

Pyramid Lake Paiute Tribal Council

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REGULAR MEETING MINUTES (OUTGOING)

Tribal Chambers ~ Nixon, NV

January 7, 2022

Members Present:

Steven Wadsworth, Vice Chairman
Harriet Brady, Councilmember
Edward Ely III, Councilmember
Carolyn Harry, Councilmember
James Phoenix Councilmember

Nathan Dunn, Councilmember
Natalia Gonzales, Councilmember
Irwin Mix, Councilmember
Georgina 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 and via zoom audio conferencing.

CALL TO ORDER

Vice Chairman Wadsworth called the January 7, 2022, Regular (Outgoing) Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:02 p.m. *On behalf of the Tribe, Chairwoman Davis was traveling to Las Vegas to attend the Memorial Service for Senator Reid.*

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Mix arrived at 5:07 p.m. Councilmember Dunn connected at 5:18 p.m. All other Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

Councilmember Gonzales requested an Executive Session for Councilmember Dunn who wasn't connected to the meeting yet.

Councilmember Mix arrived in chambers at 5:07 p.m.

Councilmember Harry requested the subject of Councilmember Dunn's Executive Session.

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

PUBLIC COMMENT No public comment.

CONSENT AGENDA

Following items were included on the Consent Agenda.

1. Approval of Minutes: November 5, 2021, Regular, December 15, 2021 WTM & December 17, 2021 Special
2. Approval Human Resources – 2022 Insurance Update Rates/Benefits
3. Approval Human Resources – Reclassification: 327-Medical Assistant, 409– License Practical Nurse, 410-Community Health Nurse, and 423-Director of Nursing
4. Approval Human Resources – Classification: 420-Registered Nurse
5. Approval Ratification Poll Vote – Acceptance of CEMEX Donation
6. Approval Stetson Engineering Inc November Invoice #1336-2111 & #1336-01-2111

Councilmember Harry requested to pull minutes for December 17, 2021, Special meeting for discussion.

Councilmember Brady requested to pull minutes for November 5, 2021, Regular meeting for discussion. (Vice Chairman Wadsworth suggested pulling all of item #1).

Councilmember Wadsworth made a motion to *approve items #2 thru #6 on the Consent Agenda*. Councilmember Phoenix seconded the motion.

Councilmember Brady requested to pull item #3 for discussion.

Councilmember Wadsworth amended her motion to *approve the Consent Agenda with exception of items #1 and #3*. Councilmember Phoenix seconded the motion.

Councilmember Mix had a comment regarding January 7th Incoming meeting agenda with the addition of the Selection of a new Tribal Council representative for the Health Clinic. They chose two representatives last year and they are still on Council, they have to fulfill their two-year seat on the board. Once the two-years is up then they choose another Health Clinic representative, not after 1-year but two-years. Vice Chairman Wadsworth said in accordance with the Health Clinic Charter they are following procedure.

No further discussion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

Councilmember Harry said she forwarded her correction to the Tribal Secretary earlier in the week. Her correction was to page 10, 3rd paragraph where they are talking about the ARPA Funds for the membership and it would be 190 members who did not complete the application following up on the vaccination and added *“she had sent to the Council”*.

Councilmember Brady said she had corrections to the December 15, 2021, minutes not the November 5, 2021, minutes. On page 1, Kemp Jones needed to be capitalized, plus various punctuation corrections.

Councilmember Harry made a motion to *approve item #1. November 5, 2021, Regular, December 15, 2021, WTM & December 17, 2021, Special Council minutes*. Councilmember Ely seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Councilmember Brady asked about the nursing pay for our area, is it below or equal? Lesley Hawley, Human Resources Director said after a comparability survey, the Tribe is comparable at what the amount is now, but

previously was below average. The PAs or medical practitioners are all negotiable, so they are able to be competitive in that realm. For nursing, they were not at that level but with this approval it will bring it up to it; they were anywhere between \$10-20 less than average per hour.

Councilmember Dunn connected at 5:18 p.m.

Councilmember Brady made a motion to *approve consent agenda item #3*. Councilmember Ely seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Dunn). **MOTION PASSED**

Vice Chairman Wadsworth asked Councilmember Dunn to state the subject of his Executive Session request. Councilmember Dunn stated it was to discuss the Tribal Chairwoman's evaluation process.

UNFINISHED BUSINESS

1. Request for Approval Quarles & Brady LLP Notice of Conflict of Interest.

The Quarles & Brady LLP Notice of Conflict of Interest was tabled at the December 17, 2021, Special Council meeting. Vice Chairman Wadsworth summarized the request from Quarles & Brady LLP and noted it was forwarded to Wes Williams, legal counsel for review as requested by Council. Mr. Williams response is included for review.

Councilmember Harry made a motion to *approve Quarles & Brady LLP Notice of Conflict-of-Interest*. Councilmember Ely seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Dunn). **MOTION PASSED**

NEW BUSINESS

1. Request for Approval Certification of the 2021 General Election Results. Jolyn Sander, Election Board Chairperson

Ms. Sander said the 2021 General Election was held on December 26, 2021 and there were no incidents. They are requesting certification of the results: Della John 133 votes, Natalia Gonzales 124 votes, Judith Davis 117 votes and John Guerrero 98 votes. For the High School Board: Jake Chapin 133 votes and Billie Jean Guerrero with 106. There were no protests filed.

Councilmember Ely made a motion to *approve the Certification of the 2021 General Election Results*. Councilmember Phoenix seconded the vote.

Councilmember Phoenix reminded the Election Board to coordinate with the Board of Education prior to the next election for any financial assistance needed.

Votes were six (6) **for** and zero (0) **opposed** with two (2) **abstentions** (Gonzales, Mix). **MOTION PASSED**

2. Request for Approval Contract L&B Construction for the Food Distribution Program. Bonnie Akaka-Smith, Food Distribution Director

Ms. Akaka-Smith explained the contract is to repair the water leaks to the roof and the walls. Currently what is occurring is when it rains, snows and with condensation, it runs down the walls and starts getting into the insulation from the top and from the bottom. In discussions with USDA this repair needs to be completed before they are willing to move their food into the facility. The USDA grant is the backbone and supports the program. The funding for this is the CARES Act funding approved for her program in July 2021. She will be doing a budget mod to move line items to cover the cost. USDA thought they could cover but unfortunately, they couldn't. This will wipe out funding that would have been used for other projects but she will be looking at grants to cover the deficiency. She did not do an RFP because she was directed by her supervisor do sole source.

Councilmember Gonzales made a motion to *approve the Contract for L&B Construction for the Food Distribution Program*. Councilmember Brady seconded the motion.

Councilmember Ely said he took part in the tour of the building and noticed there were issues around the garage doors, what is the status of that issue. Ms. Akaka-Smith said the garage doors was already repaired by Billy Thompson Doors, who sealed all around the doors. They will also be repairing the walk-in cooler doors that had a gap in them.

Councilmember Mix said there is the Vidler Fund with \$100,000 which she can possibly be use to get her program operational. The funds are there and not marked for anything. Ms. Akaka-Smith said if Council wants her to use the Vidler funds instead of her Cares Act funding that would benefit the program to allow her to move forward with other program ideas.

Vice Chairman Wadsworth stated Johnnie Garcia was also asking for the Vidler funds and Council told him they were already allocated elsewhere. Councilmember Gonzales said it was confirmed in a meeting a month later that a balance of \$400,000 was in the account. Douglas Williams, Comptroller, said he would follow-up and see what the balance was in the account.

Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

EXECUTIVE SESSION

Lesley Hawley, HR Director was requested to be included in the Executive Session.

Councilmember Dunn made a motion to *move into Executive Session*. Councilmember Phoenix seconded the motion. Votes were six (6) **for** and one (1) **opposed** (Harry) with one (1) **abstention** (Wadsworth). **MOTION PASSED.** *Tribal Council moved into Executive Session at 5:35 p.m.*

Councilmember Harry opposed, she felt the employee should be present when there is a discussion amongst them or about them.

Councilmember Gonzales made a motion to *move out of Executive Session*. Councilmember Dunn seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**. Tribal Council moved out of Executive Session at 6:08 p.m.

Councilmember Gonzales made a motion to *direct Human Resources Director to Develop a Process for an Evaluation of the Chairperson's Position*. Councilmember Phoenix seconded the motion.

Councilmember Harry asked for clarification in lieu of time, did they want the first year completed by the Vice Chairman then to Council, did they want that added to the motion? Councilmember Gonzales said that since the process isn't in place she thinks it would be automatic for now and have it put in place for next year.

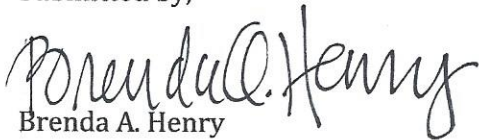
Councilmember Gonzales amended her motion to *have the Vice Chairman perform the evaluation for the Chairwoman for this year and going forward have the Human Resources Director develop the process going forward*. Councilmember Phoenix seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Dunn). **MOTION PASSED**

ADJOURNMENT

With no further business before the Tribal Council, Councilmember Dunn 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 6:13 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 February 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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