

# Pyramid Lake Paiute Tribal Council

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## **SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV March 18, 2022**

### **Members Present:**

Janet Davis, Chairwoman  
Harriet Brady, Councilmember  
Nathan Dunn, Councilmember  
Natalia Gonzales, Councilmember  
Della John, Councilmember

Steven Wadsworth, Vice Chairman  
Judith Davis, Councilmember  
Edward Ely III, Councilmember  
John Guerrero, Councilmember  
James Phoenix, Councilmember

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*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**

Chairwoman Davis called the March 18, 2022, Special 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. All Councilmembers were present at roll call and a quorum was established for this meeting.

### **APPROVAL OF AGENDA**

Councilmember Guerrero requested an Executive Session to be placed at the end of the agenda. The subject of the Executive Session as requested by Councilmember Brady and Vice-Chairman Wadsworth will be Public Safety

Councilmember Phoenix made a motion to *approve the agenda with addition of an Executive Session regarding Public Safety*. Councilmember Brady seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) abstentions. **MOTION PASSED**

### **PUBLIC COMMENT**

**Leona Collins.** *(Full comments were not available during the meeting but are included in the minutes).* Secretary Henry read a condensed version of the comments. Following are the full comments. "My concern is the issue to dogs being allowed to run loose in Wadsworth. This morning, March 17, 2022, there was a German Shepherd and a smaller dog in my back yard which has a six-foot fence. Thy had dug a hole under the fence to get into the yard. Later the same morning, there was a large dog in my front yard, it had jumped a four-foot fence. Note that I do have a dog, but she stays in the back yard with the six-foot fence, and I have

had no problems with her trying to get out (she has been neutered). On two instances, while walking on Jackson Street. I was accosted by a dog, the owner called it off. The second time, the owner had to come and pick up the dog to get it away from me. Needless to say, I don't walk for exercise in Wadsworth any longer and will drive to the Pyramid Lake High School to utilize the track as long as it is accessible to the community. Is there a dog ordinance in place?

## CONSENT AGENDA

Following items were included on the Consent Agenda:

1. Approval Minutes: February 18, 2021, Special
2. Approval Consolidate Higher Education AVT Scholarship: Desirae Henry
3. Approval Ratification Poll Votes: Diane Scott, Lori Black, Myrna Dunn, Virginia Calico, Charlotte Harry, & Violet Lowery
4. Approval Human Resources Classification: 341-Childcare Data Technician

Councilmember Brady requested to pull #1. Approval February 18, 2021, Special minutes

Councilmember Ely made a motion to *approve items #2, #3, and #4 on the Consent Agenda*. Councilmember Guerrero Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

#1. Approval of Minutes: February 18, 2022, Special. Councilmember Brady forwarded email edits to Council for approval.

Councilmember Brady made a motion to *approve #1. Approval of February 18, 2022, Special minutes*. Councilmember Dunn seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Councilmember Davis commented on the minutes of the last Personnel Committee meeting, one of the classifications that came forward tonight was approved with only one vote. That is too close having one person approve the classification. There should be something written into the policies where there must be at least three votes with the majority. It is odd one person could make a vote and pass a classification.

## PRESENTATION

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

Ms. Thomas provided an update on the COVID monitor, the Cares Act of COVID Relief Act and the American Rescue Plan, which all provide for COVID related funding. There has been additional tribal consultation on the remaining American Rescue Plan funds. There is a tribal and local consistency fund, which is a \$500 million pot of money for tribes to allow funds spent on governmental services. Treasury conducted consultation for written comments which will be accepted until the end of February. She participated and provided a client alert to Tribal Council on the summary of the program. The hope is for good results in how Treasury allocates the money to tribes. In the case of the local consistency fund it says it should be based on economic conditions but there is no definition for it. Currently they are monitoring the final decision on how they will allocate the \$500 million which is supposed to be distributed over two-years. Treasury has also

updated its compliance and reporting guidance. First reporting is due in April and then there will be an annual report based on the amount of funds received. In addition, she is working with the Business Officer on the State Small Business Credit Initiative Program (SSBCIP) and have been looking at options for how to implement the program. They will have two options to present to Council for review. The application for the funds is not due until May 11<sup>th</sup>. With the funds that the Tribe has been allocated, \$700,000, she is collaborating with Benjamin John to finalize something for the Tribe to implement to sustain tribal members, small businesses, or the Tribe's small business enterprises. Lastly, if the Office of Inspector General (OIG) has closed out the information request that was submitted to the Tribe last year, she has seen no further communication from Treasury. Hopefully, they will receive some type of close out notice from Treasury. After much back and forth, they finally have a deal with Southwest Gas which is on the agenda for approval. This was the last easement or lease agreements on which they were working. They continue to wait for the court to make its final decision on the tribal court litigation related to the joint cannabis venture, the Triple-A arbitration panel continues to remain on hold while they wait for the tribal court's final decision. There has been no communication with NextEra, they will follow-up with them, knowing Council has questions about their construction completion.

## **NEW BUSINESS**

### **1. Request for Approval Great Basin Gas Transmission Company Easement Agreement with Resolution.** Pilar Thomas, Quarles & Brady LLP

Ms. Thomas explained the name Paiute Pipeline Company was changed to Great Basin Gas Transmission Company which is a subsidiary of Southwest Gas. They originally received a grant of easement for the pipeline in 1962 and it was expanded in 1982 to allow for two pipelines to operate within that easement area. It was valid for 50 years and it expired in December of 2012. Great Basin obviously operated with the expired easement and were in trespass for the last 11 years. They began negotiating with them in 2019 to renew the grant of easement. They will have to get a new grant of easement and will not be renewing their old grant of easement. The new grant of easement includes a new 50-year term and then an option to renew for another 20 years after that if they are in compliance with their existing easement agreement and upon written approval from the Tribe and additional compensation. It is not an automatic renewal of 50 years with an option to renew. They submitted, in 2017, an application to the Bureau of Indian Affairs (BIA), to get the new grant, there is a regulatory process which they completed. Under federal law, the tribe is required to consent to the grant of easement and the easement and right-of-way agreement represents the Tribe's consent to the United States making a grant of easement to Great Basin. The Tribe does not issue the grant, the United States issues the grant of easement, but the Tribe provides the consent through the easement agreement. The three types of compensation negotiated which Great Basin agreed to, includes an annual payment now, including a payment for arrearages for the 11 years, then an additional compensation for being in trespass which is about equal to the rearranges. They will make one payment to the Tribe upon approval and execution of the easement agreement, then everything else will be paid over a two-year period and a 10-year period and then the annually. It was a substantial compensation to the Tribe compared to the survey and the appraisal they got. The easement agreement will be incorporated into the grant of easement which means BIA, when they issue the grant will also incorporate the easement agreement terms into their grant. The benefit is it allows the BIA to enforce, if necessary, not just the grant but the Tribe's easement agreement. High-level aspects of the easement agreement include Great Basin

consents to tribal jurisdiction, they consent to and agree to be in compliance with tribal law. They agree the Tribe has authority, from a safety standpoint over certain aspects of the pipeline. The Tribe is entitled to inspect the pipeline, as the tribe determines is necessary, and they will pay for the inspection costs. They have agreed they will provide a reclamation and put up a bond for reclamation purposes. They have agreed to comply the pipeline goes under the river and they have agreed to operate the pipeline not only in compliance with federal safety standards the pipeline has to follow but also the Tribe's water quality standards which the Tribe did not have before. They agreed to continue to pay the taxes that are owed and anyone they hire will have to pay taxes to the Tribe. There is no waiver of sovereign immunity as stated in the resolution. She cautioned Council, as in past practice, they have not disclosed the monetary value as it is considered confidential information with the company.

Councilmember Brady asked if the security bond was in the previous agreement. Ms. Thomas said the performance bond is required under the regulations and is in the easement agreement. Councilmember Brady asked if it was in the agreement before then why it did not take care of the past arrearages because it looked like it took care of rental. Ms. Thomas said under the regulations, the performance bond is a payment and performance bond. The payment aspect is required for the annual rent or compensation. In this case if they do not pay the annual rent during the term of the agreement or the term of the bond due to bankruptcy. The 1982 grant did not have bond provision in it, the new regulations require the bond provisions. The performance aspect is related primarily to reclamation in case they are done using the land for the pipeline and they must take the pipeline out. They are supposed to have a reclamation bond and that bond amount is tied to the rent and that is the cost of their reclamation bond. Councilmember Brady had a question regarding the insurance on 6.2, on if they vacate and the insurance bond does not cover, should the Tribe have their own insurance to cover the rest. Ms. Thomas said she would not recommend it, they are obligated under the regulations and under the terms of the agreement the bond will cover all the things it is supposed to cover, which is payment and reclamation. The Tribe can weigh in on the amount of the bond and while it is agreed upon, BIA might require a different amount. For reclamation purposes, they are required to pull the pipelines out and return the land to the condition they found it. They must develop a reclamation plan which the Tribe has to review and approve. The bond is there if they do not reclaim. They must post the bond to the Secretary to the BIA. Councilmember Brady's concern is that if BIA does not approve, any of the money that was given to the Tribe would have to be given back and would that include arrearages. Ms. Thomas confirmed yes because they would not have an agreement, but the arrearages are paid overtime, they will be making one payment upon approval and execution of the agreement. It is a third of the additional compensation, then the next payment will be when the Secretary approves the grant, and they will make their annual payment plus their arrearages but only when the grant is approved. To be clear, they are in trespass, if the BIA does not approve the grant, they will remain in trespass, the Tribe has not waived any rights and can sue them in trespass. Does the Tribe have to return the money, but they are still in trespass?

Councilmember John said this agreement is based on two pipelines that crossed that area and want to make sure they are not agreeing to any more pipelines. Is the protection in the agreement? Ms. Thomas explained when they got the grant in 1962, it was for one pipeline and that grant said one pipeline. They had to return to the Tribe because they wanted to put in a second pipeline in 1982 and the Tribe approved it. The grant now will be an easement for two pipelines and if they want more they will have to come back

to the Tribe and BIA for an amendment to request more or to put any other equipment out there. One of the provisions is in the exhibits which is a list of all the equipment they have out there, they have compressor stations, pumps and communication equipment which is all they can put out there. They cannot let someone else use the easement area either, it can only be used for their purposes.

Councilmember Phoenix made a motion to *approve the Great Basin Gas Transmission Company Easement Agreement with Resolution*. Councilmember Gonzales seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 030-22 GREAT BASIN GAS TRANSMISSION COMPANY EASEMENT AGREEMENT**

**2. Request for Approval Tax Commission Attorney Contract with Fredericks Law LLC with Resolution.** Kathleen Wright-Bryan, Tax Commission Chairperson

Ms. Wright-Bryan explained Fredericks Law has been working with the Tax Department for well over 20 years and the rates of service have been consistent throughout.

Councilmember Brady made a motion to *approve the Tax Commission Attorney Contract with Fredericks Law LLC with Resolution*. Councilmember Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 031-22 TAX COMMISSION ATTORNEY CONTRACT FREDERICKS LAW LLC**

**3. Request for Approval Revised Title 2 – Taxation with Resolution.** Kathleen Wright-Bryan, Tax Commission Chairperson

Ms. Wright-Bryan explained the original solicitation for comments occurred in November 2021 which was extended until January 3, 2022. On February 9, 2022, the Tax Commission invited the individuals who commented to their meeting to address their concerns and the Tax Commission responded and provided clarification which was also provided in written form.

Councilmember Phoenix made a motion to *approve the revised Title 2 – Taxation with Resolution*. Councilmember Dunn seconded the motion.

Councilmember John requested a summary of the changes to the Tax Code. Ms. Wright-Bryan explained the changes included abatement programs, tax credit provisions, possessory, interest provisions, utility, and technical corrections. Clarification to definitions within the previous tax code that was updated and powers the expenditure report and making this tax code consistent with the other ordinances within Pyramid Lake and tax court provisions. Councilmember John asked if these provisions applied to the non-Indians doing business on the reservation and not so much to tribal members? Ms. Wright-Bryan said it depends on the level of taxation but pursuant to the Constitution, taxes would come from non-tribal member conducting business on this jurisdiction.

Votes were eight (8) **for** and one (1) **opposed** (Brady) with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 032-22 AMENDED TITLE 2 - TAXATION**

**4. Request for Approval Victim Services (VS) Proclamations: Child Abuse Prevention Month, Sexual Assault Awareness Month and National Crime Victims' Rights Week.** Jolyn Sander, Victim Services

Ms. Sander is requesting approval of three proclamations: Child Abuse Prevention Month, Sexual Assault Awareness Month and National Crime Victims' Rights Week.

Councilmember Dunn made a motion to *approve the VS Proclamations for Child Abuse Prevention Month, Sexual Assault Awareness Month and National Crime Victims' Rights Week*. Councilmember Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

**5. Request for Approval Community Autism Awareness Walk/Run April 10, 2022.** Teola Shaw

Ms. Shaw, tribal member, graduated from UNLV with a Bachelor of Science in Comprehensive Kinesiology with an emphasis in sports medicine and nutrition. She is the community organizer for the Serving Communities Foundation which is a nonprofit organization whose mission is to enrich, educate and strengthen communities in need through service initiatives and educated programs that will feel positive and meaningful changes to the social, cultural, and overall health of those communities. Autism refers to a broad range of conditions characterized by the challenges and social skills, repetitive behaviors, speech, and nonverbal communication. The month of April is for autism and on behalf of the organization she is asking to put on an Autism Awareness run and walk for the people of the Pyramid Lake Paiute Reservation community. It will include distances for all fitness levels. The date of the walk/run is Sunday, April 10, 2022, and the planned route is from the museum, down West Pyramid Lake Road to a designated turnaround and back to the museum. At the museum there will be educational packets for the community about autism provided by the University Center for Autism and Neuro Development Program from the University of Nevada Reno.

Councilmember Ely made a motion to *approve the request for a Community Autism Awareness Walk/Run for April 10, 2022*. Councilmember Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**.

**6. Request for Approval Inter-Disciplinary Team (IDT) Recommendations.**

**a. AJ Swentosky Film Request.** AJ Swentosky, Frog Water Productions

Mr. Swentosky explained his proposal for a film request about creating a 5-10-minute video from the angle of a fly fisherman focusing on the special fishery and the Lahontan Cutthroat trout.

Councilmember Brady mentioned Betty Aleck's concern about where the film will be going once it is out in the public, there is no control over the film. She always has a concern about making sure the land is not exploited and with it being on YouTube and Mr. Swentosky mentioning he must get over a million views to get paid. She does know that people are able to solicit for stars and that is how they are paid. Mr. Swentosky said he is not sure how to solicit for stars, but he genuinely has no intent of trying to make money, he just wanted to make a video to share.

Councilmember Gonzales said it would be nice to promote the lake and bring others in from across the country to help with revenue.

Councilmember Gonzales made a motion to *approve the recommendation of the Inter-Disciplinary Team (IDT) to approve the AJ Swentosky Film Request with the \$50 fee*.

Vice-Chairman Wadsworth explained in following-up with Councilmember Brady's question about YouTube, it takes hundreds of thousands of views before anything is monetized.

Councilmember Brady asked about the waiver for fees. Mr. Swentosky said it is not a waiver for the fishing permit, but he did not have the budget for a commercial video license, but he would be okay to pay the \$50 fee for photos.

Nick Cortez, tribal member, added to Vice-Chairman Wadsworth's comment regarding YouTube not monetizing. YouTube itself does not monetize, but the channel is able to request for commercials to be added to their videos, which is where the revenue comes in.

Councilmember Dunn seconded the motion but wanted to include the \$1000 payment because it is commercial, and he is not an enrolled tribal member and wants to keep consistency.

Chairwoman Davis reminded him he is seconding the motion and asked Councilmember Gonzales if she wanted to include Councilmember Dunn's recommendation in her motion. Councilmember Gonzales stated it is not what he is asking for. Chairwoman Davis asked Councilmember Dunn if he wanted to take back his second which he did. Councilmember Gonzales maintained her motion as recommended by the IDT and she included he agreed to pay the \$50 fee.

Councilmember Phoenix seconded the motion. Votes were four (4) **for** and five (5) **opposed** (Brady, Davis, Dunn, Ely, John) with zero (0) **abstentions**. **MOTION FAILED.**

**b. Leonie Sherman Kayak Trip/Article Request.** Leonie Sherman

No representative present.

Councilmember Dunn made a motion to *table the Leonie Sherman Kayak Trip/Article Request*. Councilmember Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

**7. Request for Approval Pyramid Lake Cooperative Cattleman Association Grazing Permit Renewal.**

Robert Eyan James

Mr. James said they are putting in for the new grazing range for one hundred years since that was the original grazing plan that was put in the first time it was established.

Mervin Wright Jr. asked if he heard correctly, they were asking for one hundred years. They have not received back from the BIA, the 10-year grazing permit and in accordance with 25 CFR, which is the standard timeframe for tribal grazing permits. He suggests the 10-year grazing permit be entertained by the IDT and then brought forth from that body which would be the standard procedure that Tribal Council should rely on.

Councilmember Gonzales said last year when they met about this item, they were told 10 years was the standard going forward. She saw the one hundred years on one page and then on the other page it stated a 50-year permit shall be issued to the Tribe by the BIA and approved by the Western Nevada Agency. She is confused seeing 10, 100 and 50 years.

Councilmember Guerrero said the 50- and 100-year reference is in the documentation. He was trying to confirm in the articles of incorporation in the ordinances but said they need to look at and approve for the producers to collect their cattle LFP programs through the NRCS and the FSA Farm Service. He believes it has been longer than three years since BIA has been trying to update the permit. They can always add into the lease agreement or the grazing permit as they go along with the Tribe approving this. Then seeing what BIA is going to do because they have not come back and requesting another extension. He does not mind approving for another 10-years and moving forward with any modifications from BIA.

Councilmember Brady asked if they were still assessing the 1921 grazing fee of \$1 per head of cattle or has it been modified. Mr. James said the amount would remain the same, the only way to modify the amount would be going off the sales prices at the stockyard and currently the prices are down. For the cattle producers, it is best to stay in their budgets so they can keep up with the beef production. Councilmember Brady said her concern is the price of \$1 back in 1921, it has buying power now of \$14.37. What she read from the documents is the fees assessed go into a fund that supports repairs on the fences. With today's prices, she understands with the cattle prices going down but being charged more at the grocery store, it is concerning from 1921 they are still only paying \$1 a head when the cost of repairing the fences is more and they are talking about one hundred years still being at \$1.

Councilmember Guerrero said with the Bureau of Land Management (BLM) the fee is \$1.34 AUM. With the fences, they are getting ripped out by car wrecks and the police not recording it the do not get fixed by the insurances. As tribal members, anybody is welcome to run cattle, but they do not charge the tribal members for fishing or other thing they do on the reservation.

Karen Shaw, Cattleman's Association Secretary, said when they look at the fees, they thought it was going into a 097 fund, but they are not able to access the cattle association funds, she is not sure if they go into the general fund, but they are not able to access them.

Councilmember Brady said she understands about the fencing not being reported but still if they see fences, for instance on Dodge Flats, and they are not being repaired. She has personally been chasing people off one and was willing to put up the fence on her own, but she does not know how. They are aware of it, and they need to get them repaired. If it is true, what Ms. Shaw has said about the fund then the Comptroller should be able to respond. Douglas Williams, Comptroller said all the Tribe's revenue goes into the general fund and then appropriated for the programs. After reviewing the director's requests, the Executive Team sends it to Tribal Council. The revenue and expenditures spreadsheet provided to Council for 2021 shows the amounts. Councilmember Brady asked if it was okay to be using funds that is supposed to be specific to a program. It is in the ordinance based on the documents received, that the fees specifically go into an account to pay for fence repair. Are they crossing the line calling it free money? Mr. Williams said they can allocate the funds to expenditures the Tribal Council sees fit. Councilmember Brady said her understanding is when there is a line item set up that is specific, like 097, it should reflect the fees are dropped into it and unless someone is using it, it should still be there and not going into the general fund. Mr. Williams stated Council is given the revenues and expenditures, and the grant information, they know where the funds are. Councilmember Brady asked if they would not send the fees to the general fund. She asked if there was a schedule for the fences, can someone go through and note fences that need to be fixed. Councilmember Guerrero stated that is on the winter ranges and when he gets the winter range, he goes through and fixes the fences, but he has not had the winter range on Dodge Flats for two years, so he has not repaired any



fences there. He did get a permit for this year but did not turn any cows out there, so he did not repair any fences. It is tough to keep the gates closed but the winter range is open from December to March 15<sup>th</sup>.

Benjamin John, Business Officer said one of the issues he is running into is how they are going to address the land that is considered grazing land versus any land the Tribe wants to do economic development on. Now would be the time to address the permit to reflect that before they approve a 10-year grazing permit which just complicates the process even more. Councilmember Guerrero agreed it is where they can modify the permit. Anytime the Tribe is requesting land they could modify anytime through Council.

Councilmember John said when the repair on the fences was approved it was part of the lower river restoration project and when the Environmental Office offered to put the fences in, they came to the Cattleman Association, and they approved the horizontal fences. But when they built them, it was along the highway and vertical fences instead of horizontal. They effectively got all the animals off the river which was the purpose of the fences. The fences are not there to cover the different ranges, except on the north end. They always wondered who did the modification to the fences, but it was a part of the lower river restoration project, and it was out of the Environmental Office when Jerry Emm was there. The Environmental Office managed the 097 budget, it has never been the Cattleman although they paid into it. When they used to get the NAP funds, the 100,000s that used to come in, it went to the 097 budget and Mr. Mosely, Environmental Office at that time spent it. There used to be a yard in the back where equipment was purchased but it has all gone and not sure where it went. That is a little history of how that worked. Normally the cattle producers in the different ranges take care of their own stuff and they are responsible for all their own costs, the Tribe has not really paid anything, but they are stakeholders and need to be involved in decisions that affect these areas. They have been able to do cooperative joint use with the HUD Housing, the assignment holders, and everyone that deals with the Cooperative Association. There are multiple users, and it is worked that way for a long time. They have had a 10-year permit that has gone on three years of extensions, and they are still trying and working on range management and a grant in the Environmental Department, and they are supposed to give them AUM information. They used to work with BIA who produced the AUM table which tells you how many head of cattle can go on an area at what time of the year. It allows the Tribe and BIA to use the land for grazing and the ordinance is the rules on how to use it. The ordinance used to be in the Law & Order Code, but they changed it in 2019 and removed the information pertaining to the animals and the Indian People should have a right to own property and that is their property, which is how they make a living. The protection in the Law & Order Code is supposed to be there because that is where everybody handles their disputes through the code and tribal court. The code has issues for the Cattleman's now. When the police look at the code, they are not going to see destruction of animals, animal cruelty, misbranding, all those things which used to be in the code for the protection of that property. The cattle are a range management tool as well because when they are on the range, they eat the cheatgrass and there will not be the big fires on the mountains like they used to have. When they walk on the ground, they create barriers to erosion, so the soil stays there. They have classes on soils and types of vegetation, so the Cattleman have never misused the land and have been using the ranges for a lot of years. They are great stewards which is the way of their life.

Councilmember Gonzales said the payments should be going into the general fund to help the community because the area is supposed to be maintained. She hopes in good faith partnership with the Cattleman Association they would maintain the areas their cattle are in. All the fees should go for all the tribal

membership because not everyone is a cattle owner, and it does state that any damage done is supposed to be repaired by the cattleman. She does not mind the 10-year lease. Last year they were in the same situation, and they were advised to do a one-year extension until it was settled with BIA before they move forward with the 10-year lease. She would like to see it settled before they move on to a 10-year lease. As for Mr. John's comment on economic development, this was brought up last year where there was communication on whether they could use any potential areas for economic development. What they found was if the Tribe found an area that is in the lease with the Cattleman's, the Tribe has the priority to use the area for economic development because that is for the membership as a whole and generating revenue for everyone in the Tribe. That is one thing they received clarification on last year because it has been under the impression from the Tribe that the Cattlemen have priority over the land. If there is economic development or the Tribe sees fit, where they can use the area, they can.

Councilmember Guerrero said as the Tribe, the economic development plan, they do not have any mapping for what they have planned or land use plan. They have never approved any land use plans. Richard Frazier started one year back, but it was not brought forward. In the Constitution and Bylaws, they would have to amend it with the economic development plan. With the grazing permits they would have to amend those under the land assignments under the Constitution and the Cattlemen's ordinance. As for the extension that has been going on for 4-years since the 10-permit has been going on. With BIA keep putting them on hold with modifications, his thought is to modify as they go along once they approve the 10-year permit. With the \$1 a head going into the general fund, it states in the cattleman's ordinance and in the corporation since 1934, the fees were always \$1 a head and the funds go back to grazing for water development and not to the general fund. They just need to approve the 10-year permit and then with the land use plan, they could always modify it.

Dan Mosley clarified he did not oversee the springs fencing; he oversaw the water quality standards and water quality monitoring on the lower river. Councilmember Guerrero said it was his son, who was running environmental doing the spring and fence restoration or the fisheries did it before when they received their twenty-five million which was in the early 2000s or earlier. Mr. Mosley said the fisheries at that time got the environmental grants, the Clean Water Act 101-06 through 19 grants and then moved to environmental. The impetus for doing the fencing along the river was through the fish and wildlife and they expressed the need to protect the lower river because it is critical habitat for the Cui-ui and trout and their spawning grounds. It was apparent at the time the area was degrading and by fencing it improved the riparian and the banks became stabilized. It was to protect the riparian for the fish.

Ms. Shaw said they have never pulled from the 097 account. When they look at the Constitution and Bylaws, the first people on the Constitution gives it to the Cooperative Association and cattle. When cattle owners look at the Constitution and Bylaw, when it was set up in the beginning it was based on the people becoming cattle owners and that was before what the Constitution is today. Tribal Council must look at what they are doing and providing opportunity to the tribal members, cattle running is open to all tribal members. When they look at the original it was for one hundred years which expired in 2021. As an association they thought why they cannot go for another one hundred years when the Tribe is looking at offering outside entities 99 years, giving them 25-75 years. They are tribal members, they are not a separate entity, they should have first right to their own land, to make use of the land, to earn a living for their livelihood. That is often overlooked. They have maintained it for generations and different generations. Her grandfather is one of

the original signatures on the 100-year lease. They have taken care of the land, will use the land for their families, when you talk about running cattle it is a whole family. They have always done in good faith and done it the best they can. Council must remember they are dealing with their own tribal members.

Vice-Chairman Wadsworth said in past Comptroller reports for the last year, the range fees that were paid were \$1 a head and it did go into the general fund. Because there is too much confusion with the information about a 100-year permit and a 50-year permit along with the \$1 per head being not enough and questions about the 097 fund which is listed in the resolution.

Vice-Chairman Wadsworth made a motion to *table the PL Cooperative Cattleman Association grazing permit renewal until April 15, 2022, Special Council meeting until the questions are answered and to get the language amended before approval.* Councilmember Phoenix seconded the motion.

Councilmember Ely said he is a cattle owner and has been one for a long time, a rancher and farmer. He has issues with the 100-year lease on anything whether its members, NUMU Inc. or anyone. He would like to stick with a 10-year permit and keep trudging forward with it. Knows there is concerns and history with the Lahontan trout and Cui-ui but it includes cattle too. There is a fine balance there. He is in favor of a 10-year permit or a 25-year permit but a 100-year permit, there is things that change over one hundred years.

Councilmember Dunn said he is in favor of tabling until everything is in place and to review the \$1 a head, because they are a business and need to think about everyone with economic development.

Councilmember Gonzales said there is confusion on the years and the previous year they were in the same situation and were advised to wait to get those settled before they voted on a 10-year. The question also came up, who has the rights, is it the Tribe or is it the Cattleman? They were told by BLM that it was the Tribe if they see it is economically beneficial and they can collaborate with the Cattleman Association to use an area. They also need to think about the budgets, they need to move forward economically and advancing to bring revenue in every year. Vice Chairman Wadsworth said they brought in \$1,800 from last year from the Cattleman Association.

Mike O'Daye, tribal member said the fish cannot get over the dam because there is not enough water coming down. His problem at the Nugent area is there is no fence there and his cows are getting hit bad out there. They mention the area from Wadsworth to the Nixon area, does not that property belong to NDOT, should not they be fixing the fences because they own much of the property off or within the boundaries of the reservation.

Mr. John said he just wanted to remind Council about it but the last time they approached the Cattleman Association, they are more than willing to collaborate with them with regards to economic development. They were fine with working with the Tribe.

Mr. Wright said Donna Noel, Natural Resources Director, said she had received the 10-year grazing permit from Marcus Whitebull from the Phoenix Region office. He does not have a copy but will track it down in his department and share with the Cattleman Association. He said regarding the balance between the fishery and agriculture, as an Aggie, he does recognize the importance of recovering the fish. They will do everything they can in the Environmental Department to accommodate all the demands and interests that exists on the range.

Votes were eight (8) **for** and one (1) **opposed** (John) with zero (0) **abstentions**. **MOTION PASSED**

**8. Request for Approval Air Quality Grant Application with Resolution.** Mervin Wright, Environmental Manager and Tanda Roberts, Air Quality Specialist

Mr. Wright said they received a Notice of Funding from the American Rescue Plan. They had set aside funding through the Environmental Protection Agency (EPA) for Air Quality Programming. Ms. Roberts has been working with the grant writer in completing the grant application. Currently their monitors are what is called PM 10 and they are looking to upgrade to PM 2.5 which is a finer air material. Ms. Roberts described the need for fine particulate to rpm 2.5 monitoring. In recent years they have seen an increase in wildfires and in 2021 was a perfect example of the area being underrepresented. The area here reached an air quality index of over four hundred at times which is a level considered very hazardous for all. The air quality alert system they use is connected to air monitors throughout the region. They would like to add 2.5 continuous monitors at both existing locations in Wadsworth and Nixon and other low-cost air quality sensors throughout the reservation. This is a three-year grant and there is no match. It is a one-time funding, and the title is to enhance air quality monitoring for communities to help support local efforts to monitor their own air quality.

Councilmember Davis had a question about the different budget amounts in the summary and budget. Ms. Roberts stated it is the \$367,000 updated amount and it includes a full time Environmental Technician.

Councilmember John asked if there were any plans to do any monitoring on the gravel pits in the Wadsworth area or by the cement plant. She knows they burn at night and does it show up in Wadsworth. Ms. Roberts said the monitor is by the Wadsworth Brown building behind Natchez School catches it particulate matter in the size of ten microns per cubic meters which is dust. She is hoping to be able to add to their stations so they can monitor more pollutants on the reservation. They do not have adopted air quality standards on the reservation, but they do follow federal and national standards.

Councilmember Dunn made a motion to *approve the Air Quality Grant Application submission with Resolution*. Councilmember Gonzales seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 033-22 AIR QUALITY GRANT APPLICATION**

**EXECUTIVE TEAM**

**1. Business Office.** Benjamin John. Report Submitted

Mr. John said they are receiving interest about economic development where groups want to collaborate directly with the Tribe. They have met with them but they need information they can take back to whomever is funding their projects so they can move forward. Currently with nothing specifically designated for development, it is a situation where he does not want to commit if it is not going to happen. That was a part of his comment with the grazing areas. It would be faster if there were designated areas and would speed up the process if they did not have to go back and amend the grazing permit. Businesses want to move fast and if they are not ready, they lose the opportunity. They did get approached by a business from someone who attends Burning Man (BM) and wanted to partner with the Tribe. They discussed his proposal, and he did speak with BM about their rules, but it turned out he was hoping he could partner with the tribe then use that influence with BM. Told him the Tribe is dealing with BM respectfully and did not want to cross the line

with them. In Wadsworth, IHS replaced valves that cost about \$70,000, IHS had extra funds and they saw a need for a couple extra valves that needed to go in at Wadsworth. It was more expensive because they put the valves in on the active lines and it required special equipment, but it is completed, and Wadsworth is done.

Councilmember Ely asked when he mentioned a plan or map for a designated area for development did, he have something in mind for the committees or boards to work with. Who did he have in mind to put it together? Mr. John said it would be the stakeholders, the Cattleman Association, Council representatives, Land and Resources or Land Manager and Environmental. It would be more of a zoning plan, he spoke with Housing, and they already have forty acres on Dodge Flats through a resolution, so it is technically designated as a residential area. It makes it more efficient to entertain people and currently he is stalling two companies just in case he can tell them yes this is what we have available.

Councilmember Brady said it makes sense but in the same note they need to ask the stakeholders, the citizens of Pyramid Lake if they want that type of development on the land. She did send an email to Council before the meeting because she saw on his report information on data centers. Should it come to be, there should be an environmental assessment but is he asking, or just researching the pros and cons of data centers. Mr. John said it is a concern and the main one is the wastewater that is generated but they also have their own self-contained units that treat the water. But after their initial presentation they are not going to commit if the Tribe cannot provide an area that is available.

Councilmember John said why doesn't the Tribe use its newly acquired lands instead of the lands they have on the reservation. Like an enterprise zone, is not the lands along the I-80 corridor enterprise zones? and could they use those areas for locations for businesses. Know there are issues with sanitation and water but starting out small and utilizing those properties along the I-80 corridor might be a start for the Tribe, but a zoning map is a good start.

Mr. Johns stated a truck stop project is in process. They will be connected to the Tribal water system and will not be on TMWA anymore. The floodplain or the flood zone over on that side of the highway is feasible, the 100-year floodplain does not actually come all the way to the highway, so there would be an area over there for development. However, the two companies that approached them, the big draw for them is the power lines and the natural gas lines that run across the reservation.

Councilmember Gonzales asked if he could include the verbiage in the 10-year lease so they can approve it the next month where the Tribe can use it for economic development. She can understand having a map but where Ms. Thomas has taken some of the solar areas, what they identify is not necessarily the right areas since they will have to assess the soil, the water and power lines. The Tribe has three entities looking for economic development, the Business Office, the Economic Development Committee (EDC) and NUMU Inc. She would like to see more collaboration between all instead of trying to do separate projects.

Mr. John said to clarify, they do not necessarily need a map just something with designated areas for residential, economic development, grazing, a general map of places to show acres that are available. Then charge a permit fee for companies to come in and see if developing in an area would work for them. That way the Tribe gets something up front and if it works out and they move forward or they do not. Councilmember

Gonzales agreed if they do not ever let them come in and assess it and look at the land how do they know they can use it or if it is feasible.

## **2. Programs Office. Shellay George-Kawich. Report Submitted**

Ms. Kawich summarized her report. Attended meetings with Chairwoman, meet weekly with the Executive Team along with attending meetings with the various committees. Concentrated on monthly utilities expenditures, making sure the tribal utility, phone bills and other bills are paid. Met with Daycare regarding updates and what they were planning with submitting resolutions for the construction of the playground equipment. Attended the Directors meeting and afterwards met with the directors to ensure they were clear of the information from the meeting. Met with the Tribal Court Administrator on budgetary items and a report that needs work for submission to BIA. Had a zoom meeting with ITCN working on the MOU. There are directors who come in her office throughout the day. Councilmember Gonzales asked if the directors were having barriers or issues for the reason, they were coming in to see her in her office. Ms. Kawich said there was one that had issues with submitting purchase orders and not following proper channels and was bypassing her office for review of contracts and were submitted inappropriately. But that will be in her next report. She is meeting those with issues, contracts, budget modifications, meeting with finance, closing out budgets and implementing new awards. Councilmember Gonzales asked about the JOM Program, are they opening that program up? Ms. Kawich said that is in the negotiation stages. To be posted and meeting with another department, higher education, to collaborate to see how they can combine the two services. Councilmember Gonzales asked with higher education would that adjust their hours to include some sort of separation between the two. Chairwoman Davis reminded Council these are administrative duties. Councilmember Gonzales said there has been questions from the membership on what is going on with the JOM program. She knows it was mentioned before they were thinking of combining the higher education and JOM and give them a raise. It brought up issues on how the separation was going to be. Chairwoman Davis said when it gets to that point it will be in the Program Officers report. Ms. Kawich said hopefully they will have direction at the end of the month. Councilmember Gonzales asked regarding the buildings opening. She has not seen a listing for the Parks and Recreation Program and wondering why it has not been posted yet. Ms. Kawich said she is looking at the requisition for that program and changing the title because it is for the recreation department at the gym, she will have more information next month. Chairwoman Davis said it is Tribal Recreation. Councilmember Gonzales said that was one thing she mentioned last year was bringing back Parks and Recreation so they can make sure the parks are being maintained. Chairwoman Davis said the dilemma is the salary, currently for 30 hours a week for that person. They only get \$2000 for supplies and then maybe \$800 for gas and a little more for food. With that minimum you want to add in maintaining the parks with the minimal budget. Councilmember Gonzales said it is one thing they need to look forward to, the parks are a big issue. If they must adjust, she does not think someone has to be at the gym all day, there are other areas for the youth to do recreation. They need to look at how to balance it out. Chairwoman Davis said she was furloughed during the pandemic which was the reason the gym was closed. Councilmember Gonzales said nobody is in the position, but it is budgeted so there is funding. They need to think about it for the youth. Regarding the Sutcliffe Community Center, she read in the last report there was a petition saying it was the Learning Center, then there was a petition to change it to a Childcare Center. Ms. Kawich said it was put out there before it was discussed with her, and it was stopped at the Executive level for discussion. The Sutcliffe Community Center is still a Community Center but for the purposes of the Cares Act funding, it was called the Learning Center.

Councilmember Davis asked about Social Services, are they looking at bring back the IGA program for the tribal members and for them to get outreach to the membership to let them know so they can apply. Ms. Kawich said she spoke with the director; Barbara Bennett and they are helping those in need and yes, they have been busy working with the community. Councilmember Davis asked about the community buildings, when they stopped being used, the applications were going to be redone. The questions were about raising the fees, not allowing alcohol in the buildings, and renting only to tribal members because there is no recourse to take the non-tribal members to court that were having alcohol parties in the buildings and leaving a mess for tribal maintenance to clean. Ms. Kawich said they have already started receiving applications for the April 1<sup>st</sup> opening and they have put a stop on those until they can meet on the updating the policies and deciding on the materials for sanitizing the buildings after use.

Chairwoman Davis said it was the policies that needed updating. She collaborated with Randy Hunter at the time, and they did update the policies but do not remember what happened. They will revisit the policies and get them updated.

Mr. John provided clarification on the learning center in Sutcliffe. When the Cares Act first hit, the schools were going to distance learning and the kids in Sutcliffe did not have access to the internet. So, a temporary connection was setup at the Marina where they could go to get connection to the Wi-Fi and do their classes there. In the meantime, they designated for that period, the community center in Sutcliffe as a Learning Center to allow them to use the Cares funding to rehab the building. It just happened that it coincided to be finished at the same time schools went back into the classrooms. It was only temporary for that period; it is back to a Community Center which is the original designation.

Councilmember Gonzales asked about the Nixon Learning Center, heard there were heating issues. Ms. Kawich said for the modular Daycare Center they did have H-pack systems installed by Ultimate Air. They are not being used yet but are being used as an office. She will be getting with the director for the Daycare to have her use the main Daycare Office. She will provide an update at the next meeting.

**COMPTROLLER.** Douglas Williams.

Mr. Williams summarized his report. Attended Council meetings, Executive Team meetings with Wells Fargo, meetings with the Tribe's CPA firm Bluebird who is conducting the audit. Met with Bank of America and internal meetings. The program objectives will be long term policy development which is continuous staffing. Expenditures and internal controls. The biggest policy development is still revising and reviewing the financial management policy to implement, staff titles, roles, and processes. Working on the hazard pay policy, identifying the language and identifying essential personnel and their duties. With staffing objectives, he has his staff job descriptions, titles, responsibilities and reviewing the day-to-day operations. Identifying processes and how to improve them and have them match the financial management policy. Worked with identifying repetitive issues within the processes and addressing with his staff and the Executive Team for the chain of command. His Accounts Payable clerk, Francesca has moved on to the Food Distribution Program and they hired Galen Barlese and he is transitioning into his new role. For the financial update, he hosted the annual financial update on the 28<sup>th</sup> with the community. It included data that was presented to Council and included the general fund, historical and present data. February 28<sup>th</sup> was the last day to post to 2021 and they are looking to closing out the year. Spoke with Bluebird and they are looking to finalizing the audit, the last thing they had to do was the sample testing for the clinic's accounts receivable and third-party billing,

their revenue. He did receive the draft financials or audit report and he is reviewing that now and will have the final by the end of the month. With the draft financials they had to just journal entries to balance out the accounts to close out the 2020 year. Met with both Wells Fargo and Bank of America general managers to go over accounts. Bank of America came out to his office and discussed contacts, services provided, services they are not taking advantage of and how they can implement it and benefit the Tribe overall. Wells Fargo is the bigger bank where they have the majority of the Tribe's funds and will discuss further with them investment management, credit analyst and treasury management.

Councilmember Ely said one of the biggest concerns is the policy implementation for hazard pay. He has been frequently signing checks and noticed COVID pay is still being used and the policy ended December 31, 2021. Is the policy being revised but once it expires should not it stop being used or will it trigger a finding in an audit.

Mr. Williams said it did expire December 2021 and this pay period will be the first where they will not be paying it. It will not be a finding because it is an allowable expense. Each program who received COVID, are using their own funding sources and they are revisiting it, but it comes down to EMS, the police and then the clinic staff. Councilmember Ely said he did see checks where they were doing telemedicine, how is that hazardous? Mr. Williams said the process is collaborating with the Executive Team, his office, and with the clinic specifically and HR in trying to identify those roles and responsibilities and the actual activities the staff is performing that are considered hazardous. It is a collaboration effort so they can all agree on what those duties are.

Councilmember Brady said she does not think the question was answered. She was going to ask about telehealth because at the last meeting Ms. Brown said she was not giving out COVID pay so she is confused on how talking on the phone is hazardous. The money can be used somewhere else. Mr. Williams said she did not actually know because it did expire. They should not have been getting paid. She did submit a list of all her staff, their jobs, and who they consider doing hazardous or who should be getting hazard pay. It is the discussion with the group to identify and agree if it is the best way to use the resources if it is justified or can they reallocate those funds doing other functions within the department. Councilmember Brady said she did know; the information was given to all the directors back in 2021. She remembers having to sign checks and seeing hazard pay. The first time she saw it she refused to sign the first batch and has refused ever since. It was stated in the minutes from the last meeting, and she was quoted as saying they were not getting hazard pay or they were not getting COVID pay so there is a disparity.

Councilmember Gonzales said being on the Health Board she thinks everything is getting confused. Funds had to be paid for telehealth, there were categories they used with the funding, and it fell under telehealth. The clinic director was unaware the funds were still paid and there was a breakdown in communication. It is not saying she approved it, but she did not know either. It was not addressed at the tribal administration level with the clinic. She would like the director to be present to address these questions.

Councilmember Davis asked if they were getting hazard pay and paid for so long, it was said it will not be a finding and the funding stopped on December 31<sup>st</sup>, who was picking up the funds, where did the money come from to pay the salaries. Mr. Williams said the departments have their own ARPA funding, like Childcare, the clinic, the police, and EMS who are using their own funds they received from ARPA. Councilmember Davis said the Tribe is not going to have a shortfall having to pay back any ARPA funds that were extended for the



hazard pay. She had a second question regarding the FEMA funds from the Flood of 2017, were they supposed to get FEMA money back for the work that was done on the lake and the river? The Tribe took funds out of Vidler and the License Plate Funds thing when the FEMA funds came in with the understanding it would go back to the Vidler and License Plate fund. Has any of that funding come back and how much. Mr. Williams said he has not seen any funds returned yet but will follow-up.

Councilmember Gonzales said they talked with Mr. Williams at the clinic level about letting the departments and programs have access to the MIP reports because now they must go to finance to get the reports. Hopefully, they get this addressed soon.

Vice-Chairman Wadsworth said when they discussed the hazard pay and the checks they signed, a lot of them were for contracted personnel who do not follow the rules of the HR policies and procedures. That needs to be addressed because they are treating contracted personnel better than the employees by including a hazard pay in their checks, they are submitting with their work earned. He does know of a contractor that is really an employee in accordance with the employee policy, yet they pay them contracted wages. It needs to be looked at across the board so they can be turned into jobs and not contracts. Mr. Williams said they could review it but if it is an allowable expense and if the director chooses to expend their funds in that manner it is their choice. Vice-Chairman Wadsworth said he understands for hazard pay but not for a contracted employee, it goes against all kinds of fiscal policies when they should be paid as an employee not a contractor.

Councilmember Brady said she has a tough time looking at the fact that people were getting hazard pay while the clinic was closed. It goes back to fiduciary responsibility to make sure the services are decent quality services being provided to our citizens. She does not think it improved the quality of service using telehealth talking to someone over the phone. Can Mr. Williams elaborate on his last report about recoding things. Mr. Williams said it is better management, running better reports. He is looking to adjusting journal entries to close them out by reclassifying expenditures that should be a different fund code. The Tribes COVID/hazard pay has ended. Moving into the new year to have policies in place by identifying them now because they have the safety measures, and they are doing what they need to do to mitigate and prevent COVID.

Chairwoman Davis said they want a policy in place by resolution to justify any spending by any entity with the ARPA funds across the board, so they are covered. They are addressing the issue with Ms. Brown.

Councilmember Guerrero said as simple with the ARPA, the resolution and approving ARPA and Cares Act and the contracts with the doctors the question is are they double dipping, plain and simple. Councilmember Ely said he is not suggesting double dipping, he is just saying when the policy ended, the hazard pay ends unless it was extended.

Chairwoman Davis said for the sake of policies and justification of all the entities and administratively they must have a policy in place to justify the spending. That is what they are working on now because they do not have a policy and no justification to be spending any money on hazard pay.

Councilmember Gonzales noted it was not just the clinic that had this issue. It was all entities that were paid hazard pay during this timeframe. The policy that was signed by the Chairman back then was not in place and that is where the issues arose.

**CHAIRWOMAN'S REPORT** Janet Davis, Tribal Chairwoman

Chairwoman Davis said summarized items done the previous month: She met with Principal Jake Chapin, Natchez School regarding the Washoe Tribal Consultation with Washoe County School District. Talked about the autistic students in our communities. Attended the ITCN board meeting. Had a teleconference call with the JOM Program Specialists with BIE regarding the regulations and Modernization Act. They need a student count from Pyramid Lake. Had a zoom meeting with Bonnie Smith with the USDA Food Distribution Program, discussion on the implementation of the program. Had a discussion with Washoe County Transportation on issues, students not receiving bus rides from our students in our communities. Was assured the students will not have a lapse in transportation and buses will continue as normal. Met with Mark Washington, Deputy Secretary of State for Elections, discussion on processes and voter security. There are new bills passed to enhance equality at the polls. Her and the Business Office met with companies which he included in his report. Had weekly COVID response team meetings with EMS, Health Clinic, Food Distribution and Housing. Still assisting those quarantine households, the count this week is at 2 so they have not had a lot of demand. Attended WRAP, there was a couple of water right acquisitions for Cody Kado, Robert Josephine Walton Family Trust. Met with Teresa Melendez and Emma Williams, the Democratic Party discussion on canvassing voter registration voter action network native database and data entry, they will be doing a rez tour and will be inviting Council to attend. Met with Nevada Skies Construction various departments had regulatory items needed. Met with Senator Rosen's office for the Washoe County lands bill. Attended the Washoe County District Title Program Tribal Consultation. Met with departments regarding elder needs and the Food Distribution Program food delivery and discussion on elder abuse. Attended a zoom meeting with CEMEX and water team. Geologists will be analyzing and evaluating the pit walls at CEMEX. Had a teleconference with Leilani with Breakwater and scheduled a workshop with Council. Constraints with employment opportunities for key personnel not being taken advantage of, even with wages moved to negotiable, not having a full staff is problematic and will continue to advertise.

Councilmember Dunn was curious why the Food Distribution was raising funds. Chairwoman Davis said it was for their grand opening of the Food Distribution center. Councilmember Davis had concerns about allowing people in the building for bingo and having someone contagious in the building and infecting everyone. She also had a question regarding the Chairwoman's weekly and monthly reports because there are items not included in the monthly that are on the weekly. There was something that showed up on her weekly report to Council and Ms. Thomas brought it up in her report, she was taken aback by her saying she was going into the S Bar S because she recommends looking into Nevada Law for abandonment. Yet at the same token the Tribe is still in tribal court on a court case. Regarding the Welcome signs, she had asked a couple of years back that the Pyramid Lake signs be moved back to their original spot where the reservation begins closer towards Loves, rather than where it is now. Chairwoman Davis said she does not have a problem with that, and it has always been a question on how that boundary moved so far. Will follow up with the land office to see exactly where the spot is.

Councilmember Dunn made a motion to *move into Executive Session*. Councilmember Brady seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.** *Tribal Council moved into Executive Session at 9:59 p.m.*

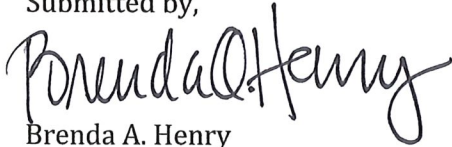
Councilmember Guerrero made a motion to *move out of Executive Session*. Councilmember Gonzales seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.** *Tribal Council moved into Executive Session at 10:09 p.m.*

**ADJOURNMENT**

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

The meeting adjourned at 10:10 p.m.

Submitted by,



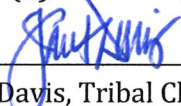
Brenda A. Henry  
Tribal Council Secretary

## CERTIFICATION

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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 6<sup>th</sup> day of May 2022, 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: \_\_\_\_\_



Janet Davis, Tribal Chairwoman  
Pyramid Lake Paiute Tribal Council

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