

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 REGULAR MEETING MINUTES Tribal Chambers ~ Nixon, NV November 6, 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

Member 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 November 6, 2020 Regular Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:58 p.m.

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Mix and Smith arrived at 6:00 pm. Councilmember Darrough was absent. All other Tribal Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

There was a request to add an Executive Session for Legal Counsel, Pilar Thomas, Quarles & Brady LLC after Consent Agenda and to add a Presentation for the Introduction of Judicial Assessment Review, Shannon Edwards, Team lead, Native Knowledge Harvest.

Councilmember Harry made a motion to *approve the agenda with additions*. Councilmember Judith Davis seconded the motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

CONSENT AGENDA

Vice Chairwoman Ely-Mendes requested to pull the May 11, 2020 minutes for further edits.

Following was approved under the Consent Agenda:

1. Approval Quarles & Brady LLP September Invoices: 6304062 (128-3), 6304063 (080) and 63040654 (080).
2. Approval Wes Williams October 2020 Invoice #3679

Councilmember Janet Davis made a motion to *approve the Consent Agenda with exception of the May 11, 2020 minutes*. Vice Chairwoman Ely-Mendes seconded the motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

Councilmember Mix and Smith connected to the meeting at 6:00 p.m.

Councilmember Wadsworth made a motion to *table the May 11, 2020 Regular minutes*. Councilmember Judith Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

EXECUTIVE SESSION

Councilmember Janet Davis made a motion to *move into 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 6:11 p.m.*

Councilmember Smith made a motion to *move out of Executive Session*. Councilmember Miller seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** *Tribal Council moved out of Executive Session at 7:38 p.m.*

PRESENTATION

1. Introduction Judicial Assessment Review. Shannon Edwards, Team Lead, Native Knowledge Harvest

Ms. Edwards, Chief Magistrate of the Southern Plains Court of Indian Offenses. She would like to introduce her team: Pat Linzy, Chief Judge at the Washoe Tribe, was formerly an interim Prosecutor for the Pyramid Lake Tribal Court, James Lambertus, Hopi Tribe, he provides the end result report.

Ms. Edwards said since the pandemic hit they're doing things differently, they will be utilizing zoom and telephone calls plus Judge Linzy lives in Gardnerville and may in on site in person. This is not a punitive process but it is confidential, they don't mention names, don't look at cases and don't make decisions on cases, they look at processes. They work closely with the judge and Court Administrator to collect documents needed. They plan on starting within the next 10 days depending upon availability of the judge.

Councilmember Harry asked if they will be providing feedback from the public, how will they be included. Ms. Edwards said they do talk to individuals but not take names. s

Ms. Linzy said she will be onsite to observe, not talk about specific cases. She does recall some issues and she will check to see if they still exist. She will plan on coming out on a Court day and I will be scheduled so it won't be a surprised visit. Everything will be in accordance with COVID guidelines.

Councilmember Smith asked how long the assessment will take to complete. Ms. Edwards said after 30 days they will write their report which is typically 60-80 pages, provide a summary to the Tribe, turn it in to the BIA for review, that can take 60-90 days. The assessment allows the Court to apply for grants for audio visuals & sound systems, case management systems, and manuals which the Department of Justice has access to. This is a one-time funding which is just a submission of a letter which they will assist in writing. These grants can also be used to purchase laptops and hot spots for the judge and court administrator.

Ms. Edwards said their focus is to get the court running smoothly and provide them the resources they need.

NEW BUSINESS

1. Approval PLPT Transit Facility Building Design Contract – TSK Architects. Johnnie Garcia, Transportation Planner

Mr. Garcia explained this grant is for \$1.5 million which they were awarded but they can't access the funding until the design is done. They had Wes Williams review the contract. Councilmember Wadsworth asked how much the architect costs were and if there were other bidders. Mr. Garcia said the contract is for \$216,070. He did try to find other architects but their schedules were full which is the reason they went with TSK.

Mr. Garcia explained the reason why he went through this path was because of the limited time they need to get the project going. Michele Smith, Transit Manager, said they did go through the RFP process and had community meetings.

Councilmember Mix asked if the architect pay any TERO fees? Mr. Garcia said the TERO fees are not for design contract. Councilmember Mix said they are depends on how many the company employs.

Councilmember Judith Davis said it was good that Councilmember Mix brought up TERO but they need to award the contract then they can start having meetings.

Councilmember Judith Davis made a motion to *approve the PLPT Transit Facility Building Design Contract with TSK Architects*. Vice Chairwoman Ely-Mendes seconded the motion. Votes were six (6) **for** and zero (0) **opposed** with two (2) **abstentions** (Ely-Mendes, Smith). **Motion carried.**

2. Approval Towing Business License for The Tow Truck Company. Michael Loria

Councilmember Wadsworth said this business license was revoked through the State, she's concerned of the reason why since it wasn't stated on the site.

Benjamin John, Business Officer, said in addition to what Councilmember Wadsworth stated, on the site there are multiple companies with the same owner, there is one that is revoked and one that is permanently revoked but in accordance with the Tribe's towing ordinance requires them to submit name, address, a person's firm or corporation, location description, hourly availability, towing vehicles, certification from Tribe, city or town stating they have minimum equipment and housing facilities, copy of their insurance (they did submit), number of employees/drivers, vehicles are licensed in accordance with tribal and state laws, etc., there was a lot of information they didn't turn in.

Vice Chairwoman Ely-Mendes made a motion to *deny the business license for The Tow Truck Company*. Councilmember Wadsworth seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

3. Approval to Post Economic Development Committee vacancy (1 vacancy).

Vice Chairwoman Ely-Mendes made a motion to *approve the posting for the Economic Development Committee vacancy*. Councilmember Janet Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

4. Approval to Post NUMU Board (3-vacancies), Positions open January 2021.

Councilmember Judith Davis asked why 3 board members were being posting, she thought they had staggered terms.

Vice Chairwoman Ely-Mendes responded she wasn't sure the 3 positions came up this time around.

Councilmember Harry made a motion to *approve the posting for the NUMU Board for 3 vacancies*. Councilmember Wadsworth seconded the motion. Votes were six (6) **for** and one (1) **opposed** (Judith Davis) with one (1) **abstention** (Mix). **Motion carried.**

5. Approval NUMU Inc. Resolutions (3): NUMU PCC TLA, PCID Charter & Service Plan, and Tribal Leasing Code.

There was no representatives on line. Vice Chairwoman Ely-Mendes said she thought they were going to table and forward the documents to legal counsel, Pilar Thomas, Quarles & Brady LLP, to review.

Councilmember Wadsworth made a motion to *table the resolutions and to forward the documents to legal counsel, Pilar Thomas for review*. Councilmember Judith Davis seconded the motion and included in the motion to for NUMU Inc to meet/coordinate with tribal departments. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

6. Approval Fishing Guides and Boat Charters. Regulations Workgroup

There were 28 total applications received for fishing guide and boat charter services. All applications were vetted by Jason Mitchell, Ranger Supervisor. He approved all application with exception of Chris Van Tassel who he noted was cited for a single violation of a barbed hook, Thomas Schaefer said he has his USCG license suspended or revoked. There was also a question regarding Flip Leyva's insurance, it was noted he only had a \$300,000 basic coverage, non-commercial, where all other applicants had \$1,000,000 liability coverage.

Councilmember Mix said the Tribe's name needs to be removed from the insurances certificates that lists the Tribe as an additional holder. This is to prevent the Tribe from being sued, they are not liable. It was noted there is also fine print on the bottom of the fishing permits.

Tribal Secretary confirmed with Council the Fishing Guide and Boat Charter applications process to be moved to the Business Office since it is considered a license. There is no set policy for the fishing guides and boat charters other than what is on the application. The Chairman is to direct the Business Office to take over this responsibility.


Councilmember Judith Davis made a motion to *approve the submitted guides and boat charters with exception of Chris Van Tassel and Thomas Schaefer guide applications and recommendation for Flip Leyva to work with the Ranger Supervisor regarding completing his application & insurance.* Councilmember Wadsworth seconded the motion. Votes were six (6) **for** and one (1) **opposed** (Mix) with one (1) **abstention** (Ely-Mendes). **Motion carried.**

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

The meeting adjourned at 9:36 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 4th day of December 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

//
//
/