

Pyramid Lake Paiute Tribal Council

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REGULAR MEETING MINUTES Tribal Chambers ~ Nixon, NV May 1, 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

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 May 1, 2020, 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. Vice Chairwoman Ely-Mendes and Councilmember Janet Davis were present via audio conference. 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:

1. Add under Consent Agenda #7. Approval Payment Quarles & Bready Invoice #6245169, #6245171, #6245170, #624517 and #6246994
2. Add under Consent Agenda #8. Approval to Bring Claim in Tribal Court Related to Joint Venture Agreement with SCS
3. Add under New Business #2. Approval/Discussion Pyramid Lake Health Board Recommendations for COVID-19

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

CONSENT AGENDA

Following items were listed under the Consent Agenda.

1. Approval of Minutes: March 20, 2020, Special
2. Approval Ratification of Poll Vote: CARES Act – National Endowment for the Arts
3. Approval Ratification of Poll Vote: CARES Act – EPMG-S Application
4. Approval Ratification of Poll Vote: NDOT Temporary Closure
5. Approval Ratification of Poll Vote: Personnel Policies & Procedures Amended Section 15F Furlough Resolution
6. Approval HR Classifications: 353-Child Care Director, 130-Child Care Provider/Supervisor, and 112-Child Care Provider
7. Approval Payment Quarles & Brady Invoice #6245169, #6245171, #6245170, #6245172 and #6246994
8. Approval to Bring Claim in Tribal Court Related to Joint Venture Agreement with SCS.

Councilmember Harry requested to pull #5. Approval Ratification of Poll Vote: Personnel Policies & Procedures Amended Section 15F Furlough Resolution and place under Unfinished Business #2.

Councilmember Judith Davis requested to pull #7. Quarles & Brady LLP Invoices for discussion.

Councilmember Judith Davis made a motion to *approve consent agenda with exception of #5, Approval Ratification of Poll Vote: Personnel Policies & Procedures Amended Section – 15F Furlough Resolution and #7. Approval Payment Quarles & Brady Invoice #6245169, #6245171, #6245170, #6245172 and #6246994.* Councilmember Harry seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

#7. Approval Payment of Quarles & Brady Invoices.

Councilmember Judith Davis said she wasn't sure if the invoices were a part of the contract for Pilar Thomas or if they were on top of the flat rate for the attorney fee. Jill Mix, Comptroller said she sent the invoices to the Executive Team for review. Douglas Williams, Executive Officer, said the attorney contract is for a flat rate of \$12,000. A month.

Vice Chairwoman Ely-Mendes made a motion to *TABLE all the Quarles & Brady invoices.* Councilmember Judith Davis seconded the motion. Votes were six (6) **for** and three (3) **opposed** (Harry, Mix, Miller) with zero (0) **abstentions**. **Motion carried.**

UNFINISHED BUSINESS

1. Discussion/Approval Stimulus Package with Resolution.

Vice Chairwoman Ely-Mendes said the request to access the Economic Development (ED) Funds was a one-time deal. Put the request in and let the Bureau of Indian Affairs (BIA) decide if they are going to make their determination based on the Tribe's previous request/appeal. Chairman Sampson Sr. said he had a discussion with the BIA and was told it was OK to put in for a

distribution. Councilmember Mix said he agreed with Vice Chairwoman Ely-Mendes to move ahead and put in for the ED Fund. Jill Mix, Comptroller, said \$1800 was the amount talked about for the distribution. To use the ED Fund, with 1960 eligible members over 18, the total would be \$3,528,000.

Vice Chairwoman Ely-Mendes made a motion to *approve the ED Stimulus Package with Resolution*. Councilmember Smith seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

2. Approval Ratification of Poll Vote – Personnel Policies & Procedures Amended Section 15F Furlough Resolution. Lesley Hawley, Human Resources Director

The Personnel Policies & Procedures Amended Section 15F Furlough was approved on April 17, 2020, but did not contain a resolution. This ratification is the approval for the resolution.

Councilmember Judith Davis made a motion to *approve the Ratification of the Poll Vote: Personnel Policies & Procedures Amended Section 15F Furlough Resolution*. Vice Chairwoman Ely-Mendes seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Wadsworth). **Motion carried.**

3. Approval of Policy Revisions, Personnel Policies & Procedures: Section 10 Attendance and leave (COVID-19 Amended), Section 16 Telecommuting (COVID-19), Section 4. Pay Plan and Administration (COVID-19). Lesley Hawley, Human Resources Director

Councilmember Janet Davis said we need a plan for the next step after furlough, how are we bringing back employees. Ms. Hawley said she had the discussion with Benjamin John, Business Officer and it was her understanding he was going to take it back to the Executive Team for discussion in the next month. Funding can be applied if furlough is across the board. Chairman Sampson Sr. said funding coming from the CARES Act can only be implemented within specific guidelines. The Bureau of Indian Affairs (BIA) said to go ahead and use it for whatever the Tribe needs but he wouldn't put it in writing. Councilmember Harry asked if there was a plan for bring back the departments. Ms. Mix said Benjamin John met with directors to talk about their plans for their departments. Mr. Williams said the furlough was for non-essential employees, essential employees are still working. Furloughing employees was to allow employees to file for unemployment benefits. Councilmember Judith Davis said at the last meeting on April 27th, that it was said that COVID funding cannot be used to supplement. Mr. Williams said grant funding is doing okay. Vice Chairman Ely-Mendes asked for a report for the next meeting. Chairman Sampson Sr. said Mr. John is looking at the budget. Councilmember Harry said if there are no changes, no sense to furlough across the board. Ms. Hawley said there are 36 employees furloughed. Took 2 departments off the list and moved one from non-essential to essential. Looking at departments that have specific projects and have their own funding. Chairman Sampson Sr. said this is an administrative duty, looking at every option for employees.

Councilmember Judith Davis made a motion to *approve the Policy Revisions, Personnel Policies & Procedures: Section 10 Attendance and Leave (COVID-19 amended), Section 16 Telecommuting (COVID-19), Section 4. Pay Plan and Administration (COVID-19)*. Councilmember Wadsworth

seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Wadsworth). **Motion carried.**

4. Approval of Internal Policy Revisions, Personnel Policies & Procedures: COVID-19 Human Resources Process and COVID-19 Furlough Process.

Councilmember Judith Davis made a motion to *approve the Internal Policy Revisions, Personnel Policies & Procedures: COVID-19 Human Resources Process and COVID-19 Furlough Process.*

Councilmember Darrough seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Wadsworth). **Motion carried.**

NEW BUSINESS

1. WeHaveTrucks.com Business License Request. Dave Mauwee and Meghan Rector

Councilmember Judith Davis wanted to know what size trucks there will be and what size is the office at Herman Avenue.

Vice Chairwoman Ely-Mendes said it was his assignment.

Councilmember Harry made a motion to *TABLE the Business License Request for Dave Mauwee – WeHaveTrucks.com for further information on insurance, land base and tribal member ownership.* Councilmember Wadsworth seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions.** **Motion carried.**

2. Approval/Discussion Pyramid Lake Health Board Recommendations for COVID-19.

Dawna Brown, Pyramid Lake Health Director

Ms. Brown did an overview of the Health Board recommendations.

1. Tribal Administration needs to set up their own Emergency Operating Center (EOC) to handle the community needs and outreach. Clinic will handle the medical arm of events as they do not have the resources to command but can coordinate and collaborate.
 - a. To coordinate Tribal Department efforts and activities
 - b. To improve overall communication (Health, Police, EMS, Social Services, Enterprises, and administration)
2. The need for stricter enforcement of Self-Isolation/Quarantine for individuals.
 - a. Possibly identify various locations to aid with self-isolation
 - b. Consequences for non-compliant individuals
 - c. Develop quarantine process to assure positive person(s) remain at home
3. Recommendation to have more open lines of communication between Reno-Sparks Indian Colony and Pyramid Lake Paiute Tribe in times of crisis
 - a. Share information between both Tribes to better serve both memberships
 - b. Patients that go back and forth between both clinics

Ms. Brown said they all know their patients go back and forth between RSIC and Pyramid Lake. Her and the RSIC Health Director are in communication to help assist patients and keep each other informed. She thinks there should be something more official between the Chairman and RSIC to better open communications.

4. Help with stores and beaches at Lake.
 - a. Support the closure of the Lake by posting people at entrances to beaches
 - b. Closely monitor beach attendance by Tribal members
 - c. Support the enforcement of safety within the stores (people wearing masks, etc.)
 - d. Have all staff at all the stores tested
 - e. Only do a curbside service at the stores, if not a complete shut-down
 - f. Have all staff wear masks and gloves at all times; clean workstations and high touch areas regularly (Clinic can help with education and providing masks and gloves)
 - g. Temperatures to be taken daily-coordinating with Clinic for medical follow-up

Ms. Brown suggested possibly activating the furloughed employees and community members and used them in these capacities. There are numerous family members congregating at the lake without regard for following COVID protocols. Ensure safety within the stores, they only tested one employee so far from the Nixon Store and they were under the impression they were testing 4 employees. Temperatures need to be taken daily; they can assist with any follow-up.

5. Make everyone wear masks or cloth face coverings when out in public. Right now, it's hit and miss.
6. Designate day(s) and time(s) for Tribal Chairman to update so the communities can look forward to them: reminding the community to mask up, responsibly stay home, do not have family gatherings (no one outside of who already resides in your home), hard but necessary, no other gatherings.

No gatherings, it was on Facebook that someone was having sweats. There is no regard for safety and community.

Councilmember Janet Davis said they can put through a resolution and enact it even if it's temporary for the Tribe to enforce.

Ms. Brown gave current statistics: 9 positives in Nixon, 4 in Sutcliffe, 1 in Wadsworth, 1 in recovery and 0 deaths.

Chairman Sampson Sr. said spoke with Benjamin John about the masking up in the stores and he reached out to the manager who is making it mandatory to mask in the stores. They have a resolution on the curfew, and they can edit it to include the above and fine people \$100 if they are quarantining. He's heard at the apartments they are not quarantining; they are still walking around.

Councilmember Mix said housing had a meeting, they do have funding and they talked about isolation. If people wanted to, they had funds to send them to a center in Sparks for their health and safety. They just must be willing to go.

Councilmember Harry asked what the process for patients is when they come out of the clinic with a positive test. Ms. Brown said when they are tested, there is a form they sign acknowledging that they are to go home, in their own homes and self-isolate until they get the results, which it will be via a phone call. But there are those, who think just because they feel fine, they can wander around. The housing unit that Councilmember Mix was talking about is called Edison Housing, she's not sure if there is a cost to it. She sent the information over to Kathleen Frazier at Housing. Ms. Frazier said they can also pay for them to go to a motel/hotel. The only issue is determining how to get the individuals to these places. The individuals must agree to sign a release to go or else the centers will not accept them.

Councilmember Darrough said she would feel more comfortable if EMS handled all transports for any potential COVID symptoms which are present, they can clear the scene.

Mr. Brown said she is not asking Council to take on the recommendations, she is asking Tribal Administration to set up the Incident Command Center. The EMS Coordinator should be setting this up where it can be a central point of contact. Chairman Sampson Sr. said he would meet with the EMS Coordinator to get the Command Center set up.

Vice Chairwoman Ely-Mendes said there is specific training that every employee and Councilmember is supposed to take regarding the Incident Command Center. It's an online course and should be in everyone's personnel folder.

Cassandra brought another issue for law enforcement and EMS is individuals who threaten to spit on the officers and EMS personnel. They need a higher citation that fits the threat.

Chairman Sampson Sr. said he will speak with Chief Parsons and find out what they need to enforce the laws.

Douglas Williams, Executive Officer, said he will reach out to Chief Parsons to coordinate what needs to be done to legally enforce.

Ms. Brown commented that she does keep in touch with all tribes but because members do work at RSIC and use their clinic, is the reason she makes working with them a priority because of their closeness. They also received a donation of a 15-gallon drum of hand sanitizer and will have to put it in smaller drums which they can put at the Enterprise Stores.

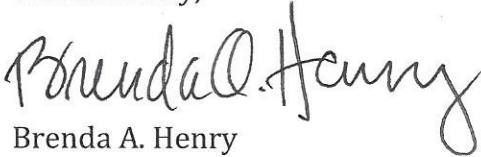
Chairman Sampson Sr. said he will discuss with the Business Officer regarding the stores. He will also coordinate with Don Pelt once they get the Command Centers activated on how they can support the communities with supplies.

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 Wadsworth. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 9:00 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 2nd day July, 2020, 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:



Anthony Sampson Sr., Tribal Chairman
Pyramid Lake Paiute Tribal Council

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