

Pyramid Lake Paiute Tribal Council

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REGULAR MEETING MINUTES Tribal Chambers ~ Nixon, NV August 5, 2022

Members Present:

Janet Davis, Tribal Chairwoman

Harriet Brady, Councilmember

Nathan Dunn, Councilmember

Natalia Gonzales, Councilmember

Steven Wadsworth, Vice Chairman

Judith Davis, Councilmember

Edward Ely III, Councilmember

Della John, Councilmember

Members Absent: John Guerrero, Councilmember and James Phoenix, Councilmember

Note: This meeting was in-person but zoom conferencing was an option for presenters and audience.

CALL TO ORDER

Chairwoman Davis called the August 5, 2022, Regular Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 6:02 p.m.

ROLL CALL

Brenda A. Henry, Tribal Council Secretary, took roll call. Councilmember Phoenix and Guerrero were absent. All other Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

There was a request to add under Consent Agenda #4. Elder Energy Request for Dean Calvin and under New Business #7. Request for Approval Access to Pyramid and Stone Mother for Prayer & Blessing from Matt John on behalf of a Hawaiian Group. Remove under Unfinished Business, #2, NUMU Inc. Land Conveyance Status Update with approval of a Resolution rescheduled for the August 19th Special Council meeting.

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

PUBLIC COMMENT.

Vernelda Frazier, Tax Administrator, PLPT. Ms. Frazier asked if she should be presenting in public comment or wait until the item regarding Burning Man under New Business since her item is about Burning Man vendors. Chairwoman Davis stated Council can't provide action in public comment. Ms. Frazier said the vendor she is speaking for has tried since the last couple of meetings to get on the agenda. Councilmember Davis stated it would be better if she spoke after the Burning Man item if she is asking for action; Council did receive the letter from the gentleman in question. There was a consensus to add Ms. Frazier to the agenda

after the Burning Man Agreement. Chairwoman Davis noted this should have been added to the agenda when the agenda was approved.

Ronald Guerrero. Mr. Guerrero brought to the Council's attention it is time to make this a dry reservation and the exclusion (ordinance) needs to be amended.

Mervin Wright. Mr. Wright stated there is on the agenda a proposed Constitutional amendment for the 2022 ballot questions. They went through the process back in 2008 and it's separate from the Election Committee's responsibilities. It is managed by the Bureau of Indian Affairs (BIA) and there are requirements to be completed in order to complete the process for a Secretarial Election. It would be separate from the Tribal General Election. At the time they were required to have public meetings to discuss the proposed questions that were going to be on the ballot, they had six meetings, with two in each community. In a span of over three years, they finally had the ballot approved by Tribal Council. One of the primary questions he wants to see on the ballot was the residential residency requirement that requires everyone that can vote has to live on the reservation continuously, not less than one year. There is always questions about members who leave for a while and come back or move but keep their residence. To resolve, let's just eliminate the residency requirement. Unfortunately, during one of the Council meetings before the ballot was approved that question was taken off the list. He recommends the residency question be included on the ballot and if it fails, it fails. If it passes, the Constitution would then require and allow all tribal members regardless of where they live are entitled to vote. He said in January of last year when looking around the country and with the actions being taken by the Republican Party to suppress the vote, in essence, that's the same thing they are doing by suppressing all tribal members the right to vote. There are requirements by BIA in accordance with 25 CFR that have to be followed by the Tribe in order to complete this Constitutional amendment.

CONSENT AGENDA

Items on the Consent Agenda include the following:

1. Approval of Minutes: June 17, 2022 Special
2. Approval Ratification of Poll Votes: Elder Energy Request Eldon O'Daye, Individual Donation Request for Amanda Phoenix and Group Donation Request for Charlie Johns
3. Approval Wes Williams July 2022 Invoice #3981
4. Approval Elder Energy Request Dean Calvin

Councilmember Brady requested to pull number #1 and #3.

Councilmember Dunn motioned to *approve items #2 and #4 on the Consent Agenda*. Councilmember Brady seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

It was noted Councilmember Guerrero logging onto zoom at 6:13 p.m. but he was only viewing the meeting not actively participating.

Councilmember Brady didn't get a chance to view the minutes and requested to table.

Councilmember Brady motioned to *table the June 17, 2022 Special Minutes*. Councilmember Dunn seconded motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Councilmember Brady asked if the JGFP group was billed for the items regarding the liquor license. Chairwoman Davis said they were not billed, they previously talked about it but there was no action regarding it.

Councilmember Brady motioned to pay Wes Williams July 2022 Invoice #3981 with exception of the JPFA Group billing and for billings to go directly to the JPFA Group. Councilmember Ely seconded the motion.

Councilmember Davis requested verification if they are asking Wes Williams to bill him. Chairwoman Davis said he would have to send him a letter. Councilmember John said the Tribe should pay Wes Williams because he was asked to do the work. Councilmember Davis said a request would be sent to JGFP to reimburse the Tribe.

Councilmember Brady rescinded her previous motion and motioned to table Wes Williams July 2022 Invoice #3981. Councilmember Ely seconded motion. Votes were six (6) **for** and one (1) **opposed** (John) with zero (0) **abstentions**. **MOTION PASSED**

Councilmember John stated Mr. Williams completed the work and should be paid with the billing issues to be resolved later.

PRESENTATION

1. 2022 Burning Man (BM) Highway Clean Operations. Marnee Benson, BM Tribal Liaison

Ms. Benson introduced her colleagues, Katie Hoffman, Dominic Tineo and Archie Thorne. She shared BM's mission, operations and coordination of their highway cleanup plan. The mission is to help ensure the highways and communities are safe and clean of debris post event. Their highway cleanup department monitors traffic patterns and exodus debris and litter on the surrounding highways. Typically, the cleanup efforts start on Wednesday after Labor Day and go through the end of September. There are three main phases to the highway cleanup operation. Phase one is Recon which starts on Labor Day, they drive the roadways and identify priority areas. Phase two is the priority debris removal which lasts as long as it's needed. It's scheduled right after the event when the roads are clear of vehicle traffic. The last two weeks of September is Phase three where they engage in what they call routine maintenance where they continue to clean along the roadways. Of course, there are things that impact their schedule which are traffic conditions, weather and health of the crew.

Mr. Kineo explained he came before Council in 2020 for permission to do a cleanup from Wadsworth to Black Rock Desert where he picked up litter and debris. It took him eight days and he picked up 2,000 pounds of debris. He has been the Environmental Restoration Manager for BM since 2005 and ensures the highways are clean. His crew takes photos of areas they are monitoring, picking up & removing debris. For items that are large they notify their government affairs to ensure the different agencies are aware and they come up with a strategic plan for removal.

Ms. Benson said the reason for the photographs is to show past year hotspots and to anticipate these areas. They have engaged in a campaign called Leave Nevada Beautiful, to educate their 80,000 participants on the places they can go post-event to drop off trash, recycling and dump for their RVs. They're working with the Nevada Department of Transportation (NDOT), Nevada Highway Patrol (NHP), Tribal Police and Washoe

County regarding the few incidents of unauthorized trash vendors and illegal dumping. With the help of Vernelda Frazier, Tax Department, they have been able to track the unauthorized trash vendors. There was an incident in 2019, where trash was collected and abandoned after a day or two of collecting money and with the help of the Tax Department and Police Department they were able to identify the tribal member who had dumped the trash. In 2017 there were a few vehicle crashes post event and they didn't have very good communication with all agencies and that is when they all came together to firm up their processes. Now NDOT takes the big items and they assist with the smaller debris, things that can be placed in the back of a pickup truck. Ultimately, they want Tribal Council to know they are out there and are willing to answer any questions they have.

Councilmember Brady was curious about the sandstorms that occur on the playa, do they send people out immediately to start collecting debris? Ms. Benson said they have a nine-mile perimeter fence which is a trash fence and due to their leave no trace ethic, the attendees keep their camps and possessions tied down. They don't dispatch teams and the community collects any trash that gets away.

Ms. Benson said each year with their traffic management, they put up traffic cameras for all of SR447 and in the past they put cameras at the Wadsworth and Nixon Stores and they are looking for a contact for this year. Chairwoman Davis directed them to Benjamin John, the Business Officer. This year they are looking to invite the Department of Interior Secretary Deb Haaland.

Chairwoman Davis asked how concerned are they about the Monkey Pox? Ms. Benson said they are watching the National news and have been in contact with San Francisco and Nevada's Health Departments. They have a COVID team in place to keep an eye on it, a communications plan for their participants, and are taking measures at their site hospital and first-aid stations because they are aware people are coming in from all over the world. The Nevada Division of Public and Behavior Health is on site and they work with them every day.

Councilmember Brady had a concern about people going into restricted areas and wanted to ensure they were putting it on their website to inform their participants. Ms. Benson affirmed they had a strong and robust communication plan that goes out to their participants about tribal concerns, limitations, permitting and requirements. Councilmember Brady suggested having one of their people sit by the road that goes to the east side because the Tribe's Rangers are busy elsewhere checking permits. Vice Chairman Wadsworth said it might be better this year since the Tribe hired beach monitors.

Councilmember Gonzales suggested signage to let people know where they can't go. Ms. Benson said in 2018-19 they did help with signage at the lake and it was a helpful deterrent for trash. She will have Ms. Holms follow-up with signage.

UNFINISHED BUSINESS

1. Request for Approval Amended SFPP Agreement with Resolution. Pilar Thomas, Legal Counsel, Quarles & Brady LLP

Ms. Thomas explained this resolution would approve slight amendments to the easement agreement between the Tribe and SFPP. Council approved this easement agreement at the end of last year and after it was sent to the Bureau of Indian Affairs (BIA) as part of the easement agreement application, the BIA had a

number of comments and questions about the easement agreement, along with concerns about missing language. The total number for compensation was incorrect, both the Chairwoman and SFPP made pen and ink changes with initials but BIA rejected the pen and ink change to correct the mathematical error. The error was corrected and in addition BIA was concerned they had not included the United States and language related to insurance coverage and indemnifications. Those amendments have been completed at BIA's request. There were a couple of other questions, edits and comments from SFPP but they reminded them that all they were doing was making the changes related to BIA's request and let them know they were not opening the agreement to any other changes. The resolution would approve the restated and amended easement agreement. Once approved, they would send back to the BIA for processing. SFPP is still working with the BIA on a couple of other items they have to provide as part of their application.

Councilmember Davis had a question on page 11 .8.1 there are a couple of red marks, have those been corrected.? Ms. Thomas confirmed they were corrected and explained it was one of the changes SFPP made but they were told they were going back to the original language that was in there.

Councilmember Ely motioned to *approve the amended SFPP Agreement with Resolution*. Councilmember Dunn seconded motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 091-22 AMENDED SFPP AGREEMENT**

2. Request for Approval Constitutional Amendments 2022 Ballot Questions.

Chairwoman Davis said they had a couple of workshops and one included Wes Williams, legal counsel.

Vice Chairman Wadsworth said there was a question that was brought up a couple of times about the sections in the Constitution where it says the Tribe has to send all their resolutions to BIA which is now directed to the Western Agency Office which BIA provided comments on. The information from legal counsel was received after the documents were provided to Council. There are items which Council still has to decide what is to be placed on the ballot.

Councilmember Davis would like to table so they can review legal counsel's comments.

Councilmember Davis motioned to *table the 2022 Constitutional Amendment Ballot Questions and to schedule a Workshop*. Councilmember Dunn seconded motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

NEW BUSINESS

1. Request for Approval Resolution in Support of Renaming "Cone Peak" to "Sue's Peak".

Steven Oldham

Mr. Oldham said his wife Susan Oldham passed last April. For 30 years she worked on issues surrounding the Truckee River which culminated in the Truckee River Operating Agreement (TROA) being signed. It was one of the most important projects in her legal career. She was one of the first 100 woman admitted to the Nevada Bar Association. He wants to see some recognition for that and for others. There is a landmark in the Humboldt Toiyabe National Forest called Cone Peak. He would like to have it renamed Susan's Peak or Susan Lee Peak in honor of all the work she did. He knows this is a long process but he wanted to start with the Pyramid Lake Paiute Tribe. He is seeking the Tribe's support along with other agencies as well.

Councilmember John motioned to *approve the resolution in support of renaming "Cone Peak" to "Susan's Peak"*.

Councilmember Ely requested confirmation of what they were approving, a resolution or letter of support.

Councilmember Davis said they need to remember a tribal resolution is tribal law and is reported to BIA but if they did a letter of support it would show the Tribal Council is supporting this request.

Vice Chairman Wadsworth recommended they also coordinate with the Reno Sparks Indian Colony since the land is more their ancestral lands.

Councilmember Davis said the colony doesn't actually have ancestral lands because they are new, the colony is made up of Pyramid Lake, Walker River, and Washos, they are made of us.

Chairwoman Davis suggested they go to the Reno Sparks Indian Colony and ask for their support as well.

Councilmember Brady stated since Europeans arrived, they have been renaming our traditional homelands. No matter who's it is they have been renaming it. For herself, she doesn't agree with this because we need to reclaim our land. Although she appreciates what his wife has done, it has been the standard practice to rewrite history and from a geographical sense that had a native name and whomever wants to argue which land that belonged to. She can't agree with it since it's been done time and time again

Councilmember John amended her motion to *approve a letter of support in renaming "Cone Peak" to "Sue's Peak"*. Councilmember Dunn seconded motion. Votes were five (5) **for** and two (2) **opposed** (Wadsworth, Brady) with zero (0) **abstentions**. **MOTION PASSED**

2. Request for Approval Film Application Casey Acklin in Collaboration with Carla Eben, Numaga Elder Program. Casey Acklin and Carla Eben (not present)

Mr. Acklin explained he works for the School of Public Health at the University of Nevada Reno (UNR). For the last three years he has partnered with Carla Eben and the Numaga Program on a program call Pesa Soaname Advisory Group which is a part of a broader initiative across Nevada for dementia. He has been supporting Ms. Eben in the community with elders living with dementia and their care partners. He is also pursuing a masters degree in Journalism at UNR and would like to write a story to change the stigma about dementia. With Council's approval he would like to work with Ms. Eben to produce a documentary, with short videos, that focuses on the experiences of living with cognitive changes that are diagnosed or undiagnosed. Particularly focusing on the well-being that elders are afforded by their community, and cultural practices. The project will continue into Spring and end in March of 2023, once approved he would start the planning process but he also needs to get research approval from the Institutional Review Board (IRW) at UNR, who oversees research projects and they have asked for a letter of support from the Tribe, before they will consider him to start the project. If for some reason the review board doesn't accept the project due to ethical reasons, then he would still continue on with the documentary but it wouldn't be in conjunction with the research project.

Councilmember Brady asked if the review board doesn't accept the project because of the research, there needs to be some guidelines, what will he use instead? Mr. Acklin said the research component is taking what stories and video are shared and using it as data within a qualitative analysis, essential what he would do is use the what & where of stories that are told and the body movements is a way to understand some core

aspects of people with dementia. Everything would be the same but it would be more of a documentary project versus a research project. A possible reason the IRW may reject is because of the nature of informed consent. If it is a research project, it is required he seek legal informed consent from everybody who is considered a research participant. For people with cognitive changes, legal informed consent isn't always something they can provide. There is a statute at the State of Nevada that says anyone who cannot provide the informed consent cannot participate in research without actually going before a judge.

Councilmember Dunn motioned to *approve the film application with waiving of the fees and to write a letter of support*. Councilmember Davis seconded motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

The next motion was made after item #3 was completed.

Councilmember Davis motioned to *require the Numaga Director or a representative to accompany Mr. Acklin during his interviews especially if it is in the elder's home*. Councilmember Dunn seconded motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

3. Request for Approval Film Application Docu-series on Burning Man. Vikram Gandhi, Director of the Documentary

Mr. Gandhi said he is the producer/director of a docu-series on Burning Man. They have been in contact and collaboration with Burning Man for over a year to tell a story of Burning Man and they would like permission to film on the reservation. They want to know the effect of Burning Man around the community both positive and negative. They will only be filming the area traveling to Burning Man, to show the journey of it. They would like to film before the build week before August 17th.

Councilmember Brady mentioned they would be filming the trip along the way and along the lake but it is not mentioned in the application. Mr. Gandhi apologized and said it was another member who submitted the application but they would be filming the scenery along the way. Councilmember Brady said they actually checked no on the application when asked if they would be filming the lake.

Councilmember Dunn motioned to *table the request, direct the application to the Inter-Disciplinary Team (IDT) and to resubmit*, but he also had a concern about #6 on the application where it states they anticipated selling to a streaming service, i.e., Netflix, HBO, etc., receiving monetary gain when the Tribe receives nothing. Councilmember Brady said there is a \$1,000 a day filming fee. Mr. Gandhi said they are agreeable to filming one day for the fee price but can adjust if needed. They are a commercial endeavor and their goal is to film on tribal land.

Councilmember Gonzales commented it's a good thing being able to explain the importance on how we view the land and culture and advertisement of the museum, it brings people to lake.

Councilmember Dunn restated his motion to *table, direct back to IDT for review, and to resubmit a corrected film request*. Councilmember Ely seconded the motion.

Votes were six (6) **for** and one (1) **opposed** (Wadsworth) with zero (0) **abstentions**. **MOTION PASSED**

Councilmember Ely stepped down to present the next item.

4. Request for Approval Pyramid Lake Housing Authority (PLHA) Release, Assign and Conveyance for Kevin Thomas with Resolution. Edward Ely III, PL Housing BOC member

Mr. Ely is requesting approval for a quick claim conveyance for an assignment for Kevin Thomas. This has been approved by the PL Housing Board of Commissioners

Vice-Chairman Wadsworth motioned to *approve the PLHA Release, Assign and Conveyance for Kevin Thomas with Resolution*. Councilmember Brady seconded motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED RESOLUTION NO.: PL 092-22 PLHA RELEASE ASSIGN & CONVEYANCE KEVIN THOMAS**

Councilmember Ely returned to his seat.

5. Request for Approval Submission of Safety Grant with Resolution. Sherry Ely-Mendes, Transportation Planning Assistant

Ms. Ely-Mendes said they are writing a grant for BIA Safety Funding to update their current safety plan. It is recommended to get it completed every five years to update the items currently on the list and to add items if they need to. This requires a resolution to complete.

Councilmember Davis motioned to *approve the submission of Safety Grant with Resolution*. Councilmember Gonzales seconded motion. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (Ely). **MOTION PASSED RESOLUTION NO.: PL 093-22 FEDERAL HIGHWAYS TRIBAL TRANSPORTATION SAFETY FUND**

6. Request for Approval 2022 Burning Man/Pyramid Lake Paiute Tribe Service and Funding Agreement with approval for Chairwoman to sign agreement. Benjamin John, Business Office

Councilmember Dunn left the meeting at 7:46 p.m.

Mr. John said the agreement is the same as in the past but the funding amount has changed based on what it was agreed upon.

Councilmember John asked if the \$144,855, which is 22.06% indirect which would be approximately \$31-32,000. Would each one of the allocations take the indirect off. Mr. John confirmed they would.

Councilmember John motioned to *approve the 2022 Burning man/Pyramid Lake Paiute Tribe Services and Funding Agreement with approval for Chairwoman Davis to sign the agreement*. Councilmember Brady seconded motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Ms. Frazier, Tax Administrator explained the process used through the Tax Code and stated tax payers have rights. If it's a regular tax payer, who is here all year, and they have a complaint, they go to the Tax Administrator, if the tax administrator doesn't handle it to their satisfaction, it goes to the Tax Commission, if they still don't like the answer it goes to Tax Court, where the Tax Commission has their own Tax Judge and they use the Tribal Facilities to conduct their court. Because this is a vendor who isn't here all year, only during Burning Man, he asked them for assistance. He started in June trying to get a hold of the Business Office and Enterprise Manager, trying to get setup behind the Nixon Store where he has been set up the last

couple years. He did come to Council about four years ago asking for help because it got too much because of what was asked of him. They told him to again, get on the Council agenda, when they inquired they were told he submitted his request too late. They assumed it would be on the next agenda but when it wasn't they were told it was removed and given to administration to handle. He eventually started working with the Business Office and based on the prices he was given, he was to pay \$35,000 to setup for two weeks. Instead of getting a Burning Man vendor's permit, he was told he had to get a business license for 30 vendors and the business licenses are \$175 each. He thought he was going to get the Burning Man permit for \$10 which he was willing to pay for his vendors. He is in charge of his vendors and is a good tax payer. They did a special event permit when Symbiosis came to the lake and one person was in charge who got everyone registered and paid all their fees for them. They had a one-time sales tax payment which was like \$18-20,000. Why can't they go with the vendor rate for Mr. Santiago? he couldn't get on the Council agenda and his request was given to the Business Office. He wanted to negotiate for a lower price and not a business license for just two weeks. The Enterprise had overnight fees, told him he had to pay for security, bathrooms, lighting and signs and he could only have so many vendors because they couldn't accommodate 30. In the Tax Code, it says tax payers are supposed to be given a prompt response in all communications and if they feel they are overcharged, they would have to check on it to be endorsed by the Tax Commissioner. The Tax payer is entitled to an exemption or has been taxed or assessed more than is required by law which is why he was questioning the vendor permit fee of \$10 versus the business license fee of \$175 per vendor. The Tax Department's view is he did have a right to protest because he is not a year-round tax payer, only a special event vendor, they wouldn't have time to go through the process of meeting with her, the Tax Commission and Tax Court. She did provide to Council a letter from their Tax Attorney saying they are an independent tribal agency of the Tribe. It used to be when they started 30 years ago, they used to say the Tax Commission was divided because the Tax Commission couldn't interfere with the Tax Code but that was changed making them an independent agency, they can subpoena and they can call court. They don't have to go through Council much less administration. They can't follow that now because she has a supervisor (Business Office) that is saying this is an administrative function and they can't do this. She reminded him they have a right to follow the code, the tax payer has rights, if they have a complaint, they have to follow what is in the code (Tax payer Bill of Rights). He said he wrote to Tribal Council to explain what he wanted but nothing came of it. He notified her last week that nobody responded to him and since he wasn't on the agenda tonight. She verified with two Councilmembers on whether they received his email, one did the other didn't. One Councilmember said they were on Council when this first came up years ago and at that time the Council made a directive to Enterprise to supply bathrooms and lighting and he didn't think it was a one-time directive. This event has been occurring for years and the Tribe should be ready, having facilities ready every year. What he is asking is to have a reasonable cost/rates/space, and if it can't be worked out, he can't afford to setup. This is lost revenue they count on. They were always helpful to them but this year they forwarded him to the Business Office. They don't see tribal members because they are exempt and they just get a permit. She contacted the Enterprises and currently they only have one vendor signed up. In 2019 they had 30 vendors and this year there is only one and they are tribal so they're exempt. At this time last year, they had collected over \$20,000, this year they projected \$25,000 due to increase taxes. Looking at Mr. Santiago's website, he sells high quality items, not homemade Burning Man items. He just wanted to speak to Council and negotiate for a lower price. The Nixon Store was charging him \$10,000 to setup in the back with only half the vendors. It was suggested he move somewhere else but he would prefer to stay behind the Enterprise and negotiate for a lower price

or at least have the Enterprise assist with the lighting and bathroom but would need an answer soon since Burning Man is around the corner.

Councilmember Gonzales said she received the email and was disappointed not to see a response with this business relationship. She does remember when he came before Council before with his concerns and understands the concern since he is a vendor.

Ms. Frazier said they are losing tax funds but they are following their code, people do have rights.

Chairwoman Davis said the initial agenda request was turned over to the Business Office. There is a process in place that Council approved by resolution in 2021. They have no control over the Enterprises, they are their own business.

Councilmember Gonzales stated as the administrator, she would have hoped it would have been followed up with the Business Office. Chairwoman Davis responded it is being taken care of by following the process.

Councilmember John said when they approved what each department gets, the maintenance department is getting \$23,610 minus \$8,000 for indirect. They are getting \$18,000 which used to pay for the restrooms and maintenance used to put them at each Enterprise. What is this paying for if they want the vendors to pay for restrooms. Is there a budget on the allocations, like emergency response, law enforcement, maintenance, trash and waste? Chairwoman Davis said those are the amounts the departments turned in for their costs.

Vice Chairman Wadsworth commented what Councilmember John just said is opposite of what Ms. Frazier told them. At the time the vendors paid for the restrooms at the Nixon Store, what he heard was Mr. Santiago came to Council to complain and the Tribe had to pay the bill for more Sani-huts and pay for the lights. It shouldn't be this boards responsibility, it's his event, he has to provide those. Chairwoman Davis said at the time it did put a burden on the budgets because they had to take from the departments from what they asked for to pay extra for the lights and restrooms at the store. Ms. Frazier said shouldn't the Enterprise put it in their budget for what it costs for bathrooms and lights.

Vice Chairman Wadsworth said this needs more research because he was told the Tribe provided the Sani-huts and lighting out of the Tribe's budgets.

Councilmember Gonzales added it doesn't include what the Enterprise gets when they used the stores and he offered to pay for an extra store clerk but at the time nobody wanted to work.

Chairwoman Davis reminded Council there was a business ordinance approved by resolution that they have to follow.

Councilmember John said the confusion is between a special event and the year-long business license, they are trying to charge him for the year-long business license and he is just doing a special event. The business ordinance was passed during the pandemic and it's geared towards the larger vendors and is impacting the smaller entrepreneurs. Guess they have to experience it to see how it impacts everyone but it seems pretty harsh.

Councilmember Ely said he feels they need to follow the ordinance that is in place and passed by resolution but he does understand the confusion and they need to follow-up and make adjustments to the ordinance to

include the departments and business office since they may not have all been included when this ordinance was passed. They need to revisit soon and fix it if it doesn't match the Tax Code.

Brenda Henry, Tribal Secretary, stated the Burning Man Policy wasn't approved by council, only the Business Ordinance.

Chairwoman Davis recommended bringing back to Council to include the Business Office and Tax Department for further discussion.

Councilmember John motioned to *table and bring back to Council with clarification of a vendor vs business license and for review by legal counsel by the August 19th Council meeting.* Councilmember Ely seconded motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Councilmember Gonzales said while looking at the Burning Man business license/vendor permit, addressing any issues and she would hope to work with the Business Office to clear everything up because there is confusion.

Councilmember John would like to see a history of the Burning Man revenue pre-covid.

Councilmember Davis said in years past, Council approved by motion that during Burning Man from August through September only enrolled Tribal members are authorized to sell food for a way for them to earn extra income plus there were extra bullet points during Burning Man. Ms. Frazier said they adhere to that directive because that is when they started the food handler's course.

7. Request for Approval Access to Pyramid and Stone Mother for Prayer & Blessing. Matt John, Tribal Member and Hawaiian Group.

Mr. John would like to bring a small group, about 50 individuals from their Hula, a Hawaiian Dance Group, that his daughter and wife are members of to the east/Pyramid side for a morning blessing and purification. His wife, Deonn John read their mission statement and explained their blessing and purification. Because their ceremony has to be done at sunrise, they have decided to change to Popcorn Beach because of the time and travel to get to the east side and they are not sure they will make it.

Councilmember Brady said that was her issue, they have had individual requests but they have not had large groups request to go to the east side. She asked if they allowed people to watch their ceremony. Ms. Johns said because it's a blessing they only allow their members but they would like to have Council attend so they can understand the importance of their ceremony.

Vice Chairman Wadsworth was concerned about closing the beach for a special event. Ms. John said it would be early Saturday and once the sun starts rising they need to be entering the water and then once their ceremony is complete they will leave which is their protocol.

Councilmember Davis said since they allow others close to off the beaches, she would recommend they approve with moving to west side of lake, notify the Rangers and waive any fees.

Councilmember Davis motioned to *approve with a change of location to Popcorn Beach, to inform the Rangers and to Waive the Group Fees*. Councilmember John seconded motion. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Tribal Council agreed to schedule a Special Council Meeting on August 11, 2022 at 5:30 p.m. for a meeting with Executive Session and schedule a workshop at 6:30 p.m. with Ms. Thomas, Legal Counsel regarding NUMU Inc documents. A workshop was also scheduled for Thursday, August 18, 2022 at 5:30 p.m. for the Secretarial Election discussion.

Chairwoman Davis reminded Council of Senator Rosen's round-table visit on August 17, 2022 at 2:30 p.m. in Tribal Chambers.

Councilmember John said she attended the Protecting Natural Resources meeting via zoom and she let them know about the encroachment, buffer zone and when they go to traditional areas the US Fish & Wildlife Service let problem bears lose in those areas. On the 24th, there is a fair at San Rafael park and she offered to put up a table with willow work and traditional foods.

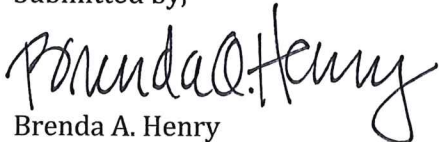
Councilmember Brady said she went to a meeting with Sisolak about voting and a lot of Tribal Chairpersons attended and they were allowed to voice their concerns. She mentioned the flyovers and said she doesn't like they are flying so low and they are practicing war games on the reservations. Councilmember John said the workgroup for the flyovers, mentioned a resolution where all the tribes are on it for their fly zones where they practice without the Tribe's consent and their recommendation is to have the Tribe's name taken off of it and to develop an ordinance about how much feet they can fly. There are other tribes that already have a code for this. Chairwoman Davis said once they get the ordinance completed, they can send to the FAA who will forward it out and let everyone know that is the Tribe's laws.

ADJOURNMENT

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

The meeting adjourned at 9:18 p.m.

Submitted by,



Brenda A. Henry
Tribal Council Secretary

CERTIFICATION

*Pyramid Lake Paiute Tribal Council
August 5, 2022, Regular*

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 **November 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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