipulations by IDT and unfortunately, being from back east, is unable to be present.

Stipulations included: no drone use, filming can only take place in approved public areas provided in the approval letter, stay out of closed areas, remind the group it is unlawful to remove anything from the reservation (rocks, plans, artifacts, etc.), stay on established roads, follow all fishing regulations, pay the filming fee to the Tribal Secretary, and before the film is distributed, published, or aired on TV submit the final product to Tribal Council for final approval.

Councilmember Judith Davis made a motion to *approve with recommendations/stipulations from IDT.* Councilmember Harry seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstention** (Darrough). **Motion carried.**

### **2. Approval Film Application Cast Hope.** Matt Heron

Brenda A. Henry, Tribal Secretary, stated this item also went before the Inter-Disciplinary Team (IDT) and was recommended for approval with stipulations and forwarded to Tribal Council for final approval.

Same stipulations were included as the previous film request.

Mr. Heron was in attendance and gave an overview of the film application. This is his 4<sup>th</sup> annual fishing derby and the film company will be documenting. He is presenting for the film company, Fly Rod Chronicles, who is also located back east. The film company will be highlighting the fundraiser with Cast Hope and fishing opportunities on the lake. The stipulations have also been agreed to by the film company.

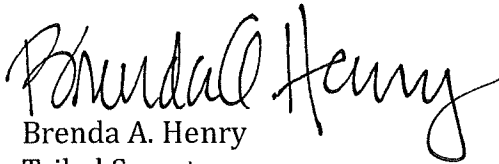
Councilmember Janet Davis made a motion to *approve with recommendation/stipulations from IDT*. Councilmember Judith Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

#### **AJOURNMENT**

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 7:43 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 17<sup>th</sup> day of April, 2020, having ten (10) members present, constituting a quorum, by the vote of nine (9) **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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