

Pyramid Lake Paiute Tribal Council

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SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV February 18, 2022

Members Present:

Janet Davis, Chairwoman
Harriet Brady, Councilmember
Edward Ely III, Councilmember
John Guerrero, Councilmember
James Phoenix, Councilmember

Steven Wadsworth, Vice Chairman
Judith Davis, Councilmember
Natalia Gonzales, Councilmember
Della John, Councilmember

Members Absent: Nathan Dunn, Councilmember

Note: Due to COVID-19 Tribal Council meetings are closed to the public to ensure the health and safety of attendees. Councilmembers attended via zoom audio conferencing.

CALL TO ORDER

Vice-Chairman Wadsworth called the February 18, 2022, Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 6:03 p.m.

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Chairwoman Davis connected at 6:49 p.m. Councilmember Dunn was absent. All other Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

Brenda Henry, Tribal Secretary stated the code for the Health Information Management Supervisor should be 310 not 301 under Consent Agenda.

Councilmember Brady made a motion to *approve the agenda with the correction*. Councilmember Guerrero seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) abstentions. **MOTION PASSED**

PUBLIC COMMENT

Nick Cortez. Mr. Cortez said he received a call from Nevada Skies Youth Treatment Center who said they are starting construction to move their fence and to level the ground further out. He has concerns for the community sweat lodge located behind the facility that's been there for about 15 years. He is wondering where their boundary line ends. They asked that it be moved which would extend the original land assignment they were given. He also has concerns with THPO to make sure there isn't anything there. He

would like Council to investigate it. The facility is not running at capacity, currently they are sending their workers down to Arizona on a regular basis to assist with their sister facility called Desert Visions. This means there is not enough workers to open the facility that was meant for our children and youth who are struggling with the entire addiction aspect of things. It would be good to see the Tribe take a stance and say the facility was for our children, the people in this area and surrounding tribes.

Councilmember Davis said they do not usually make comment but would ask Nick to put it in writing to the Tribal Chairwoman and she can follow-up. Mr. Cortez said he has already contacted the Chairwoman but wanted to make sure Council was aware of it.

Vice-Chairman Wadsworth said the Chairwoman is aware and they have received their documents. It looks like they are not expanding, they are utilizing the rest of the original lease. They have more questions for them, and this will be revisited.

CONSENT AGENDA

Following items were included on the Consent Agenda:

1. Approval Minutes: January 21, 2021, Special
2. Approval Wes Williams January 2022 Invoice #3900
3. Approval Human Resources Reclassification – 301 Health Information Management Supervisor and Classification – 340 Child Development (birth to 5) Coordinator
4. Approval Tax Department Seller Permit: Corn Mush Girl (Beverly Harry)
5. Approval Ratification of Poll Vote – Lavina Pancho General Welfare Grant Program
6. Approval Consolidated Higher Education \$500 Scholarships: J Eben, R. Hicks Jr., R. Rollins, W. Antone, and K. Williams

Councilmember John had a correction to the minutes, she was incorrect in her percentage in the minutes where she spoke about the broadband, she said 25% but the correct number is 2.98% of \$5 million.

Councilmember Ely made a motion to *approve the Consent Agenda with corrections to minutes*. Councilmember Phoenix seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

PRESENTATION

1. Legal Update. Pilar Thomas, Quarles & Brady LLP

Ms. Thomas said they are continuing to monitor COVID related programs. Regarding the Treasury program, the State Small Business Credit Initiative Program (SSBCI) which the Tribe filed notice of intent to receive funding in the middle of January, Treasury has extended the deadline for filing tribal applications until May. Treasury has conducted tribal consultations on the SSBCI program which was a way for tribes to share comments and she provided an alert summary to Council. There has been litigation going back and forth with respect to the various mandatory vaccination policies the President announced back in September,

she will continue to update Council through her COVID alerts. There were additional announcements from Treasury regarding tribal consultation on the new tribal consistency fund which is another \$500 million to tribes out of the ARPA program which should be the last set of funding but not the last related to COVID. She is also monitoring the updates on the tribal Broadband Program which was originally created in the COVID Relief Act of 2020. Commerce has been slowly rolling out the grant decisions for the program. There was another tribal consultation at the end of January because the bipartisan infrastructure bill gave them another \$2 billion for the program. She is staying on top of it and will keep Council updated. There have been some considerable changes to the Fiscal Recovery Fund Final Rule. She reviewed the programs approved and did not see anything in the final rule that would impact the program's the Tribe already approved. They are still trying to finalize the easement agreement with Southwest Gas. There is still no agreement with the final compensation numbers, but their right-of-way expired almost 10-years ago, they are highly motivated to get it completed. They are continuing to monitor the cannabis litigation, there is still a triple A arbitration matter that is still pending. Periodically they must keep the arbitration panel up to date on what is occurring with the tribal court decision. Collaborating with Benjamin John with SSB CI and the travel center. With the Tribe's Trust Lands Business Leasing Ordinance, which was enacted in May of last year, and have been going back and forth with BIA's lawyers to get it consistent, they have finally got it done. It was resubmitted and passed by the Assistant Secretary who signed and approved. This means the Tribe can enter business leases on the reservation without sending to the BIA for approval. It should facilitate economic development for the Tribe whether it's through NUMU, other enterprises or directly with the Tribe. It's a huge benefit to the Tribe because they don't have to go through the BIA process, including the NEPA process, and the Tribe has their own environmental review process.

Councilmember Brady asked if they would expect a final walk-through with NextEra after they complete their business because she is concerned about the trash along the fence lines. Ms. Thomas said they ca, since they are done constructing but still have one week to tie up loose ends. She will reach out to the Tribal Relations Manager and Bill Wilson, Project Manager to provide an update on the end of construction procedures and their responsibility with general cleanup. It's not unreasonable to ask them to brief Council on the status, wind down and when they expect to energize the system.

Councilmember John asked if the funds that are being distributed can go directly to tribes instead of through various agencies, it would make things easier. Ms. Thomas said with the Cares Act and ARPA funds most of the funding has already been distributed. That is how Congress chose to distribute the money and fund programs. The funding to programs is all based on some sort of formula. Unfortunately, that is the way Congress created the programs and funded them. Then there are the grants from the agencies that you must apply for, it's cumbersome, burdensome and time consuming but that is how the money is being distributed.

Chairwoman Davis connected to the meeting at 6:49 p.m. and took over the meeting.

NEW BUSINESS

1. Selection Tax Commission Vacancy (1 vacancy)

One applicant: Carla Molino

Councilmember Davis made a motion to *approve the selection of Carla Molino to the Tax Commission*. Councilmember Guerrero seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

2. EMS Pinning Ceremony. Don Pelt, EMS Coordinator

Don Pelt promoted three firefighters to the rank of fire captain. The new captains will be increasing their responsibilities and providing leadership and guidance to all the members of the Pyramid Lake Fire Rescue EMS as well as providing a new link in the chain of command which will provide for an increased level of services to the people of Pyramid Lake. Promoted to captains were David Paulon, Jonathan Prichard, and Zachary Pigg.

3. Request for Approval Pyramid Lake Health Clinic (PLHC) Tholl Fencing Project. Dawna Brown, PLHC Director

Ms. Brown presented three bid procurement for Tholl Fencing, who was the only vendor that responded in a bid. It's for 2516 linear feet of six-foot-tall, galvanized chain link fencing.

Councilmember Guerrero asked what budget is funding the contract and why is TERO marked no on the contract? Ms. Brown said she will correct the contract regarding the TERO, and the funds will be out of fund code 178.

Councilmember Phoenix made a motion to *approve the request for the PLHC Tholl Fencing Project with correction to add the TERO fee*. Councilmember Ely seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Wadsworth). **MOTION PASSED.**

4. Request for Approval Pyramid Lake Health Clinic (PLHC) Contracts: McGruder DDS and Duffus, OD. Dawna Brown, PLHC Director

Ms. Brown said they have been with Dennis Humphreys and his group for eye care for years but their family was bought out by VSP a big corporation who decided to put their efforts elsewhere. With McGruder, they are bringing him on as a second dentist to include a dental assistant.

Councilmember Brady was concerned about scheduling and if they are seeing patients. Ms. Brown said they conduct telemedicine and do have to see the patient. Councilmember Brady was concerned if they were not directly seeing patients then they shouldn't be eligible for COVID pay. Chairwoman Davis suggested Ms. Brown go through her providers and figure out who does telehealth. Ms. Brown said they don't have COVID pay for their employees anymore, but they can look at it.

Councilmember Davis made a motion to *approve the contracts for McGruder DDS and Duffus, OD*. Councilmember Brady seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0)

abstentions. MOTION PASSED.

Councilmember Brady stated she had seen checks still being issued that noted the COVID pay; if patients aren't seen directly, the provider shouldn't receive COVID pay as she is unaware of people catching COVID through a phone "

5. Request for Approval Pyramid Lake Police Department (PLPD) USDA Grant with Resolution.
Chris Parsons, Chief of Police

Chief Parsons said they submitted for this grant before with the last one approved in 2021. The grant covers up to 75% of the cost of a law enforcement vehicle up to a maximum amount of \$50,000 on the USDA side. They are putting in for a new vehicle for the canine officer. Approximate costs to purchase an upfit vehicle would be about \$65,000. USDA grant would cover \$50,000 with the additional funds coming from the BIA 638 funds.

Councilmember Davis asked if they must take the funds out of the 638 contracts, is the Tribe going to be losing anything else without the 638 funding and having to spend it out of his budget. Chief Parsons said with any program especially in tribal, they are juggling every year. They do not have consistent funding to provide the service that is needed but that is his job to find money to move things around. In tribal government everyone knows how grants and funds work and how they are constantly having to shuffle employees between one grant to another, depending on where the funding is. It's a constant back and forth movement.

Councilmember Ely made a motion to *approve the PLPD USDA Grant submission with Resolution*. Councilmember Brady seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions. MOTION PASSED. RESOLUTION NO.: 014-22 PLPD USDA Grant**

6. Request for Approval Pyramid Lake Police Department (PLPD) CTAS 2022 Grant with Resolution. Chris Parsons, Chief of Police

Chief Parsons said the Coordinated Tribal Assistance Solicitation (CTAS) grant is through the Department of Justice COPS Grant Program. The CTAS is specifically geared towards tribal which means it covers everything from sworn to non-sworn staff, equipment, and the ability to cover indirect costs, but it is very competitive. They haven't gotten it lately, but they keep trying. For this one they are asking for two officers to refund the school resource officer and the community resource officer. These two positions were created back in 2016 on the last CTAS they were granted but the grant ran out and they were required to fund the positions for 12 months afterwards which they have.

Councilmember John asked about funding the positions for 12 months afterwards. Chief Parsons said what they do is roll the two positions into the 638 contracts to cover them. They are always applying for grants and last year they were successful in getting one COPS grant. With all the higher grants, there is always that caveat, you must maintain the position for 12 months afterwards, but they have the ability with the BIA 638 funding to cover them through the grant funds.

Councilmember Brady asked what schools are being covered under this. Chief Parsons said currently they do have a school resource officer and they are covering the position because it is important. The school resource officer is primarily assigned to the Pyramid Lake High School, but they do collaborate with Natchez through Washoe County. That officer has recently been certified as a DARE instructor and they will be providing Dare classes at Natchez. Because technically, is not their jurisdiction, they coordinate with Washoe County School Police but it is their kids so they participate as best they can. The officer has an additional task, since it's all juvenile, they are the liaison with criminal social services, they do assist with juvenile issues. Councilmember Brady said there are kids in Mendive and Lyon County as well, do they touch base and collaborate with them also. Chief Parsons said if there are issues, they can help, especially with homelessness and if they are aware of it, they can start working the issues at the homes. Sometimes if there are kids not going to school, sometimes it's the parent's fault but if it is a 16- or 17-year-old not going to school then maybe it's not the parent, but they work on those issues with the home and other agencies. Councilmember Brady asked with the high school, are they tied in with BIA Education, there might be funds there. Chief Parsons said they have had discussions with the principal, and she has been looking at grants with the help of the resource officer. They have also crossed trained her in grant writing and has offered her help to the schools.

Councilmember Brady made a motion to *approve the PLPD CTAS Grant for \$700,000 submission with Resolution*. Councilmember Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: 015-22 PLPD CTAS Grant**

7. Request for Approval to Post Domestic Animal Control. Diana Mitchel, Law & Order Committee

Ms. Mitchell said they would like to post for 30-days for comments so they can review the ordinance and get it back to Council.

Councilmember John said there are laws already on the books, there is the Livestock Ordinance and Law & Order Code. He doesn't understand why they are including the big animals when they already have an ordinance on that. They need to do their research and then bring back to Council for posting.

Tribal Council concurred there was a directive given at the January 21, 2022, Special Council meeting for the Law & Order Committee to review then to bring back to Council for posting.

8. Request for Approval Update Traffic Fees & Bail Fees of the Law & Order Code with Resolution.
Diana Mitchell, Law & Order Committee and Lea Guerts, Tribal Court Administrator

Ms. Mitchell said the Law & Order Committee has recommended to update the traffic fees and the bail fees and fines to support the approved traffic codes from October 2021.

Councilmember Davis asked if this came to Council prior to January of this year, where they compared the old fees to the new fees? Ms. Guerts said this is not a comparison of the old fees to the new fees. There was new legislation that was passed that modified the Criminal Code which laid out tiers along with enhanced or increased maximum fine amounts rating them in tiers from A to E. The new code does direct in

consultation between the Chief Judge and herself to develop the new bail schedule that supports the implementation of both codes.

Councilmember Guerrero asked if the new codes applied to both tribal and non-tribal members? Ms. Guerts said with the Criminal Bail Code, the Tribe has criminal jurisdiction over any native or any person who could be recognized to be enrolled in a federally recognized tribe. The Criminal Code and the Tribe has criminal jurisdiction over any native who could be charged with a criminal offence within the tribal jurisdiction. Regarding Councilmember Guerrero's question about a non-native getting stopped on the reservation but who lives on the reservation would these codes apply? Ms. Guerts said there are two avenues they would look at under those circumstances specific to the Criminal Code Bail, again criminal jurisdiction would be applied to anyone who is native, if they are non-native, it would be referred to Washoe County. Councilmember Guerrero stated he's not sure whether it is under the Tribe's Constitution and By-laws that they follow the Law & Order Code that they can treat the non-natives the same. When non-natives get cited, they pay less than what they are charging the tribal members for bail. Ms. Guerts said the Tribal Council approved the legislative amounts within the code and that is what the bail schedule is based off, it's a percentage of that maximum amount of fine. The court doesn't set the maximum on a fine, that was what was approved through Tribal Council and the court's job was to take the approved code and amounts within that code and then apply it to a bail schedule.

Councilmember John was confused, she didn't understand if this was only for natives in the criminal section, where do the civil fines apply. Ms. Guerts said the bail schedule is for the Criminal Code. The Tribe has jurisdiction over natives that are within the tribal boundaries, the Tribe does not have criminal jurisdiction over non-natives. That is why the bail schedule would not apply to non-natives.

Councilmember Brady was curious about driving under the influence, what if it's their fourth offense, do they top out at \$1500. Ms. Guerts said the bail schedule is the minimum amount, the judge has discretion based on the variables of the situation.

Councilmember Brady made a motion to *approve the Traffic Fees & Bail Fees of the Law & Order Code Title III with Resolution*. Councilmember Phoenix seconded the motion. Votes were seven (7) **for** and one (1) **opposed** (John) with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 016-22 LAW & ORDER CODE TITLE III TRAFFIC & BAIL FEES**

9. Request for Approval Land Assignment Requests with Resolutions for: Trey Harry (Nixon), Holly Tobey (Sutcliffe), Wilma Smith-Tobey (Wadsworth), Joseph H. Ely (Sutcliffe), and Clint Harry (Nixon).
Jolyn Sander, Law & Resources Committee

Chairwoman Davis said she received an email from Richard Frazier, Land Manager, letting them know there would be nobody available to present the Land Assignment Requests.

Councilmember Davis made a motion to *table the Land Assignment Applications until the next meeting*. Councilmember Guerrero seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0)

abstentions. MOTION PASSED.

9. Request for Approval Tribal Transportation Program Agreement between Pyramid Lake Paiute Tribe (PLPT) and US Department of the Interior Bureau of Indian Affairs (BIA) with Resolution.
Johnnie Garcia, Transportation Planning

Mr. Garcia is requesting to approve their transportation program agreement with resolution. This is their primary funding that funds their program and projects. Congress passed a new transportation bill, and the new name is Surface Transportation Reauthorization Act of 2021 (STRA 2021). It is the same program agreement.

Councilmember Guerrero made a motion to *approve the Tribal Transportation Program Agreement with Resolution.*

Councilmember Brady requested to check the verbiage for the Tribal Chair or Vice Chair to Tribal Chairperson or designee plus there was a missing parenthesis in the agreement itself. Mr. Garcia said that would be something BIA would have to change or amend.

Vice-Chairman Wadsworth seconded the motion. Votes were seven (7) **for** and one (1) **opposed** (John) with zero (0) **abstentions. MOTION PASSED. RESOLUTION NO.: PL 017-22 TRIBAL TRANSPORTATION PROGRAM AGREEMENT BETWEEN PLPT AND US DEPARTMENT OF INTERIOR BUREAU OF INDIAN AFFAIRS**

11. Request for Approval Child Care Resolutions. Margaret Gunshows, Childcare Director

a. Constructive Playthings Playground Equipment. This is for new playground equipment for the two Head Start sites from Constructive Playthings Playground Equipment.

Councilmember Ely made a motion to *approve the Child Care Purchase of Playground Equipment with Constructive Playthings with Resolution.* Councilmember Phoenix seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions. MOTION PASSED. RESOLUTION NO.: PL 018-22 CHILDCARE CONSTRUCTIVE PLAYTHINGS**

b. Chastain Consulting Services Mental Health Consultant. Ms. Chastain works with the Conscious Discipline and is a mental health consultant. She is a minority woman owned business. She comes from Warm Springs Reservation and knows the Paiute culture. She would model a program and work one-on-one with the staff. This was a recommendation from her grantee because mental wellness is big now due to COVID.

Councilmember Gonzales asked if she checked with the Health Clinic for mental health assistance. Ms. Gunshows said not on this because of the social emotional curriculum for children, this is what Ms. Chastain specializes in. With the DHHS, Cares and ARPA funds they have money that needs to be spent or they will lose it by September 2023. Councilmember John reminded her to complete the sole source document which

would give her the justification for this one person.

Councilmember Brady asked what the timeline was going to be and what are the ages she specializes in. Ms. Gunshows said she works with babies on up, she has worked with childcare, preschool, elementary and high school. Her timeline would be from March 1st through September 2023.

Councilmember Gonzales made a motion to *approve the Child Care Chastain Consulting Services Mental Health Consultant Resolution*. Councilmember Ely seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 019-22 CHILDCARE CHASTAIN CONSULTING SERVICES**

c. Window World Child Care Window Replacement. This would be to replace the windows in both childcare facilities. She spoke with their grantee specialist, and they said it would be ok to use their funding for this. They did get bids, and these were the lowest bids.

Councilmember Davis made a motion to *approve the Child Care Purchase of Windows with World of Windows Resolution*. Vice Chairman Wadsworth seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 020-22 CHILD CARE WORLD OF WINDOWS**

d. Teaching Strategies Curriculum Database. This program offers a lot of curriculums under one program which was difficult to find, and the cost is \$33,075.

Councilmember Brady asked if she worked or coordinated with the Head Start in their curriculum. Ms. Gunshows said they use the same thing; it lines up with Head Start and even some of the preschools in the school districts, so it lines up with the benchmarks within Nevada State and with the school readiness goals. Councilmember Brady's second question was about the resolution, the capitalization of the "Teaching Strategies Database Curriculum", was it an actual program, thus a proper noun (all words capitalized) or a description which would be lowercased.

Councilmember Brady made a motion to *approve the Child Care Teaching Strategies Curriculum Database Resolution*. Councilmember Ely seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 021-22 CHILD CARE TEACHING STRATEGIES CURRICULUM DATABASE**

Councilmember Brady asked about a comment and concern in the Health Director's monthly report regarding the day care closing at once and how it poses a burden to the employees. She was wondering as an alternative if the community center in Wadsworth could be used. Although, the health center is using part of it but when the day care goes into their extra cleaning wouldn't they be able to shift over to the Wadsworth Community Center. Ms. Gunshows said when they shut down before they had staff who were COVID positive and it spread from one center to the other, so they had no choice in shutting down both centers. She is working on a program that has an emergency family care, if they shut down, they can give parents a stipend

to find someone else to watch their children. It's now at the Executive Team level for them to review. She is also working on policies and procedures to setup family childcare providers, that would have centers in their home, they would be on a voucher and certificate, but she is still working with her grantee on this. She set for the date the 24th of the month, once she sets the date, they must adjust and amend their childcare development plan to match it because those boxes are checked because they are only center base in their plan. Chairwoman Davis suggest they discuss this at a different time since it will take some time and it is not on the agenda.

EXECUTIVE TEAM

1. Business Office. Benjamin John. Report Submitted

- a. For Approval Towing Licenses: Milne Towing Services & Hanneman Service LLC.** All documents provided for both towing license requests.

Councilmember Guerrero made a motion to *approve the Towing Licenses for Milne Towing Services a& Hanneman Service LLC.* Councilmember Brady seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions. MOTION PASSED.**

- b. For Approval Liquor Licenses – Enterprise Stores (I-80 Smoke Shop, Nixon Store & Pyramid Lake Marina)**

Councilmember Guerrero asked if all fees were paid. Mr. John stated the fees were paid.

Councilmember Guerrero made a motion to *approve the Liquor Business Licenses for the Enterprise Stores.* Councilmember Ely seconded the motion. Votes were seven (7) **for** and one (1) **opposed** (John) with zero (0) **abstentions. MOTION PASSED.**

Mr. John asked Council if they would like him to revise both ordinances to bring them current to include the fees in the ordinances. Councilmember Guerrero said to revise if it's his recommendation to update. Requested confirmation each enterprise store paid the fee for the liquor license. Mr. John said each store paid the fee. Mr. John said regarding the liquor license, it does designate the Tribal Council as the Liquor Commission. Do they want to keep the approvals for the licenses at the Council level? If not, it would speed up the process, there is only one other entity that may get a liquor license. With towing, he has only seen maybe one or two other companies so it's not going to put a big burden on Council to make the decisions.

Councilmember Ely said he agrees to update with Council review.

Tribal Council agreed by consensus to continue with overall approvals for Licenses to remain with Tribal Council.

Mr. John said with the American Pipeline Solutions, he included the actual cost for both tanks that was spent for the tank cleaning and ice pigging that took place in Sutcliffe. With the tank cleaning it showed them the

Sutcliffe tank needs sand blasting and recoloring, he has reached out to the one company that does it in this area, and he is waiting for them to get back to him. It'll probably be the same company to get a quote for a new tank. Sutcliffe needs a new tank to provide for redundancy of that system. If they had two tanks in Sutcliffe, they could take one offline and still provide water to the community. It would be a proposal that would be coming to Council for approval. Councilmember Ely asked is it his recommendation about getting another tank for the Sutcliffe community. Mr. John responded yes, it is his recommendation and there is enough funding to put in a new tank, it would be the ARPA funding that was set aside by Council for the water and sewer infrastructure. Councilmember Guerrero recommended Indian Health Service (IHS) be included so they are on board with inspections.

Councilmember Gonzales agreed with including IHS, but she is concerned with two tanks, having one sitting it will go bad then they will have to worry about getting two tanks cleaned. Does he have a plan for going forward on how the maintenance records will be kept for the maintenance of all the water systems. Mr. John said they keep records, the issue in the past was there never was enough funding for a fully trained staff, and it is worse now, they only have one person who is experienced as a water operator, and he is going to leave in a couple of weeks. Councilmember Gonzales has seen positions posted but they are low pay. Mr. John said they are working on comparability to at least get them somewhat competitive just so they can get some applications. And to confirm the second tank in Sutcliffe is an IHS recommendation. The cleaning of the tanks will be contracted since it requires specialized training in confined spaces with special equipment.

Councilmember Brady asked what type of training is required, is it a vocational program or can they solicit for an internship. Mr. John said to take the test, they need a high school diploma, but they must have the aptitude to be able to pass the test. For certification, Mr. John showed a thick book for studying, it's not small stuff and they have to have one-year experience just to get to the level one certification. Anyone who comes in with a certification knows they should be making at a minimum of \$25 an hour to start.

Mr. John further explained the ice pigging, it was successful in removing the sedimentation that was there so when the velocity of the water increases during high demand time, which is usually in the summer when they hear the complaints, the contaminants are not there and taken into the system. In speaking with the vendor, it's something that should be done every 3-5 years. What would help is a lot of consistent flushing of the entire system. It doesn't completely clean the pipes, but it keeps a lot of the loose or sedimentation out and from settling in the pipes.

Councilmember Guerrero asked if there is a standard operating procedure (SOP) and if IHS provides certified training. Mr. John said they do have a SOP and IHS doesn't provide certified training anymore. It's now State level training through a company called ABC testing and it's standardized training. They used to get training and testing through Inter-Tribal Council of Arizona, but they don't provide the training anymore.

Councilmember Brady asked if he should be contacting the State to see if we can get someone from there or is there anyone else who has a system like ours. Mr. John said the closest would be a small city, other tribe's have a more basic system than what the Tribe has. They do have a Memorandum of Understanding (MOU)

with TMWA, they can reach out to them and be provided a certified water operator but at that point they are paying \$50 an hour. Councilmember Brady suggested maybe they eat the costs and schedule with them to get on their calendar to come out maybe once a month or every three months to maintain the system. Mr. John said currently they check every pump house three times a week. If they contracted with a water operator, then they can say they have a licensed water operator on staff that satisfies the requirement of the Safe Drinking Water Act. Councilmember Brady said it seems contracting out would take care of having someone certified to maintain the system. Maybe with some of the economic development funds in the education part they can entice somebody to get the training and have a secure job.

Councilmember Guerrero confirmed with Mr. John that maintenance pertains to flushing the lines and maintaining the hydrants, exercising the valves and any other issues that come up. They don't have to be certified for that. Mr. John said the only certification is for the pump house, it requires a certified water operator and for the treatment plant it requires a level two water operator.

Councilmember Ely asked if they could use the COVID funds for infrastructure to put someone on contract who is certified even if it's from TMWA for a year. Mr. John said once the comparability studies are done, that is where the funding is coming from because they need at least a minimum of \$25 an hour and the level two operator would be closer to \$28. The Tribe doesn't have the funds and they can use them through 2024 or 2026.

Councilmember Davis asked if they lose the operator within the next couple of weeks, what are we violating and what will be the repercussions? Mr. John said the operator they currently have let his certification expire three-years ago and hasn't done anything to get it renewed. When the last operator left, they were in violation of the Safe Drinking Water Act. He has been working with Carl Banks at the Environmental Protection Agency (EPA), he's familiar with the Tribe's situation and working with him. The only option would be for him to take the test, which is why he is working to get recertified again. They are not jeopardizing any kind of funding and IHS is aware of the situation. He is working with both agencies they both do what they can and are keeping an eye out for anyone looking for a job.

Lesley Hawley, HR Manager, said she is reiterating what Mr. John said, they have been reaching out, trainees start at \$21 an hour and that is without the certification. They are sending out job announcements, but they are not comparable even with wage increases they have done to-date. The funds are there until 2024 but they must make sure they are going to last so it is a long-term strategy.

Councilmember John mentioned the Housing Department because they may have some resources that can help with the tank and possibly assist with the position funding. They should be involved since it is serving the whole community.

Moving on, Mr. John said he has been contacted by three different groups looking to do something on the reservation, but it's going to come down to land and what is available. He needs to know; it needs to be the first step before they even start talking with people. Two of the companies are solar companies and they are

looking for a lot of land to lease. Much of the land is for grazing, it's an issue that needs to be dealt with, is it available for economic development? If not, then there is no point in speaking to these people.

c. Programs Office. Shella George-Kawich. Report Submitted

Councilmember Davis asked if she has seen a drop or any changes when the Food Distribution Program went to "appointment only" for tribal members. Ms. Kawich said the Food Distribution Program is not under her supervision. Her other question was if the Social Service Department is continuing the IGA program? Ms. Kawich said she will report back after getting an update from the Social Services Director.

Chairwoman Davis said the Food Distribution Program just started the appointments so there is no way of knowing what their rate of people coming to the food distribution site is at this time. There is nothing to compare it to.

COMPTROLLER. Douglas Williams.

Mr. Williams said with this being his second month his report is more internal for his department, updating policies, staffing, procedures, and internal controls, being a part of the Executive Team, financial update and R&E revenue and expenditures, quarterly reporting, CARES Act & ARPA reporting, grant reporting, and communication. Spoke with the auditor, looking for a better way to track and monitor funds by more specific accounting codes, updating the accounting code structure. He is reviewing everyone's job descriptions to make them more specific to their functions in finance. It will help update the financial policy that is in place to match the job descriptions and their functions. Being a member of the Executive Team, they meet weekly on Thursdays. With the financial update, with recommendation from Council to report on a quarterly basis for the R&E specific to the general fund. Bluebird completed their site visit and audit. They predict the end of March for the final audit. As soon as that is complete, he is looking to go right into the 2021 audit. February 28th is the last day to post expenditures to 2021 budgets. Once the close out 2021, then they will go into the audit. Bluebird is also doing NUMU Inc.'s audit and they will periodically get updates from the lead auditor. Lastly is communication, with his department and staff and their roles and duties and how to relay that to other departments to move forward with their processes to work more efficiently and quickly.

Councilmember Davis wanted to be reassured that his staff will be cross trained when someone is out of the office everything would still function as normal. Mr. Williams said everybody is cross training and that will help them update their policy.

- a. Request to provide a Community Financial Update Presentation.** Mr. Williams requested approval to provide a community brief on the Tribe's budget.

Tribal Council agreed by consensus for a Community Financial Update Presentation by the Comptroller to the community with the recommendation be placed on the flyer that a computer is highly encouraged as the presentation is not clearly viewable on phones.

CHAIRWOMAN'S REPORT Janet Davis, Tribal Chairwoman

Chairwoman Davis provided an outline of previous months activities:

- Had inter-departmental meetings with the Housing Department.
- Met with the Executive Team in January during the time they had the positive cases spike up to 233 people and they needed to figure out what to do so they had a meeting right away and put out a flyer.
- Traveled to Las Vegas to attend Senator Reid's funeral service which she felt they needed to participate in.
- Had an exit interview with Bluebird CPA along with the financial personnel.
- Met with the Executive Team on the budget appropriations and the Comptroller shared recommendations with Council.
- McCarthy Dodge Flats did a community service work at St. Mary's Church.
- Had a mass give away outreach program with EMS, they gave away 3000 masks and 1800 hand sanitizers.
- Mr. John and she have been on the SSBCI webinars which are every week.
- She is answering questions from tribal entities on what they can do with that program.
- Was on the CEMEX teams meeting with the Water Team.
- Swore in the PL Fisheries board members at their board meeting.
- Had teleconference with Ms. Thomas, Quarles & Brady LLP regarding the Southwest Gas Pipeline.
- Conference with Amy Roberts, BIA who has been asking about CEMEX.
- You heard Ben John's report on the pigging and the water repair in Wadsworth, reached out to the community to let them know, hasn't heard any complaints. They did contact Mr. John for questions so they were aware of what was going on.
- Attended ITCN board meeting.

This is just a condensed report since Council receives a weekly report from the Chairwoman.

Councilmember Ely asked for more information on her meeting with the principal at Natchez Elementary regarding the Native Artistic Programs. Chairwoman Davis said her, and Karen Shaw were invited to attend a consultation from the Washoe County School District where they discussed the programs, and grants offered. In anticipation of the meeting, she contacted Jake Chapin to see what concerns were and his concern was for the autistic kids at Natchez. How can they better serve them, currently they are transported to Reno, because they are not able to serve them at Natchez Elementary?

To follow-up on Nick Cortez's comments during public comment she stated the Tribe entered into a contract agreement with Nevada Skies for 24 years and they do have an option for another 24 years. That was what Council at that time agreed on. They contacted the Tribe giving notice they were going to expand their fence line and after looking at the contract, the agreement, and the maps, that is what they were planning on doing. The agreement goes until 2024 and she will include an update in her weekly report to Council.

Councilmember Guerrero said he is concerned about the investments for the minor trust funds. The stock markets are going down because of what is going on in Russia and Ukraine and wanted to know if they are reviewing the investments. Chairwoman Davis said they get reports and for a while they were losing money in some of the bands, but not now. Would Council be interested in meeting with the investment group, they could schedule a workshop. Councilmember Gonzales said it would be a good idea, she thought the kid's funds weren't supposed to go below the initial amount. Chairwoman Davis said it was the way it was invested, and Council agreed at that time. Anytime you do an investment there is a risk.

Councilmember John said her question goes back to the Health Clinic report regarding contracting with Lumos and Associates for project planning. She was wondering if there is a community involvement section, but it sounded like they already have a plan. She stated that sometimes community needs might be a little different than clinic needs and wanted to make sure the communities are involved in the planning. When they do projects, they should include the community needs assessment. Also, is there going to be a workshop on strategic planning.

Chairwoman Davis asked what is Council's priority between community safety, election, and minor trust?

Councilmember Guerrero said they need to have a workshop on the proposed amendments first before they include the election committee. They gave the election committee a directive and they put it back on them in 2017 or 2018.

Councilmember Davis said her priority would be the community safety workshop and reminded everyone the committees are not meeting unless by zoom. They need to first look at what was proposed and what made it through the vote at the last Secretarial Election.

There was discussion regarding whether these will be meetings or workshops. Consensus was initially for a workshop then forward to a meeting for action.

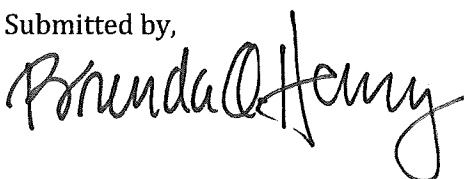
In regards to Strategic planning workshop, Chairwoman Davis asked Councilmember Phoenix to coordinate. Councilmember Phoenix said he reached out to one person to maybe donate their time, but it looks like it will cost for the training, or they can piece meal by just doing one piece at a time. Chairwoman Davis reminded them when they do a strategic plan, they must include a community assessment which can take some time.

ADJOURNMENT

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

The meeting adjourned at 9:43 p.m.

Submitted by,

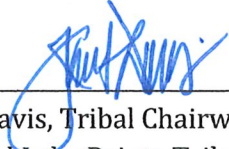


Brenda A. Henry
Tribal Council Secretary

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 18th day of March 2022, 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: _____


Janet Davis, Tribal Chairwoman
Pyramid Lake Paiute Tribal Council

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