



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday January 5, 2023  
Tribal Conference Room and Via Zoom – 5:30 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 5:42 AM by Chairman, Amber Torres.

**II. ROLL CALL**

Amber Torres, Chairman – Present  
Stacy Hicks, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Genia Williams – Member – Present  
Shannon Williams, Member – Present  
Taylor O'Daye, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth motions to approve the agenda with the addition of Leslie Berg, Integrity Business Solutions & Consulting Bookkeeper-Stacy Hicks under "Old Business". Andrea Martinez seconds the motion. The motion passes with a vote of 6-For, 0-Against, and 0-Abstentions.

**IV. TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

None

**V. OLD BUSINESS**

**Contract with Leslie Berg, IBS & C– Stacy Hicks, Vice-Chairman**

Stacy Hicks would like the Council's approval to hire Leslie Berg, IBSC, to perform a bookkeeper assessment of our finance dept for two days of work in the amount of \$2500.

The Council will table this item until after we hear the Tribe's finance reports by Consensus.

**VI. NEW BUSINESS CLOSED SESSION PART 1 with Tribal members present**

Stacy Hicks motions to go into closed session at 5:55 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 6-For, 0-Against, and 0-Abstentions.

**Closed session with Tribal Council Only begins at 6:52 PM**

Genia Williams motions to go into open session at 11:12 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 6-For, 0-Against, and 0-Abstentions.


**Leslie Berg IBSC LLC Contract**

Stacy Hicks motions to approve a contract with Leslie Berg IBSC LLC not to exceed \$2500 plus per diem. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 1-Against, and 0-Abstentions. Gina Wachsmuth votes against because she doesn't believe the Tribe needs as assessment from an outside business.

**VII. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 11:27 P.M. Stacy Hicks seconds the motion. The motion passes with a vote of 6-For, 0-Against, and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



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**Special Tribal Council Meeting  
Thursday January 17, 2023  
Tribal Conference Room/Via Zoom – 4:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 4:03 PM by Stacy Hicks, Vice-chairman

**II. ROLL CALL**

Amber Torres, Chairman – Present for Expulsion Notice in Audience

Stacy Hicks, Vice Chairman – Present

Gina Wachsmuth, Secretary – Present

Andrea Martinez, Treasurer – Present

Taylor O'Daye, Member – Present

Genia Williams – Member – Present

Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions to approve the agenda. Shannon Williams seconds the motion. The motion passes with a vote of 4-for, 1-Against, and 0-Abstentions. Gina Wachsmuth votes no, but is not asked to state reason why. Stacy Hicks says there is no “Old Business” and no “Minutes”, and no reports. The “New Business” is Action-Notice of Expulsion Against Chairman, Amber Torres. Stacy makes note that Amber refused to take the Notice. Amber states for the record that Stacy walked into her office to hand it to her before the official process. Amber will not take anything outside of this official capacity. She would like that stated as well, please. Stacy tells Amber she left it there on the podium now. Amber thanks her.

**IV. TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

None

**V. OLD BUSINESS**

None

**VI. NEW BUSINESS**

**Notice of Expulsion Against Chairman, Amber Torres**

Stacy says at this time Andrea Martinez will read the charges:

Official Allegations of Misconduct of Chairman Amber Torres

1. Neglect of duty - The Chairman consistently fails to address the issues brought forth to her by the Treasurer, including not responding to numerous emails.
2. Ms. Torres refused to address the FY2020 audit issues brought up regarding the Finance Director.
3. Ms. Torres refused to address or take responsibility for incorrect and/or invalid information presented to the Council regarding audit and indirect proposal.
4. Ms. Torres failed to follow her own directives during the pandemic by not wearing masks, while demanding others to do so.
5. Ms. Torres conducts herself unprofessionally, for example stopping lawful agenda requests from being on the agenda, not posting the agenda on time and sending backup documentation late or during Council meetings.
6. Ms. Torres failed to provide information to Council Members in a timely manner to allow the Council to make informed decisions when voting on matters.
7. Elder abuse and neglect of Tribal Members, as per Rosemary Allen's formal complaint addressed to Council in closed session.
8. Council meeting June 9, 2022 - Ms. Torres was patently unprofessional and disrespectful to an Elder. When the Elder asked her questions, many of them were unaddressed. Ms. Torres informed the Elder that her questions "were not on the agenda" and therefore were not addressed. The Elder stated that when she puts in agenda requests they are most often denied.
9. Ms. Torres neglects to honor the voice of the People by ignoring certain agenda requests, the Treasurer has personally experienced this as well.
10. Ms. Torres acted in such as way as to cause a non-Tribal Native to write a letter addressing how Ms. Torres disrespected her family and her cultural feelings and

22. Ms. Torres violated her duty by failing to provide statements of revenue and expenditures for each general fund on or before the 15th day of each month.
23. Ms. Torres violated her duty and 2 CFR 200.500 [page 91 of WRPT financial management policy] Tribe's Annual Single Audit Act. All Audit Reports were due no later than 6mos after the end of the Tribe's fiscal year.
24. Ms. Torres violated her duty by failing to submit Audits to the Federal Audit Clearinghouse by June 30th annually.
25. Ms. Torres was in gross violation by traveling without Council approval.
26. Ms. Torres violated her duties by not completing the Police Sub-station per agreement.
27. Ms. Torres violated her duties by not completing the Homeless project.
28. Ms. Torres failed to obtain and make available, required financial documents necessary for Government function.
29. Ms. Torres violates her oath by unprofessional demeanor and personal attacks.
30. Ms. Torres grossly violated her Office by accepting gifts from 3rd parties.
31. Ms. Torres acted outside of her authority by approving Federal Government/Navy agreements without Council resolution, as required.
32. Ms. Torres acted outside of her authority by negotiating Federal Government/Navy contracts without Council approval.
33. Ms. Torres acted outside of her authority by utilizing the Tribe's Financial Attorney to write an opinion for an employee.

Andrea says now she will read both letters that were given permission by each person for her to read. The first one is by Nate Whistler. Gina Wachsmuth says you should go through each of these with your backup and proof that you have for them. Andrea responds that violations of policies are all in the Financial Management Policy. They should be presented to us, of what she violated, you can't just accuse her without any...Andrea says she did present it to us...Gina Wachsmuth says this is all I have (the packet with the agenda) is 33 charges, and the two letters, one from Nate Whistler, and Paula Wright.

Amber says she would also like to ask what procedures we are using today.

I

Date: January 14, 2022  
To: WRP Tribal Chairwoman & Tribal Council  
Fr: Nathan Sam Whistler, Senior Center Coordinator  
Re: Homelessness on the Res

I would like to address a matter that involves homelessness on the Walker River Paiute Indian Reservation. In the cities, it is quite common to see homeless people on the streets, alleyways and alleyways, some of them are even being pushed to the outskirts of city limits. There are a variety of causes to homelessness. Let me jump into what I am addressing. I was asked to assist in the relocation of pets that belong to an elder gentleman with disabilities. I came to find out that under the direction of the tribal chairwoman Amber Torres, the tribal social service director, Rosemary Kinale was told to remove the elder being the legal guardian from the townsie to the reservoir which is about 12-15 miles west of Schurz. Let me remind you that we were in the dead of winter and it is freezing out. Mr. Alan Cushman is the elder we are talking about. Alan had become homeless due to a fire that had taken his home in February of last year. I took it upon myself to request donations for Mr. Cushman, understanding that in emergency his homelessness would be temporary, he received a great deal of support. It has been months now and he remains homeless. I also understand that I am not an enrolled tribal member or family but would like to point out that it is immoral and unethical to subject anyone, especially, an elder with disabilities to the out of sight cold and isolated desert.

This letter is in support of Social Services Director Rosemary Kinale. Please, consider in placing Mr. Cushman in a temporary home or facility for his health, safety, and wellbeing. Must I remind you that we are also amid a pandemic. I do not know if Mr. Cushman has adequate sanitary, or protective supplies or if he has had the covid-19 vaccination. Also, I was made aware that there are other homeless gentlemen in Schurz that were told to vacate and move out to the reservoir. Let us remember as a tribe and people with a shared history, what belongs to the tribe is, we are like family. Creator God teaches us to be generous and compassionate. Let us remember the love God has for us and take care of one another, especially, those in need.

In good faith,



Nathan Sam Whistler

Senior Center Coordinator @ The Agai-Dicutta Elder Center

cc: Rosemary Kinale Social Service Director, Almee Johnson Assistant

Andrea calls Nathan "Sam Whistler" and audience members question who Sam Whistler is. Andrea replies it is Nate. Andrea says the letter was hard to read because it was taken from a computer. She repeats the full name, Nathan Sam Whistler.

She announced that the next letter is from Paula J. Wright, February 11, 2022, as she reads the following letter.

Paula J. Wright  
P.O. Box 134  
Nixon, Nevada 89424

February 11, 2022

Walker River Paiute Tribal Council  
Schurz, Nevada 89427

Dear Friends,

I am sending this letter of gratitude to you this evening to humbly express my thanks to you for assisting me in retrieving the buckskin dress. It was taken from me in the fall of 1986 and sold in a local pawn shop. After I returned from college in 1997, I prayed that if it were God's will for me to have it, He would allow it to happen. I never mentioned it again.

The dress is very dirty. By the time you read this letter, the dress fringes will be removed as well as the crow beads and cowrie shells. I will have cleaned the buckskin using a soft bristle brush and white gas. I used white gas on it before to remove red drink spots. I plan to re-smoke the dress after the white gas evaporated.

There are a few places where beads fell off from mishandling. This is a simple fix.

I must express my disappointment with Amber Torres. When an item such as a tribal finery is brought to any tribal office, it seems a proper tribal inquiry would have been sent out to search for the rightful owner. She did not. Instead, she posted "the gift" on social media in total insensitivity. Then she began to disregard me as another unimportant thing that didn't pertain to her.

Amber Torres told Janet Davis, PLPT Tribal Chairwoman on Sunday, February 6, 2022, she had spoken to me. She did not until Thursday, February 10 on the phone. She inquired of how she offended me. I explained to her that her actions offended members of my family. Her flippancy was astounding. She called me again on Friday, February 11, 2022, irritated that I reminded her that she did not contact me as she had written to me. During this conversation she cut me off three times. When she told me that I can pick up the dress at your tribal offices, I departed Nixon immediately.

I'm sorry to say, Amber Torres handled this situation was not "in a good way." She failed to model respect toward other Native people. The way she brought the dress out into the office lobby was done in a careless manner. She knew its age. My sister did what she did to prevent any further exploitation.

My sister and I did not permit Amber Torres and her assistant to photograph when the dress was returned to me. I simply removed it from the hanger, turned it inside out, and proceeded to exit the Walker River Tribal Administrative office.

I am only one person. She is only one person. This event will not dissuade me from attending your tribal events. I have been an active participant in the Pinenut Festival singing to join other renowned singers in this region. The late George Moose called me "Lena Wright's daughter." People have always greeted me and respected me. My family had danced in the powwow as well.

*Paula J. Wright*

After Andrea is done reading the letter from Paula Wright, Stacy says at this time she is giving Amber 15 minutes to answer the charges starting at 4:20 PM.

Amber says thank you to the Council for the time they have provided today. She says she has a note that was provided by legal counsel on the due process that was presented here today. She asks Gina Wachsmuth to hand her documents to the Council.

Stacy asks if this is from her personal attorney. Amber responds no it's not. Amber says as you can see, she addresses the Tribal citizen and Tribal council that she doesn't come with an attorney today. She comes here to represent herself.

Amber states that she has been on the Tribal Council since 2010, dedicated to the Tribal citizens. She also wants to state for the record that this was a Tribal Council Meeting that was a set by the vice-chairman, and not herself in her capacity, in her role against herself.

She doesn't have a Zoom available. She was told that she was not being provided Zoom. She wants to state for the record that she was not asked by the vice-chairman or anybody else to provide a Zoom for today's meeting, so there is no Zoom.

She says that she has absolutely nothing to hide. She says that she has been our chairman since 2016. First taking over from a friend that was in need back in 2016. Then she was elected by the Tribal citizens, in an official election capacity. Since then and until current, she feels what is happening today is a gross travesty.

She feels that she is owed due process. We took an oath. An oath to defend our constitution, yet in this instance we are not even following it. She feels that this not a due process, because the announcement was made at the Council meeting that we held on January 12, 2023, that it was going to be held January 17, 2023, at 4 PM, although the meeting agenda was not publicly posted until this Saturday morning. This Saturday morning, in which she received notice at 8:54 AM.

The areas, she is not sure of where they were posted. We have 5 conspicuous areas that we post. Facebook is not one of them. This email and this meeting agenda stated, "Initiation and Removal of Chairman Amber Torres", that's what she received at 8:54 AM on Saturday morning. And then, she received an email to my chairman email only. She says that she doesn't take her chairman email home with her on the weekends. If anything, she provides everyone with her cell phone if we need to get a hold of her.

Then she got an amendment to her chairman email on January 14, 2023, which was Sunday, at 6:01 PM. It said there is an amendment for an actual removal. That is what was posted on Facebook. That is what is posted in this community. A removal. So, she was told to present today to allegations that she has not received, nor heard before today. There was a process that explained what we are going to do. Who is going to talk first? When does she talk? When do we make a decision? Everything presented today has been invalid, it is illegal.



She tells us that she has been here since 2010. She has sat in removals. Are they pretty? No, they are not. Do they have to be done? Absolutely. Again, with that, she has provided us all with a legal opinion on the due process requirements. This group is going against that opinion. Amber asks if she may read this memo that was sent to Council and put into the record, that it was provided by legal Counsel.

Stacy tells Amber to go ahead and read it. Andrea says wait and let's see what it says first. The audience requests for the document to be read out loud. Amber states she has only 15 minutes. Stacy also says that Amber has only 15 minutes.

Amber says that based on this invalid hearing that she is asking the Council to give her due process. She feels that she has earned that for as long as she has been here. Follow parliamentary procedure, post the initiation of removal for 5 days, and she will show up, expecting to hear her allegations, be given an adopted process, and schedule a hearing date to give her time to prepare. She says that she doesn't have an issue answering to any of the Council or any of the Tribal citizens in this room or those watching through Zoom. All she asks for is a for a fair and due process. Just like we would do for anybody else. Just like you would expect if this was you.

Amber says, if not, as you can see there, she has the ability to take it to the court and hold each and every one of the Council is individually responsible for the actions that the Council is taking today. She says Pasha You, thank you, and with that she will read the memo that was sent over by the legal counsel.

# Quarles

January 17, 2023

**ATTORNEY-CLIENT PRIVILEGE  
CONFIDENTIAL**

**To:** Chairman Amber Torres  
Walker River Paiute Tribal Council

**From:** Joshua Rees  
Pilar Thomas

**Climat:** 176038.00003

**Re:** Due Process Requirements for Expulsion Hearings

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We have been asked to provide legal guidance regarding the due process requirements the Tribal Council must follow when conducting an expulsion hearing under Article V, Section 2 of the Constitution of the Walker River Paiute Tribe ("Constitution").

Short Answer

In order to provide the accused Council Member due process, the Tribal Council must provide the accused with adequate notice of charges, that allow sufficient time to prepare and defend charges, and a copy of procedures under which the expulsion hearing will be conducted.

Legal Background

The Walker River Paiute Tribe Constitution provides that before a Council Member is expelled, they must be given the opportunity to "answer any and all charges at a designated council meeting..." Constitution, Art. V, Sec 2. Furthermore, the Tribal Council's authority to exercise its powers is limited by Constitution or Statutes of the United States. Const., Art. VI, Sec. 1. These constitutional provisions provide the groundwork of the due process requirements of an expulsion hearing.

Under federal law principles of due process, Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532, 547 (1985); Armstrong v. Manzo, 380 U.S. 545, 552 (1965), notice to the council member should include:

- 1) a statement of the charges;
- 2) explanation of the evidence upon which the charges are based;

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Amber states that at this time, she is asking because the last email that she received stated an amendment, so it is very confusing as to what Stacy was presenting today. Amber tells Stacy, again, you come to the meeting, you change on a whim, without following parliamentary procedures, the five day notice, that you changed the meeting from an "Initial Expulsion" to an amendment, then went back to the "Initial Expulsion", so she has no clue what she is doing here tonight, and there has not been a due process afforded to her as a Tribal council member.

Gina Wachsmuth says that she has one thing to point out. Stacy says that Amber still has two minutes. Gina concedes to wait for Amber to use her two minutes. Amber says ok, you have heard her original request, and is asking the Council to abide by the Constitution. Abide by what has been set in precedence already by previous councils. She understands that some of the Council have been here for a long time and have been through the procedures and hearings. Some of the Council has been here since December 8, 2022, and probably don't know the procedure. So, she is asking the Council not to follow through with this evening because she does not want to end up in litigation, she does not want to go back and forth in a courthouse.

Amber says she has no problem answering each one of the allegations if the process was followed properly. That is all she is asking is to follow the due process. As a Council member that has been here, serving the tribe since 2010 and as a chairman who has been here providing for us since 2016 along with everybody else in this community.

Stacy tells Amber that she has one minute if Amber has anything else to say. Amber replies that she does not. She thanks the Council for hearing her. Stacy says that she just wants to read the authority that we have as Council. Andrea asks to read first, to remind Amber of what our Constitution says:

#### Article V- Meetings

Section 2. Special Meetings maybe called by a written notice signed by the Chairman or the majority of the Tribal Council, and when so called, the Tribal Council shall have power to transact business as in regular meetings.

Andrea says that we tried to provide that to you before the meeting. Gina Wachsmuth continues that Amber has a part that she would like to address, that she just read. Gina says the majority is Andrea Martinez, Stacy Hicks, Taylor O'Daye, and Shannon Williams. They all signed this agenda that we just received today. Gina Wachsmuth states that they didn't ask her to sign the agenda to call the meeting. Gina Wachsmuth asks Genia Williams if they asked her to sign the agenda and she replies that no, they did not ask her either. Gina says that Genia and herself were excluded, and that's not how Council operates. We operate as one. Andrea says to answer that we weren't excluded. We received the email that Amber addressed in her statement.

Stacy says we were notified. Andrea also says, Article V – Vacancies and Removals from Office Section 2. The Tribal Council may by the affirmative vote of 4, may expel any member for neglect of duty or gross misconduct, before any vote for expulsion is taken in the matter such member or officer shall be given an opportunity to answer any or all charges at a designated council meeting. The decision of the Tribal Council is final. We are here at a meeting. This is not a hearing. Nowhere on the agenda says that this is a hearing. That is a legal term and she doesn't know why it is being used. This is a special meeting. It is posted on the agenda that this is a special meeting. Everybody received the copy that is in front of us. Right after Amber set her and Stacy's hearing. She tells Amber that she set the precedent. Amber asks if it's a special council meeting, is it a hearing, or is it an expulsion? She says she still doesn't have any clarification here. Stacy says it's a designated meeting that's required by the Constitution. Stacy says we don't need to, the Constitution is vague. There is no hearing requirement.

Stacy tells Amber that she keeps bringing up hearing because Amber is used to employee appeals, but that process isn't used for the expulsion of anyone on council. We go by the Constitution. It's vague. It says all we have to do is designate a meeting, read the charges, let Amber answer the charges, and then our decision is final.

Stacy says the agenda was posted for 5 days, we also took photographs of the posting allowing the 5 days. Everything was done legally. Tashia Jim asks if it's just 5 days or 5 business days. Stacy replies that it is just 5 days, it doesn't say working days.

**Stacy says at this time we can let the Tribal members speak if they want to. We are going to have to keep the time down, not going over.**

**Tashina Jim** asks why all of a sudden? Tashina says at other Council meetings... Stacy calls for a point of order. Stacy says she is opening up... The crowd is all talking at once. Stacy says that she is talking right now, so let her finish what she is saying. She says we are going to allow the membership to speak if anyone has anything to say. Raise your hand. Be respectful, keep personalities out, and remember the two-minute time limit.

Tashina Jim is called upon by Stacy to go ahead. Tashina asks why all of a sudden are we following the 15-minute rule? In other Council meetings everything else has gone over 15 minutes. Stacy tells her that she is the presiding officer that she can set time limits. So, she is setting a time limit, so we don't drag it out. Are there any other questions?

**Viola Kennison** is called upon. Viola says in the Tribal Constitution it talks about voting, and in that you said you have to be a Tribal member of such and such age. Everybody here that votes knows that you have to register. The Tribal Council can set additional requirements beyond the Constitution to clarify things like in the Tribal voting. That is exactly the authority they have. That's exactly what they did when they removed Patty Hicks from Council. They established all the criteria, giving her the notices, what the grounds were for her, and on and on. That's when that was established, in the early 90's, and since then it has been used. That's the basis of all that. In the Constitution it says you

can remove them etc., but the Council applies those additional requirements, just like what Stacy just said you have to have 5 days before the meeting. While Andrea read the Constitution that four members can call a meeting, that's true, but it doesn't negate the fact that you still have to have it posted 5 days prior. Stacy says it was. Stacy asks if anyone else has something to say.

**Miranda Quintero** is given the floor by Stacy. Miranda says so...in this process, because she hasn't seen it in this way either. The accused doesn't get the allegations ahead of time to come with an answer for the allegations. So, anybody here can come to a meeting with an allegation are expected to answer it. Is it what you're saying? Stacy says no. Miranda says in the past they received the allegations, the community gets to see the allegations of misconduct, and they come and are able have due process to prepare just like a court case.

Miranda says you don't go to the first meeting and have to represent yourself against what you're being charged with. You have to have time to prepare, you get an advocate, but this sounds like the allegations were just given, and she hasn't had a chance to prepare. I didn't come here to listen to letters from 2021 about a homeless person at that time, which is also a violation of his privacy, by the way, or a letter. I thought we were coming here to hear violation of law, policy, process, so far, I haven't heard a clear violation of financial management. I just heard that there have been just violations, and letters from two individuals from separate situations and she doesn't know how those are being used in this process as far as misconduct goes.

How was Amber going to know those were going to be addressed to her as an allegation of misconduct and then be able to respond, because there is a response to both those situations. So how would she prepare for that? Stacy says we addressed it at the meeting when she announced my own removal. Stacy says she sat here and asked Amber if she could get a list of what you're charging me with, and Amber told her "No, you'll get that at the meeting".

Miranda tries to explain to Stacy that you get that at the meeting, where you are presented with the allegations and then you set the expulsion hearing so that she can prepare for that. This is the meeting where you said you wanted to initiate. This is the meeting where you present what the allegations are. Then you set the special meeting for the hearing to expel her.

Andrea states if that is what the Council wishes to do. That way the people can hear what happened. Then she has the right to go get her information together to come back and answer those specific allegations that were cited. Stacy says we're not handling this like an employee hearing. This is how Council decides. Miranda says she's been on Council and has actually expelled people from Council. Stacy says to please quit interrupting while she is talking. Stacy says that everybody decided on council to follow the Constitution. That is what it said we had to do. That's what we are doing.

**Fawn Bolton** asks if you wanted to remove Amber tonight when she announced your removal. Why don't you do all three at the same time? Listen to everybody's allegations. Listen to everything. Put it all out there. Stacy says no. Fawn says let everybody hear. Fawn says instead you guys want to do all this and be corrupt and so who can take the seat? So, you can take the seat she asks Stacy. How long before you jump on her, she asks the Council. It is just a matter of time.

**Spencer Quintero** says he wants to talk about some of the allegations that were brought forth to Amber. For the homeless shelter, we had a lot of trouble getting in touch with NV Energy. The VP of NV Energy had to come down here and personally apologize to us, and that's when they finally got that fixed. When it comes to the specific homeless person, we found him a place to live over in Yerington. He is very happy over there. He lives right down the street from his daughter. When it comes to the other allegation. The dress. That came to the Council, and we addressed it and told the chairman to just give it back. I'm not sure if you were there Andrea, but we did tell her that. He just wanted to point out that we did do that. We addressed it right then and there. That should be over. That shouldn't even be an allegation. We told her to give it back.

Stacy just wants to say that due process is for legal proceedings only. She tells Amber that her process was provided in the Constitution for you. Stacy also wants to read an attorney opinion that she got from Wes at the last meeting where he stated gross misconduct is determined by the common belief of the Council, and that's coming from our Tribal attorney.

**Trevor Varain** says if it is the majority opinion of the Council why is the 5-day posting brought forth on a holiday weekend, and it seems like it is getting pushed through as fast as it can. He tells the Council they should have nothing to hide or worry about if these accusations are true. Based on some of the accusations he has heard, some of them are frivolous. He has witnessed a few people on Council participate in BBQ's, gatherings during Covid. It's not just picking what we want to accuse someone of just because we want to steam roll them out of the office.

**Charles Quartz** who had his hand up. Charles says that people...He would like to have a hearing as to each allegation that way you can see what is going on as well. This way she can bring witnesses, just like she could have called this guy. This is all legal what we are doing here, all legal. He tells Stacy that she is up here as a presiding officer, as an elected official. She is an elected official. Everybody up here is an elected official and we are the people who voted for you. He thinks we should have hearing, so we can all sit here and it can all be brought out, whether she is guilty or not, that's where we find out, because each allegation should be gone down one by one. You can bring up your witnesses, your documents, whatever you have, and she can refute that each and every time. Stacy says the Constitution only requires that...Charles says that Constitution is based on the people. Stacy tells him not to interrupt her when she is speaking. Charles wants this to happen, he is one of the people. He asks Stacy if she cares about the people. Stacy says that we are

following the Constitution and giving her a designated meeting, with charges she can answer, that's all that we're required to do.

**Olen McCloud** says he would like to respond to Charles Quartz's request. He says he's been through expulsion before. He says we had a meeting just like we are doing now, with 5 days. He says he didn't have a chance to bring his lawyer or anything. We just pretty much made our own rules. He did it at a meeting which he believes we are doing correctly, doing it by the Constitution. You have enough there to proceed with expulsion. Miranda Quintero says we don't know if you have enough there. That's why we are asking what you have. What are the allegations. Stacy says we just went over them, and we're not going over them again. Miranda asks what's the evidence against. Joe McMinn says that precedence is not law. Miranda says we want to hear the evidence. Courtney Quintero says we the people want to hear the evidence.

**Spencer Quintero** is called upon. Spencer says that you said yourself, that the people are your boss, right. He says you have a lot of people here right now. Who wants to see the evidence. Who wants to have the hearing? He tells the people to step and raise their hand if you want to see it. Stacy says we're not asking for your vote. Spencer says we're not voting we're showing you, expressing ourselves, and we're within our rights to do that. Andrea says and if people wanted your opinion, you would have gotten back in office. Charles Quartz says that's how they feel about the people. Andrea says she is just stating facts today.

**Melanie McFalls** is called upon. She says she is wondering if there are any other meeting you can hold as special or regular, you would have to come with information for your Council's so that they are fully informed and do their due diligence, and what they coming to a meeting for. She asks the council if anyone got a packet with everything. She asks if we have back-up with us, in front of us. She asks if we have what we are arguing, do we have policy in front of us, do we have the Constitution. She asks how many have the Constitution. We say we all do. She says so when you set the agenda you only gave it to a certain few. Why are we limiting it to who we're giving information to? Andrea says no, we gave it to Amber after she sent their (her and Stacy's) hearing to us, we just sent her's to her. Melanie says from what she has been hearing from the last meeting it seems like you guys are in full attack mode. Four of you. She says that she is sorry to say that, but it seems like you are in full attack mode, and you should follow the Constitution, and not decipher the Constitution the way you see fit to yourself. Fit it so you have your legal opinion and then follow it. That's all she is saying.

**Billie Rose Frank** asks who was making the allegations. Was it Stacy? Andrea? All of the council? Who was making the allegations. Andrea says the majority. Stacy says you have been to all the meetings, you heard everything being brought up. Billie Rose says she is asking the question just so everybody can hear because not everybody was at the meeting, so she just wanted to make it clear who is bringing the allegations

Billie Rose says Stacy is running the meeting, correct? Stacy answers, yes. Billie Rose asks her if she is voting tonight? Stacy says no, she is not, she is the presiding officer. She only votes in case of a tie. So, Billie Rose can't blame her for that. Billie Rose says you have to have four votes to vote her out, correct? Andrea answers "a majority". Billie Rose says four votes. Andrea says a quorum is four. Majority is the vote. Stacy says the vote is the vote. Billie Rose says that she thought it said you have to have the affirmative vote of four, Councilman, from that. She asks Andrea to read that section again really quick. Andrea asks which one? Andrea says that was for meetings. Billie Rose says it was about the removal. Article 5, Section 2. Billie Rose asks if this is the meeting or the expulsion. Stacy says we already read the Constitution to her.

Stacy then asks Amber what her question was. Amber says she is just confused at which agenda were you using. Is it the initiation or is it the expulsion? You've got two separate agendas that are out. So, I'm just trying to look at what you are using. What's being presented here today? Stacy says we read it to you, the expulsion. Amber states that the agenda says "Notice of Initiation of Expulsion Against Chairman, Amber Torres". Amber says that is what you're using. Stacy says right. Amber says "Notice", "Notice of Initiation", not the expulsion one that I had received through the e-mail. So, I'm asking which one are you using? Stacy tells her the one you have in your hand. Amber says so it's an action. She asks if it is the notice of initiation of expulsion against Chairman Amber Torres? Stacy says if they act on it, then they can do a removal. That's up to Council if we have a discussion.

Billie rose asks what did it say? Did you say the vote of four or did it say majority on that expulsion, in the Constitution? She asks if Andrea could read that section. Andrea says to let her find it in the original Constitution right here. Andrea says you could come find it for me and show me or you could read it. Amber says sure she'll read it. Amber reads Vacancies and Removals from Office Article 5-, Section 2. the Tribal Council *may be* (\*Note-*may be* is a typo from the original Constitution, where it says *may by*) the affirmative vote of four members, expel any member for neglect of duty or gross misconduct. Billie Rose says so the affirmative vote of four. It has to be four. Or it just says four. Amber says may be the affirmative vote of four members expel any member for neglected duty or gross misconduct. Before any vote for expulsion is taken in the matter, such member or officer shall be given an opportunity to answer any and all charges at a designated council meeting and the decision of the tribal council shall be final. It says the affirmative vote of four members. Andrea says *may be* the affirmative vote of four, that doesn't mean shall or shall means it has to be, *may be* means it can be. Stacy says to Amber you can't have four because you're not voting. Billie Rose tells Stacy that she is not voting so there would be four. The option of four. Andrea says it is majority vote. It says may, if it had to be four it would say shall. Miranda Quintero commented that if it was majority vote, it would say majority vote. Andrea says it would say *shall*, in legal terms.



Tashina Jim says if said allegations are true why is this expulsion coming up now? Why wasn't it done when those letters were turned in? Andrea says she brought these concerns to Council many times. Tashina asks then why don't you know that?

Miranda asks about the letter from Nathan Whistler and Paula Wright. Andrea says she brought these issues to Council many times and it is in her treasurer's report, if you would all like to go read them. Miranda asks if Amber is being accused of the Nate Whistler and Paula Wright thing for a misconduct violation. Andrea says that is abuse of elders. Miranda states that this new Council is trying to hold her accountable for something that happened two years ago. Andrea says that's up to them. Miranda says what about the evidence. She is still waiting to hear evidence for the allegations. She asks where is the misconduct in that. She sees it is one sided. Andrea says that our culture doesn't support the abuse of elders. Miranda says that we haven't been able to hear context from what had happened.

**Trevor Varain.** The abuse of elders when making that kind of accusation of criminal activity is a serious offense. You can be held liable for slander. If it's in writing it is called liable. There is also another criminal act called collusion, where people band together to profit off of something for their own personal agenda. That's called collusion. That is a criminal act. Andrea responds that we're not profiting off anything Trevor. A personal agenda. Stacy says this is public information. Trevor says, again back to the posting of five days, if it was true, you have nothing to hide, then why post over a holiday weekend, when most people would be traveling was this posted when normal procedures for when normal people go get their mail, 5 days for people to do their normal business, in the places where the agenda is supposed to be posted. At the clinic, at the senior center, at the post office, smoke shop, but I was posted over a holiday weekend. It was by chance that he walked by. Social media is not part of the answer. Stacy says it wasn't just social media. Trevor is saying that the posting at the smoke shop was missing for three days, so where s that. Stacy says the posting at the smoke shop was done correctly. Trevor says it was gone. Stacy continues by saying there are photographs all over. It was taken down twice, up at the smoke shop. Everything was done correctly. We were aware of the five-day notice; it wasn't just posted on Facebook.

**Shannon Williams** says that she has a comment. Shannon tells Amber that she would like to have her use some of the 15 minutes to answer some of the allegations. Shannon says the first one here is fine for her, neglect of duty. She says that she has been coming to the Council meetings for a year now. She says most of the time it is just herself. Cookie started coming back, and then Tooley was coming so.

Shannon says that she has been at the Council meetings by herself. She tells Tashina that she has sat there and watched Andrea. She says that Andrea asked, and asked, for financial information, never was presented. She showed an email that was given to Mandy and ask Mandy for help, Mandy as Vice-chairman. Still nothing got done. Shannon says to this day she still has not seen financial reports, a general ledger, she has not seen an expenditure report. She has not seen anything on all the programs that we

have. How is she supposed to sit up here and make good decisions? Good business decision when she has no idea how much money is in each account. We've gone to Amber and asked her. We've gone to the finance director and asked her. Still, information has not been provided. How can that sit well with Tribal members when that information has not been provided. How is she supposed to make a good decision when she has nothing, she has nothing?

Shannon says that she has seen the CARES money. She has seen the Covid money. She has seen stuff on that. She needs to know where the programs are, and she can't make good decisions for the good of our people if she has not seen a general ledger, expenditure report, give her a budget or something. It all started out with the education committee. That's where she started. She couldn't get that information. Number one is good for her-Neglect of Duty.

Miranda tells Shannon for her information that she did answer Andrea's email and asked which direction she was going. Was she looking at misconduct of some sort on a Councilman or going after an employee. That would then determine the process that would be advised to her to use, and she was not responded to when she said that. So, the email to her was answered and Andrea did not point out what direction she was going. She just wanted to sit down and have a meeting. Mandy said let's do that and try to bring that stuff out on the floor in front of all of us. It didn't get any further, she came back at the very next Council meeting and did a whole treasurer's report about how nobody is doing anything, even though Mandy thought we were in the process of trying to do something. That is a lie. Mandy did answer her email. Shannon says did I say you didn't answer her? Shannon says she is still on the financials and we have nothing. Regardless of if the email was answered, sorry if she said it wasn't answered. She just meant that she sat here and saw that the email was read and still no answer.

**Haley Juarez.** Haley says to answer Shannon's question, that all falls back on your treasurer. She came in, and all your finance employees came in and were sitting in here last week and you demanded this and that. Why hasn't that been done before, to walk in here, to grab these reports, at hand, at the time they are needed, just like the rest of us. How come she didn't come in here? Then suddenly, she can come in here and ask for this and that because you guys are sitting up there with your alliance right now. You guys have your majority vote. You are sitting up there on attack, attack, attack. It all comes down to Andrea. She has a job to do. She took an oath. She can walk directly in here, sit down, and request these meetings.

Andrea is the one, just like we heard about in finances, Andrea is the one that cancelled those weekly meetings. She cancelled that. Not anybody else. Her. So, if she has a job to do, she took an oath, if she took it seriously. Haley says if she wasn't able to do her job, I would walk right in here and demand, like she did last week. All us employees sat here last week and watched her come in. So, that's on Andrea as treasurer. She could have come and did her job, but she chose not to, until she had you guys to back her up to do her job.

Andrea has been up there sitting for two years and nothing has been done. You can't blame that on Amber, you can blame that on your treasurer. She can come in here and grab any reports she feels like, if she took her job seriously. Haley tells Andrea to come in here and do your job. Come here, grab your reports and give your reports to the people. Andrea asks if she can answer to that.

Stacy says she has seen two years of emails from Andrea trying to request information. Haley says that's what she is saying, not coming in here and taking action. Stacy is trying to say we cannot blame.

**Andrea Martinez** asks for the floor and Stacy gives it to her. Andrea tells Haley, to answer her question, she did come in here to sit with Leslie and she scheduled meetings. She requested to see reports, she requested to have access to MIP, she did request to have a desk in here so that she could learn the financial organization. She has asked for specific reports in emails. She has sat down with Leslie time after time in person. When she couldn't get those financials she came and sat down with Amber in her office, and she said what do you need to be done, and she listed a, b, c, d, this is what I need, this is what I'm asking. Andrea says she sat down in Amber's office, in Leslie's office, in the finance department, in closed session getting her assed chewed out for asking questions. Andrea says she has done that and that's why it's here now. Haley says ok 2 years.

**Anna Miller.** Anna asks why Andrea cancelled the meeting, what was the reason. Andrea says there was an issue in closed session that was supposed to be addressed because of mistrust and dishonesty, and that is documented as well. They have that and they received it at the December 13, 2022, meeting.

Stacy says at the past meetings we have been going over all the financial management policy violations. We have not had an audit for three years. It is required by law every year. We have not got our budgets done. Everything in the financial policy that were supposed to do we are not doing. We're supposed to get cash flow statements by a certain date, all the program directors are supposed to be getting their budgets by a certain date. None of that has happened. We have been getting a lot of complaints from different directors. They don't even know how much money they have. Certain ones have their budgets but others don't. Our Tribal budget was supposed to be completed by December 1<sup>st</sup>. The only budget we have seen is the TERO budget. This is all in the financial policy. Ultimately it is the Chairman's responsibility to make sure you follow all the policies of the different programs and that you're managing our money correctly. It's mismanagement of our tribal funds.

Stacy says that this is nothing personal, this is business, we are pointing out policy violations that she just told us. It's very serious when you don't get an audit every year. Our Tribe operates on about 85% of grants, and when you don't turn in an audit you have a chance at getting a suspension from the government. We're not going to be able to meet

our overhead costs. It is very serious. You have to have a current audit to file for most of the grants that are out there.

**Raynell Miller** says that she would like to bring something to our attention. Amber is on the co-op for renewables. She says that Stacy and Andrea are next. She says that she doesn't know the internal politics, so correct her if she is wrong. Stacy says she has called for it but she is guilty of the same violation she is accusing us of, with not providing any information for the removal isn't that true. Amber tries to comment but Stacy says now she wants it for herself, but we don't even know what is being brought against us.

Raynell explains how there are three of the council who are up for expulsion. That would leave four of us. One is going to have to be a presiding officer, which she assumes would be Gina Wachsmuth because she is the Secretary. So, the other three, she asks, if they are prepared to run our Tribal nation? Can you honestly say that you are up to date, educated on Tribal Government to run our Tribe? Shannon? Shannon says she is not up to date on the finances because she can't get that information. Shannon says she can't understand why they don't see an issue with that. It is written in our Constitution.

Raynell says she thinks she has the floor. Shannon says yeah, you're right, but you asked me a question, so I was answering. Stacy says the Council is not on trial here, this is not a meeting for our expulsion. Raynell says what she is thinking as a planner, as a grant writer, is who is going to run our Tribe. Stacy says and I ask you Raynell, how important is it to get the yearly audits? Raynell answers that it is very important. Stacy asks what happens when you don't do that. Raynell says you basically go on sanctions.

Raynell says instead of removal and exonerate or whatever you guys are doing. How come you guys aren't working as a team? Stacy says that has been a problem, we have been trying for over month with Amber. Our agenda requests have been denied, she won't let it be put on the agenda. Things get tabled. It's been a very difficult time. She is not willing to work with Council. Amber states for the record that she is not willing to do anything illegal. When there is illegal activity, or confidentiality breaches, she will not be a part of that. She will not make Walker River a subject to litigation or herself on a civil basis. So, absolutely she will not be a part of that. She will not follow through with those directives.

Stacy says we have also had contracts expire. Our Tribal Judge contract has expired for a year. Collective Strategies expired in 2021. We need to manage our contracts better you know, it's just very poor management of our funds, of our policies, of the whole Tribe in general.

Stacy says that Amber does a lot of traveling that hasn't been approved by the Council per the travel policy. Amber asks, where? She doesn't see any evidence. Stacy says it's, in the travel policy. Amber says well where is the evidence that it hasn't been approved? Stacy says she talked to two finance personnel that said you had two signatures. Stacy says that was confirmed.

**Tashina Jim** says, you talked about project managers. She says she is a manager herself, and she never had an issue getting her budgets when she would request them. She does have EPA programs that run based off of a budget. She asks the Council if they asked every department head if they have issues with finance, or if they haven't received the budgets, because right now you are speaking on behalf of her program. She says right now you are wrong. She wasn't asked. If she had any issues, she took those up with Amber. Shannon says so where is your budget and why hasn't she seen it. Tashina tells her because you just got on council and her budget gets approved in October. Stacy says that is required November 13<sup>th</sup>. Tashina tells her that EPA programs run differently than January 1 – December 31. Shannon says yes Tashina, there have been some program directors who do not get their budgets. Tashina says that you did not reach out to her, as a program manager. Nobody reached out to her, asking her if she had any issues with finance or anything within the Tribe itself. Shannon say there are probably a lot more programs that she didn't ask, but she asked a couple of Council members. She asked them here.

Shannon says she has been told by other program directors that they don't get a budget, they don't have access to it. Andrea asks for the floor. Stacy says yes. Andrea says to answer your question Tashina, when she first got on as treasurer, she went to a couple departments and asked what their needs were, how they were doing, what was going on with their budget. And then, Amber told her that she couldn't do that. She said that's her job. She was acting on her authority. So, Andrea says she couldn't do that. Amber says it would be nice for you to state for the record what departments you went to because, again, when you're not asking all the departments where their needs are, what their goals are, that is something we should do as a collective. You know what she means? Again, conflict, who are you meeting with and bringing those issues here. You should be meeting with every department. Andrea says she started to, and Amber stopped it, why would she go to all departments, when she wants to start small. Amber says Andrea started with specific departments. Andrea says who Amber was neglecting, education, and she is not going to say the other one for protection of retaliation.

Anna Miller says when she said there were two signatures on Amber's travel, one of them was always the vice chairman's signature, and the other one was always another council member's signature. So, who's to say she got another council member's signature or not. The vice chairman could have gone to each council member. A lot of them knew she was on travel. Anna says she just goes by what's on the signatures. Stacy says yeah, it needs to be approved by the council.

Stacy asked Andrea if she approved of Amber's travel. Andrea says she never even knew where she was half the time. People would come to her and ask her where Amber was at, if you were even in the office, and she had no idea where Amber was. Amber says, so, because you didn't know. Andrea says if Council is supposed to know, she didn't know. Amber wants it stated for the record that just because Andrea didn't know. Stacy says no it's required. Andrea says everybody else was your subordinate. Amber says exactly, all

her subordinates are in the room right here. She had the two required signatures on travel. The other thing is that her subordinates are here. Every single one of them knew exactly where she was at. So, that is neither here nor there. She can sit here and talk until she is blue in the face with her justification. You have your minds made up.

Stacy says we have a policy, a travel policy, that requires Council approval. Amber says correct, and she had two council members sign it. Stacy says is that your own opinion that we are basing it on. She had two council members sign it, so how is that violating policy. Stacy says that's not the entire council. She says that Andrea was on council and stated that she had never seen any travel requests from you. Amber says she is one individual, so that's not the council either. Stacy said if she missed three meetings she wouldn't be sitting here.

**Gina Wachsmuth** asks if the goal for today is to expel Amber or to give her the charges, then allow her due process. Gina asks who advised Stacy legally, so the tribe is not liable or sued. Gina recalls that a homeless person was mentioned was previously discussed in closed session. Stacy asked Amber if she wanted to answer the question Gina gave regarding, who advised her legally. Amber says I think she was directing the question to you. Stacy says this is a removal hearing for Amber Torres. Stacy says the goal is that this is a removal hearing for Amber Torres, the persons involved in reading the letter gave permission for it to be read. They made sure that they had permission. The crowd starts to comment and then asks Andrea if she has anything to say. Stacy says this is not a funny issue. Stacy says be quiet or you will be removed from the meeting. Andrea says this is the initiation of the expulsion. It is up to the council how they want to act, if they feel it is appropriate to remove you, she says to Amber.. Stacy asks Andrea if that's all she has to say, and then she moves on to Genia Williams.

**Genia Williams** says as tribal council, we have a full responsibility, under our Constitution, we took our oaths of office seriously, and accordance to Vacancies and Removals, it does say such member or officer shall be given an opportunity to answer any or full charges. I was given this same list of all the charges. There are 33 of them. I had assumed based on this agenda. It says action notice of initiation of expulsion. When I look at the word initiation, that is the beginning of something. That's what that term means, so I had assumed that at this meeting we would be giving charges, and a date would be scheduled for Amber to come back, to have a time to explain everything. That's what it means to me when it says notice of initiation of expulsion. It's the beginning of something, the beginning of due process.

We as a Council have a duty to our membership, to follow this Constitution. That is a lot of weight on us. We can expel, we can make decisions. We can put our votes up and probably expel her tonight. The thing is, we need to provide due process. Everybody should have due process. I take my oath very seriously.

My position is if we provide charges then we should have a date for her to come back, and explain herself. That's what due process is. This Constitution and everything we had

voted on a few years ago, was to elect our officers. That's what was done. She is an elected chairperson voted on by the people. She should have her date; she has all 33 of her charges and she should be allowed to come back. If she wants an attorney, or if she wants to do it herself, she has the right to come back. Due process, we cannot negate that.

These are very serious because these are the Members votes. It's the Members vote that we're talking about here. It's not our personal opinion, it's not our personal agenda. She thinks this is a very serious thing that we're here for today. It's a very serious process and I think we need to take it one step further, because, according to the agenda, this is the initiation. Initiation is the beginning of something, and that's what I assumed when I got here. That's what it was, we were going to provide a list of whatever it was. I just got this list this evening, and there is 33 of them. Even looking at the memo puts us into a legal position. We have a responsibility as council and we need to take it very seriously.

Miranda Quintero asked Genia if we have the backup for each of the 33 charges. Genia says that we have allegations of misconduct, a letter from Nate Whistler and a letter from Paula Wright, 2022 with pictures, that's what she has. Stacy says at the last meeting we were given a stack of emails and made aware of the other policy violations. Genia states she still has the floor as Stacy tries to speak over her. Genia states that the emails from December should have been part of the packet tonight or we should have been told that was going to be part of the process. You should have had that, because I would have pulled it out. I didn't know it was going to be a part of this. If I had known that, I would have brought that part of my packet from the December meeting. I have it. I didn't know it was going to be part of the evidence. She says she's done.

Stacy says she doesn't think we need to have the copy sitting in front of us, when you've been told about the policy violations of our financial management policy. We are acting on our constitutional authority, and Al's (Alan Cushman) case was an open court. Stacy asks Taylor what her opinion is on this.

**Taylor O'Daye** says her interpretation is that this was an initiation. With the list of allegations, I know if it was me, I would want a rebuttal. I would want a chance to give my side of the story. As was stated earlier, I came here on December 8th. I do have the emails with me after the packet because the items included on here looked like they belonged with the packet of emails that Andrea provided for us in December. Taylor says she would be in favor of another meeting, not a hearing, where Amber would be able to rebuttal her out allegations. Stacy asked Taylor if that's all she has to say and then calls upon Shannon Williams.

**Shannon Williams** says she has received all the information for the allegations, that she has all the packets and emails. She tells Amber that she wishes she could have cooperated and we wouldn't have to do this if Amber had just helped with the information that was needed. Shannon says they kept asking Amber for it. Stacy says "quiet" to the audience. Shannon says she doesn't understand why this is so funny as somebody laughs from the

audience. Shannon tells Amber she wishes she had answered the allegations as well like she asked her, Amber could have done that.

Shannon says she'd like to know what she says, too. This letter was provided by the attorneys, how come you get to use them? Amber says the only reason, like Stacy stated, when we were at our regular council meeting night, she made an announcement starting the expulsion process, the same exact agenda was noted was "Notice of Initiation for Expulsion for Council Member, Vice-chairman, Stacy Hicks. Amber says she did state for the record exactly why we were going through the process. Why she would not acknowledge an illegal poll vote that was presented and made that notification. Upon things that had transpired through the night, through the agenda, as well as action that was taken by the tribal secretary, the next step was to take the initiation to start the process for removal as well. So, you have seen the agendas I have followed, the process in which was taken was made right after my hearing was made for tonight. Again, does she feel like I'm going to get a fair shake based on that? Amber doesn't feel the two should be able to vote. Of course, Stacy shouldn't vote because she's the presiding officer, and she doesn't think Andrea should have the vote as well because she is going to be heard and afforded this same exact opportunity which will be heard on Thursday.

Amber says she followed the parliamentary procedures, of posting for five days. Also looking at accommodating your schedules, so you could be there too and follow the whole process. Following the process and giving somebody due process, doesn't hurt anybody whatsoever. Amber says that's all she's asking for this evening. Amber wants it noted for the record that when she made her announcement, Stacy turned around and made this announcement.

Shannon says she still doesn't understand why Amber got to use the attorneys. Amber tells her because you'll be going through this same process on Thursday, so you understand what the process is. Amber says if I'm out of line, you'll be able to call it as well. Shannon asks if that's what the contract is for. Amber says correct and she can bring a copy of the contract, and what is in there, and the language, everything. Amber tells her she'll produce that on Thursday if that's what you're requesting. Stacy says this is not a court, this is Council.

Shannon says that Amber's posting wasn't legal either. That she posted it after hours Thursday, so that leaves Friday. Amber says she also posted on record Thursday (Jan. 12, 2023, Regular Council Meeting). She posted after the meeting in which we left that evening. She posted here at the tribal administration, and then it was taken out in the community. She says on Friday evening she made sure it was posted in this facility, and then took out where it needed to be posted appropriately. Shannon says but it was Thursday after hours though. Amber replies that it doesn't say where it needs to be posted.

Amber says it doesn't specify hours. Stacy says point of order again and says we're not. Shannon tries to say she heard...Amber says she heard a lot of things. Stacy says point of



order, we need to stay on topic. She tells Amber we are discussing your hearing, and is that all you have to say?

Stacy says everyone in the audience has had their say and the Council has had their say. Stacy asks if anybody wants to make a motion.

Andrea states that per the Constitution, we are in our full authority, and she makes a motion to remove Amber Torres as the chairman of the Walker River Paiute Tribe for neglect of duty and gross misconduct, effective immediately, two weeks' severance pay and to be reaffirmed at the next Council meeting. Stacy asks if she can get a second to the motion. Genia Williams asks Andrea to repeat the motion. Andrea says she makes a motion to remove Amber Torres as the chairman from the Walker River Paiute Tribe, for neglect of duty, and gross misconduct effective immediately, with two weeks' severance pay, and reaffirmed at the next Council meeting.

Gina Wachsmuth asks Andrea if she's reaffirming Amber's removal at the next council meeting. Andrea says if it comes to that. Gina asks why would you if this is an official Council meeting? Andrea says because we need a resolution. Gina asks because you don't have one. Andrea says by resolution. Amber asked Andrea if she could repeat the motion. Andrea says she makes a motion to remove Amber Torres as the chairman from the Walker River Tribe, for neglect of duty and gross misconduct, effective immediately, with two week severance pay. Andrea says that will be the motion, part is just a note (note-reaffirming Amber's removal at the next council meeting, because there is no resolution). Amber asks for a point of clarification, is that for this evening or for after the hearing you are setting? Andrea says she is just doing a motion and the note is that at the next Council meeting by resolution. That's just a note that is not included in the motion.

Stacy asks for a second to the motion. Stacy asks for a second to the motion again. Stacy asked for a second to the motion for the third time. Amber tells her she already called for the motion twice. Stacy says OK, the motion dies. Stacy asks what the Council wants to do, is just an initiation? Shannon says she would have seconded that, but she wants to hear what Amber does have to say. Taylor replies that there's not enough information.

Shannon says Amber has a lot of supporters here. There are people out of state and there are people at home who support Amber's removal. Shannon says she's seen all the information and she has all the information to make a decision tonight, would like to afford Amber the opportunity.

Gina asks at the next meeting if the Council is prepared to do a burden of proof. Stacy says this is not a court. Gina says you can't just accuse somebody, you must have proof, court or not. She says she can come in here and say all kinds of stuff about you guys and then come in here and vote. Is that how we're doing it? Gina says is that what we're doing? Stacy says we're giving her due process. Gina says that's not due process. Stacy says we're giving her a meeting and we're listing the charges and let her answer them. Stacy says we followed the constitutional requirements.

Billy Rose Frank said you keep saying hearing and then switched it to meeting. Stacy says we're not saying hearing. People in the crowd say you said hearing, and if this is the end of it. Stacy says no this is a meeting. Charles Quartz says how is the next one a meeting or hearing. Charles Quartz asks if anybody's going to answer. Stacy says no smart remarks, or she'll have him removed.

Amber would like to state for the record that the biggest intent is first, not to be pitted against each other, to take ownership of our actions, which caused us, all parties, to be here today. She says we are a community, and we need to band together. We need to stick together, and we need to stay together, regardless she teaches this every day at work, that if you despise me or like me, we are here to be professional from 8-5. She asks that same manner in here, whether you are supporter of me, whether you're not, whether you like Council or whether you don't. Please be respectful to each other and allow each other to have the time to talk and be cordial to one another. Remember, outside of this, life is too short to be ugly to one another because those repercussions come back on you as an individual family. Remember that. People are suffering. Going through sorrow right now in this community because of the loss of a member, wants to say condolences to the family, be respectful to one another, does come back around. Pesha you.

Courtney Quintero asked if the Council could start over. Can we get you guys to hug it out, and work for the people? Instead of working for these things. Are they so detrimental and do you have the backup? Mandy Quintero asks in the month that you've been here, did you have all the evidence for that removal? Is this a coming together? The people want to see Council working together. She says people came in with guns blazing and some major disrespect at Council level and people calling each other liars, "I want to see your credit cards, I want to see all these things that, so you can say impropriety or dishonesty, and what have you. I don't think it needed to be this way.

Mandy says you guys could have gotten to a point where you could have worked together, but it never got past a certain point and now here we are. So, what are the people telling you? Go back to the drawing board. Respect each other, work together, instead of this. When in the history of Walker River have, we been here listening to the removal of three members in one week, and the new Council has been here less than a month. Shannon says you're right; Mandy and we were hugging when we decided to have a financial meeting. Mandy says we didn't get to have a financial meeting. You guys made it a council meeting, instead of a work together meeting.

Shannon says we didn't make it closed session. Shannon says she didn't make it closed, and she didn't call anybody a liar. She says we were at a point where we were supposed to have a financial meeting, and no information was given. We heard about the MIP program. That could have been in general session because, it didn't need to be in closed. She says we didn't get answers to our questions. She says how long do you want us to wait? She says we/I have been waiting every Council meeting. Every meeting. She says even when she wasn't, she's been sitting in the crowd asking.

Mandy says yes, but it wasn't for a whole year, but also, she is a director that doesn't have a problem getting her reports. In a matter of minutes, Gina Dini can print more out for me. She is very good at getting the reports for her, and she says her programs alone have about 10 fund codes that she manages. Mandy asked Shannon exactly what she is looking for. Is it the revenues and expenses, with detail on each one? Shannon says she just wants anything.

Amber says, just for the record, she did inform the council that we did have program updates in April. Amber says we bring all the programs with all their updates, budgets, and all their personnel. We have that conversation so that you can look at everything. Education is currently waiting on the tax fund use plan for the submissions that we put in to budget. That is done. We were waiting for that to come back to see if the budget could be offset. Amber said if it couldn't be offset, we budget it and we bring it back.

Amber says the other portion of the things you were talking about can't be divulged because we discussed it in closed session. She says yes, it's very disheartening where we're at. Amber says the other thing is we've created policies and procedures, constitution and bylaws, parliamentary procedures, and everything that we took an oath to protect. When it's violated and illegal activities, or taken when you don't have the authority. Yes, it must be addressed. Can it be addressed in a civil manner? We've been given a warning. There's a time where you have to protect what you have in place. It didn't have to be this ugly. It doesn't matter what we bring forward. If you had your minds made-up, that's fine, you have to have the justification That's more than fine. All she is asking is to give her due process and she appreciates you hearing her this evening and giving her the opportunity to come before the Council and the tribal citizens in that capability, so thank you.

Shannon tells Miranda Quintero that she would like to see something on her program. She wants to make informed decisions because she hasn't seen anything. Shannon says she saw the text for news, so that's what she saw. The tax department she saw theirs. That's it. That's all she has.

Miranda says you need to make informed decisions, but if I'm not bringing anything forward from my program for you to decide on that's my task as a director, a decision on my program. Miranda says that definitely has things to do with the finances within her program. At that time, she would be able to bring it to you so you would see why she's asking for this request. What she has available, what she doesn't have available. What she's trying to do with it. At that time you would get that and she would assume there wouldn't be any decisions on her program, unless she had something she needed the Council to do. Shannon says yep exactly. She says when she asks Andrea for it, and she still can't get it, that's where she has a problem. Mandy says that's what I'm asking, you want every single fund code, for every department. Andrea tells Stacy we are getting off topic. Stacy says point of order. Mandy tries to explain that she's trying to answer a question. Stacy taps the gavel again and says point of order.

Andrea Martinez says she actually wants to make a motion to go into closed session. Tashina Jim says to be transparent. Andrea says it's to discuss Amber's hearing. Charles Quartz says it's supposed to be an open session. Stacy says point of order. There is a motion on the floor. The crowd says the motion died.

**Andrea motioned to go into closed session.** Stacy calls for a second, and Shannon Williams says she will second because she wants to hear what Amber has to say. Stacy calls for a vote to go into closed session at 5:43 PM. The motion passes with a vote of 4-For, 1-Against, and 0-Abstentions.

Stacy, thanks everybody for coming and we will keep them posted on how things transpire. Mandy Quintero says there's nothing to discuss in closed session. Andrea Martinez says yes, we're going to discuss setting her hearing. Mandy says we are the people, and we need to know that too, so we can come. Andrea tells her that they are disrupting our discussion. Tashina Jim says you guys complain about people not being transparent, and you're doing that with us. Stacy calls for point of order. She tells the crowd that we will be in closed session for 15 minutes and then we will call for the people to come back in.

**Andrea Martinez motions to go into open session at 6:17 PM.** Shannon Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.

**Stacy calls the meeting to order.**

**Gina Wachsmuth makes a motion to hold a hearing for Amber Torres in order for her to have due process in two weeks.** Stacy calls for a second to the motion. Genia Williams seconds the motion. Stacy calls for a vote. The motion does not pass with a vote of 2-For, 3- Against, and 0-Abstentions. Stacey announces that the motion dies.

Andrea Martinez says after much discussion, she lays her motion back on the table. She says that we are acting on full authority.

**Andrea Martinez makes a motion to remove Amber Torres as the chairman of the Walker River Paiute Tribe for Neglect of duty and gross misconduct, effective immediately, with two weeks' severance pay.** Stacy calls for a second. Shannon Williams says after much discussion that she would like to second that motion. She says she's had time to review the allegations, and that they don't need backup. She says she doesn't know how you can back up denying putting things on the agenda, she says she's had time to consider this discussion that we've had and she can see that there's nothing that's going to change. So, Shannon says she will second that motion. Stacy calls for a vote. The motion passes with a vote of 3-For, 2-Against, and 0-Abstentions. Stacy says the motion passes to remove, Amber Torres, as chairman for neglect of duty effective

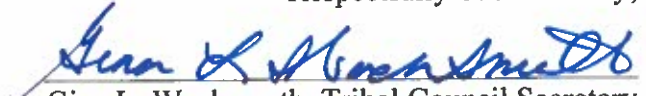
immediately, with two weeks' severance pay. She says that this time we will end the meeting.

Billie Rose Frank asks what the plan is. Who's going to be chairman and what you guys are intending on doing? How do you intend to run the tribe in a positive way? Stacy says that, the Constitution states that the vice chairman will step in and that's how Amber had previously become chairman. Stacy says so she will become chairman. Stacy tells the audience that she will treat everybody equally and fairly. She says that the directors will know how much money they have in their programs. Haley Richardson asks what are they going to do about a finance director? Stacy says we are not that far ahead. Andrea tells Stacy that we need to call a point of order. Stacy pounds the gavel. Billie Rose asks again how are you going to move forward? Stacy tells her that we will schedule meetings. Stacy calls for a motion to adjourn. Amber says, for the record, she would like to say... Stacy says there is a motion on the table. Amber says you can try to bully her in closed session, and then change your mind. Amber tells the audience that there was nothing presented in the closed session. Stacy calls for Acting Police Chief, Roman Sanchez, to remove Amber. She tells Roman that Amber is disrupting the meeting. Amber says she is so confused right now. Stacy calls for a point of order. Stacy tells Amber that she is disrupting the meeting. Stacy tells the police to remove everyone again. She says they are all disrupting the meeting.

## **VII. ADJOURNMENT**

Andrea Martinez motions to adjourn at 6:25 PM Shannon Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Regular Tribal Council Meeting  
Thursday February 9, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:05 PM by Secretary, Gina Wachsmuth (due to the absence of a chairman and the vice-chairman)

**II. ROLL CALL**

Vacant – Chairman  
Stacy Hicks, Vice Chairman – Absent  
Andrea Martinez, Treasurer - Present  
Gina Wachsmuth, Secretary –Present  
Genia Williams – Member – Present  
Shannon Williams, Member – Present  
Taylor O’Daye, Member – Present

A quorum is not present.

**III. APPROVAL OF AGENDA**

None

**IV. TREASURER’S REPORT – Andrea Martinez, Tribal Treasurer**

None

**V. OLD BUSINESS**

**Declaration/Appointment of Vacancy of Chairman Position – Council**  
Tabled

**VI. NEW BUSINESS**

**2023/2024 EPA Nonpoint Source Base Grant Proposal – Roy Begay, Non-Point Source Coordinator**  
Tabled

**2023/2024 EPA Nonpoint Source Competitive Grant Proposal – Roy Begay, Non-Point Source Coordinator**

Tabled

**Water System Improvement Project – Jon McMasters, Land and Water**

Tabled

**Public Safety Building – Roman Sanchez., Acting Chief of Police**

Tabled

**Appointment of Law & Order Committee – Stacy Hicks, Acting Chairman**

Tabled

**Opening Bank Accounts with Herring Bank – Stacy Hicks, Acting Chairman**

Tabled

**Temporary Appointment of Chief Tribal Judge, Associate Judge, and Prosecutor – Stacy Hicks, Acting Chairman**

Tabled

**VII. APPROVAL OF MINUTES**

**Special Council Meeting January 26, 2023**

Tabled

**Special Council Meeting January 17, 2023**

Tabled

**Regular Council Meeting January 12, 2023**

Tabled

**VIII. CLOSED SESSION**


**Discussion/Action:** Enrollment

Tabled

**IX. ADJOURNMENT**

The meeting will be rescheduled for later. No action was taken because there was no quorum as of 7:10 PM.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

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**Special Tribal Council Meeting  
Thursday January 26, 2023  
Tribal Conference Room and Via Zoom – 5:30 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 5:58 AM by Stacy Hicks, Vice-chairman.

**II. ROLL CALL**

Vacant – Chairman

Stacy Hicks, Vice Chairman – Present

Gina Wachsmuth, Secretary – Present

Andrea Martinez, Treasurer – Present

Genia Williams – Member – Present

Shannon Williams, Member – Present

Taylor O'Daye, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Taylor O'Daye motions to approve the agenda with the addition of:

*Tax Commission* in “*Closed Session*” – because of a Personnel Issue

and table the following until February 9, 2023, Regular Council Meeting:

*The Appointment of Chairman*

*Vacancy of Chairman*

*Contract with Quarles and Brady*

*Minutes*

*Treasurer's Report*

Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.

**IV. TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

None



## V. OLD BUSINESS

### Reconsideration of Vote, Amber Torres Removal

Stacy Hicks says at this time and in consideration of allowing all council members to vote in the matter, she is calling for a secret ballot of the Council's decision to expel, Amber Torres, as chairman. After Stacy reads her resolution, she says at this time she is passing out secret ballots. She says she will have Josh Gonzales, tribal police officer to collect. Stacy says, since the vote is by secret ballot, that the chairman can vote by section 3-5 of the Tribe's Rules of Order, Parliamentary Procedures. She says she spoke to an attorney, and she did not get her right to vote on this, and she should have voted.

The reaffirmation of the removal of Amber Torres by secret ballot passes with a vote of 4-For, 1-Against and 1-Abstention, with the vice-chairman voting. Stacy asked Genia Williams to state for the record why she voted no. Gina Wachsmuth comments that the vote was supposed to be secret. Stacy says the motion passes. Note-Resolution is WR-05-2023.

## OLD BUSINESS

### **Tax Commission – Personnel – Closed session.**

The Tax Commission members haven't arrived at the meeting yet, so Stacy asks Gina Dini to come forward with her discussion/action item regarding the park project to come forward and present.

### **Park Project – Gina Dini, Acting Finance Director**

Gina Dini has two quotes to move forward on the work at the park. The tribe is looking for a contractor for plumbing and water and sewer, for the Concession Stand project. They have a quote from Numa Earth Works for both the plumbing and the water sewer. Gina requests an approval to move forward with the project using Numa Earth Works. would charge \$18,300, if it's like pre-plumbed. If it's not pre-plumbed, then the cost will be \$22,200. Gina says these amounts were not in the original budgets and that's why she is bringing them to the Council for approval.

The next project is the concrete slabs for the canopies at the park. So, this is just for the earthwork and the concrete slab. Numa Earth Works bid is \$17,800. Stacy Hicks asked the Council if there is a consensus to table this item. There was no consensus for approving the contracts or tabling them. No decisions were made on approving the contracts at this time.

### **Schurz Elementary School – Lance West, Principal**

Lance is Asking if the tribe has ARPA Funds that would cover some of their projects at the school. He reads his letter to the council. He is asking for the following:

- Toilets, sinks, and carpets \$20,000.
- Office furniture \$3750.

- School functions fund. \$5000.
- Storage \$15,500.
- Awning and shade sail \$25,000.
- Basketball court, playground, artificial turf, parking lot 305,831
- 2 passenger vans, \$120,000.

Stacy tells Lance that once we take a better look at our finances a better idea of where we can allocate the money from and vote on it. Andrea says she attended the Impact Aid meeting with the school district, and they will present at the next Council meeting.

**Closed Session – Tax Commission – Personnel**

Shannon Williams motions to go into closed session at 6:41 P.M. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.

Gina Wachsmuth motions to go into open session at 7:18 P.M. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.


**Attorney Contract with Charles Zeh – Stacey Hicks, Vice-chairman**

This item is tabled until funds can be found to pay for this contract, by consensus of the Council.

**VI. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 7:41 P.M. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against, and 0-Abstentions.

Respectfully Submitted by,

  
 Gina L. Wachsmuth, Tribal Council Secretary  
 WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday March 9, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:07 PM by Miranda Quintero, Vice-chairman.

**II. ROLL CALL**

Vacant – Chairman - Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary –Present  
Andrea Martinez, Treasurer – Present  
Genia Williams – Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions approve the agenda with the additions of:

- Presentations by the BLM
- Department of Energy. Formula Grant
- Unofficial Misconduct
- Selection of the Chairman

Shannon Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST and 0-ABSTENTIONS.

Andrea says she has a selection process on how to select an open tribal council seat. She says the process is from January 13, 2021. This is from West Williams, the tribal attorney from when we selected for a vacancy in 2021. If the Council would like to go this way, it does have letters of interest and how to select. Andrea reads the procedure.

Stacy asked the Council if they would like to follow the procedure that Andrea read to us by consensus. The Council agrees by consensus.

Special Council Meeting March 9, 2023

Approved June 29, 2023

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#### **IV. OLD BUSINESS**

##### **Selection of the Chairman**

People who turned in letters of interest:

Cynthia Ocegüera  
Olen McCloud  
Joe McMinn  
Amber Torres  
Melanie McFalls

Angela Williams, the chairman of the election board collects the secret ballots.

Angela reads the ballots out loud with:

4-votes for Olen McCloud  
2-votes for Amber Torres

Olen is given the oath of office and takes the chairman's seat.

Andrea Martinez motions to approve WR-20-2023 appointing Olen McCloud as chairman. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

##### **TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

###### **Summary**

Stated in the February 23rd, 2023, Treasures Report, the Tribal Council is continuing to work together to resolve the ongoing financial obstacles the Walker River Paiute Tribe now faces. As there was a lack of transparency and communication between the Tribal Council and the finance department previously, together we continue to navigate the financial chaos. We are now experiencing. I regret to report that it took years for us to be in this financial crisis and it will take time to resolve these issues in an appropriate manner. The letters from BIA were coming in approximately a year before the tribe was sanctioned on February 21, 2023, It is my ask that we continue to work together and be patient in returning our tribe back into compliance. In regard to the Tribes audit status, our auditors Bluebird CPAs are currently drafting the 2020 financial statements and reports for the Tribe 2020 audit. Although there are still a few open items, they have been communicated with the proper personnel.

On March 1, 2023, the Tribal Council attempted to hold interviews for the position of Finance Director, but unfortunately there was a lack of attendance to hold the interviews and they will be held at a later date. We also hired an additional part time employee in the accounts receivable position to assist in finance. Due to unforeseen circumstances, there was low staff in the administration and finance department. Therefore, we were unable to hold our weekly in person meetings, but

meetings will resume next week.

At the Special Council meeting held February 23, 2023, it was asked of me to draft an RFP seeking a forensic auditor. As I started the process of drafting and researching the proper procedure, I concluded that it would be in the best interest of the tribe if we wait and make a decision and attempt a forensic audit. The reason for this conclusion is that forensic audits are for specific purposes. Such as seeking evidence for court cases and legal issues. Second, that it would be more appropriate to wait until the completion of all audits for FY 2020, FY 2021, and FY 2022. The Council can also decide if they wish to expand the scope of sampling without current auditors. We can make our requests and concerns to our auditors in the entrance meeting before our next audit starts. It's important that we take each step carefully and strategically so that we can put our tribe in the best financial position to get us back into a more robust standing.

Lastly, it's important that we decide together what priorities are the most critical to the council to get the tribe back into compliance, as we have had many complications arise. Now I'm asking for councils direction. What are our priorities? And how do you foresee us moving forwards?

#### Training/Meetings/Advocacy

Follow up emails with Collective Strategies, Bluebird CPAs, and Jake Saunders of Mahoney Group (WRPT Insurance contact).

Senators Rosen, and Masto hosted a virtual briefing on community project funding for FY20 24. Members of Congress can request federal funding for specific projects these projects, and promote economic development, education, health care initiatives and other worthy investments in the community. Tribes are eligible for this funding, and it would be beneficial to look at submitting funding for the clinic project under these funds. The application process closes March 15, 2020.

#### Tribal Impact Bills Virtually Attended:

AB24-Revises the membership of the Committee on the Emergency Medical Services to add a tribal member to the states EMS Advisory Board. Hearing held February 22, 2023.

AB150-Native American fee waiver cleanup bill. Hearing held March 2, 2023.

ABC125-MMIP Database, Judicial Hearing, March 6th, 2023.

AB73-Graduation Regalia Bill hearing March 7, 2023 (testified).

Tribal leaders weekly meeting and update on the Nevada Legislative Sessions-February 28, 2023 - March 8, 2023.

Legislative Advocacy 101 and MMP IP Bill Overview - Zoom March 6, 2023

Mineral County Strategic Planning meeting, March 8, 2023.

Meeting with acting finance director will resume the week of March 13.

Webinar Training, ethical decision making and best practices for responding to fraud, waste or other abuse allegations. Attending virtually March 22, 2023.

Some of the priorities mentioned are Audits and DUNS number. Gina Wachsmuth says that the government has switched from DUNS to SAMS and the Tribe is working on getting that new number. Other priorities include the Indirect Cost Rate, Federal Financial Reports (FFR) 425 forms need to be sent out to grantors. Finance Director interviews-set for Monday at 5 on March 13, 2023. Shannon requests a working meeting with the new finance director and council to prioritize our financial concerns.

### **BLM Updates – Mark Mazzo, Acting Field Manager**

#### **Geothermal projects**

- Diamond Flat – Exploration Geothermal Environmental Assessment. This is Off Hwy. 95 near the Allen Hot Springs area. Right now the EA that they are reviewing, that the contractor sent to them, are preliminary, and they are making comments on them.
- Wabuska – Exploration Environmental Assessment - Is preparing to go for public scoping.
- Dixie Meadows – Environmental Assessment -There is a 12 MW decision issue on December 2022, and they are ongoing Fish and Wildlife consultation right now, regarding the Dixie Valley Toad, which was listed as an endangered species.
- Coyote Canyon – Exploration Environmental Assessment - It is north of Dixie Meadows. They are viewing the preliminary environmental assessment and are suggesting baseline data collection.
- Comstock – Exploration Environmental Assessment - is currently on hold and is Ormat's lowest geothermal project priority. Once the other project environmental assessments are moved forwards, the Comstock Exploration Environmental Assessment will move up.
- National Defense Authorization Act (NDAA) - This was signed in December of 2022. The purpose of this act was to expand Navy bombing ranges in training areas, but of course many other actions were included as well. Right now the major workload on the BLM is working with their attorneys and the solicitors office to interpret the intent of the legislation, and to operate with in their regulations. There are wilderness areas designated, National Conservation Areas, changes to grazing allotments, and a few other things. It's a big workload on the BLM, and right now they're in the process of hiring a special project manager. Once the project manager is hired, they will have a team to help work on all of these different projects. All those plans will go through normal BLM procedures.
- Wild Horse and Burros Program – between February 8th and 10<sup>th</sup> BLM will be conducting their annual census flights. They do these flights annually in a block now because of helicopter contracts. They started with Eclan Alpine, Stillwater HMA's in Churchill County, then south to Pilot Table-HMA, Marietta Burro Range, Garfield Flat. They had helicopter issues after Pilot Table. They are hoping the pilot will come back into their district later this year, with our Tonopah Field Office crew, to finish up the main remaining transects that weren't collected. As far as their estimates from 2022 projected, they think the Pilot Table herd management area is at 884 animals. The

appropriate management level for that herd is between 249-415. The last count, about half of those were on DOD land south of Walker Lake. The Marietta Burro range count is 756 burros, and 73 horses. The appropriate management level is designated between 78 and 104. Garfield Flat is estimated to have 373 horses the appropriate management level is 83-125 horses. The Marietta Burro gather was one that the BLM completed last year. Right now it's not ranked high enough on the national level for a gather priority funding, so we don't have a gather schedule for that, or an estimated time frame, but with in our Carson City District it is their highest rated priority per management area. Currently they are working on the Clan Alpine gather EA. That scoping period is open until March 30, 2023. The newest figures for all the wild horse HMA's will be available later in March, once they get their corrected numbers back from a statistical shop from Ft. Collins. They go through and look at some of the different terrain and visibility issues on the data that was collected and adjust the raw numbers to give them the most accurate population numbers.

- Bureau Fiber Optic Transmission Line - will be in multiple BLM districts throughout Nevada. There will be a public scoping hearing soon and it is anticipated as an EA.
- Nevada Energy Greenlink transmission line between Reno and Vegas. That is projected to be an environmental impact statement. So a larger NEPA Project-460 miles, a 200 foot right of away, and the surveys are being completed right now.
- Libra Solar Project - Environmental Impact Statement, Just West of the Black Mountain area and the Northern Wassuk Range. It is 11 miles Southeast of Yerington. There's also going to be a gen-tie (transmission line) going through Lyon County. There's a proposal to move the line north of the Mason Valley Wildlife Area with the same footprint as the Green Link transmission lines. It's going to be a 700 MW solar deal with about 5142 acres. The Gen-tie before it was rerouted was 20.8 miles it might be a little different than that once the notice of intent comes through is what this stage of the project is in right now. Soon there will be a notice of intent published in the Federal Register. Then, of course, there will be the public scoping meetings and an opportunity to provide input.
- Boat ramp maintenance at Walker Lake. They are looking for opportunities for funding.
- Nevada Department of Wildlife has proposed to do 12 guzzlers in our field office and multiple counties, they got approval on March 6th. In the next few years, they'll be installing wildlife guzzlers for big game and upland birds.
- Comnet Pilot Peak Road Realignment EA -. They're looking at road realignment for a comms site in Mineral County. Comnet came into their office and did a kickoff meeting. They are currently in a stage where they are collecting baseline surveys. Like plant and wildlife surveys.
- Grazing Permits Renewals -The top priority in the Stillwater field office is to complete the paying livestock grazing permits renewals which is for four grazing allotments in the southern end of the Wassuks. That is for the Lucky Boy, 9 Mile, and the East Walker River grazing allotment. Right now, they are in the process of getting a preliminary EA out. There was a rangeland health assessment and a standard determination document completed in the last year, so this is the next step in permit renewal process.
- Vorrta Hawthorne Off Road Race - It's a special recreation permit race in the Ryan Payne Master and Wainwright Flat area, on the east side of Walker Lake. They did permit that race for a year. It will be taking place between May 27<sup>th</sup> and 29<sup>th</sup>.

- Pilot Table Mountain Livestock Trespass - is still ongoing and part of their flight census is to find out how much livestock is still out there. There is approximately 1000 adult cattle out there right now. They are still following up and surveying that.

## V. NEW BUSINESS

### **Avant Energy on Department of Energy Formulation Grant – John Lewis, Non-Point Source Coordinator**

John says there is a grant from the Department of Energy that is due March 31st. Avant Energy is an energy planning group. They are working on fifty of these grants across the country. This is part of the bipartisan infrastructure law. Every tribe is part of the bipartisan infrastructure law. They each have a funding allocation that is already set. And the tribes just have to apply for it by March 31st. This is a 5 year grant program. If our tribe meets the March 31st deadline, then we will get the first two years of the funding. The funding amount is already set and that's why it's called a formulate grant. This is not a competitive grant where you are being scored against other applicants. States and Tribes got a specific allocation and Walker River's is \$102,000 for year one and year two, a little over \$82,000. You can use that for what they call grid resiliency. Basically, you can use that with your retail electric service provider which is Nevada Energy. It is a five-year grant and the tribe will get between \$80,000 and \$75,000 a year. In total, for the five years you will have about a \$500,000 to use for different energy planning activities. Mostly it will involve working with Nevada Energy. John says we don't have to work with him if we have a grant writer. He just want us to make us aware of this grant. He's already writing this grant for a number of tribes. He already has the narrative that he can provide to the tribe. He says what we really need is a council resolution that authorizes the grant by March 31st. He says we don't have to do a resolution tonight, but we need to do one before now and March 31st to make sure we don't lose out on that money. John offers to work on the grant for Walker River for free. Elveda Martinez is suggested to work on this with John Lewis

### **Comnet Lease Review – Stacy Hicks, Vice Chairman**

This item is tabled by consensus until we can receive more information.

### **Advisory Board – Genia Williams, Housing Director**

Tabled by consensus until further discussion.

### **Navy Settlement Acceptance – Elveda Martinez, Water Resources Coordinator**

Genia Williams motions to approve WR-21-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

### **NDAA Settlement Land Issues – Elveda Martinez, Water Resources Coordinator**

Genia Williams motions to approve WR-22-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

*\*Genia Williams leaves at 8:32 PM*



**Institute of Museums and Library Services (IMLS) – Angela Williams, Education**  
Gina Wachsmuth motions to approve WR-23-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Stacy Hicks abstains due to a conflict of interest.

**Board of Education Appointment – Angela Williams, Education**  
There is one opening and one applicant, Monica Sanchez. Gina Wachsmuth motions to appoint Monica Sanchez. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions. The Tribal Council needs to take out the background checks from the personnel policy for boards and committees and added to the next agenda. There's also a suggestion edit the forums to leave out the Social Security numbers on the applications.

**Reaffirmation of WR-19-2023 MOU with Mineral County Sheriff's Office – Stacy Hicks, Vice-chairman.**

Andrea Martinez motions to re-affirm WR-19-2023. Stacy Hicks seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**VI. APPROVAL OF MINUTES**

None

**VII. CLOSED SESSION**

Stacy Hicks motions to go into closed session at 8:51 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.


*\*Stacy Hicks leaves at 9:25 PM*

Shannon Williams motions to go into open session at 9:47 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

**VIII. ADJOURNMENT**

Gina Wachsmuth motions adjourn at 9:47 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Emergency Tribal Council Meeting  
Thursday March 22, 2023  
Tribal Conference Room  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 5:10 PM by Secretary, Gina Wachsmuth

**II. ROLL CALL**

Olen McCloud, Chairman – Absent  
Stacy Hicks, Vice Chairman – Absent  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Taylor O'Daye, Member – Present  
Genia Williams – Member – Present  
Shannon Williams, Member – Present  
A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions to approve the agenda. Taylor O'Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against, and 0-Abstentions.

**IV. TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

None

**V. OLD BUSINESS**

None

**VI. NEW BUSINESS**

**Charges for the Expulsion of Stacy Hicks as Tribal Vice-chairman/Council**

**Article V – Vacancies and Removal from Office**

Section 2. The Tribal Council may by the affirmative vote of four (4) members expel

any member for neglect of duty or gross misconduct. Before any vote for expulsion is taken in the matter, such member or officer shall be given an opportunity to answer any or all charges at a designated council meeting and the decision of the Tribal Council shall be final.

### **Gross Misconduct**

#### **Charge 1:**

During her duty as vice-chairman, and serving as acting chairman on March 9, 2023, Stacy Hicks posted on her personal Facebook page, Xerox scan 03092023111545, which was 175 pages of the Walker River Paiute Tribe's Posted General Ledger Transactions for the Diabetes Program. Stacy Hicks did not comply with:

1. *Authority of the Procurement Policy and Procedures Authority & Introduction*
2. *Chapter 2 Procurement Conduct 2.1 F.*

### **Procurement Policy and Procedures Authority & Introduction**

1. ***Authority:*** *The Constitution and by-laws of the Walker River Paiute Tribe at Article VI authorizes and holds the Tribal Council responsible to manage the various resources of the Tribe. This Procurement Policy and Procedures manual has been formally adopted by the Walker River Paiute Tribe under Resolution WR-84-2019. It therefore carries the full weight of the Council's authority and is to be fully complied with by all Tribal Council Members, Tribal officials, and Tribal employees.*
2. *2.1 Tribal Code of Conduct*
  - F. ***They will safeguard Tribal information and assets at all times. Disclosure of confidential information is grounds for immediate dismissal***

Stacy Hicks' disclosure on Facebook included confidential personal patient information, which may be a violation of HIPAA, and which may subject the Tribe to significant liability. In violating HIPAA and these policies Stacy Hicks has opened the Tribe to fines and civil penalties by the Indian Health Service and the Department Human Health Service. It also opens the Tribe to lawsuits by the people whose names are listed in, Xerox scan 03092023111545, which should have been kept confidential.

#### **Charge 2:**

When Vice-Chairman, Stacy Hicks, was acting as the Chairman she immediately appointed an immediate family member as the Human Resources Manager. This is a conflict of interest.

*Human Resources Policy and Procedures - Definitions page 4 - Nepotism: Favoritism shown to relatives such as appointing or promoting them to positions because of that relationship rather than due to merit or job qualifications.*

- (a) *20 Conflicts of Interest and Nepotism of the Tribe's Personnel Policy*
- (b) *No member of a personnel selection committee or the Tribal Council shall participate in the selection of an applicant who is a member of his or her immediate family (spouse, domestic partner, son, daughter, father, mother, sister, brother).*

**Charge 3:**

Stacy Hicks, when she was acting as the Tribal Chairman, committed fraud by signing her own Employee Action Notice (EAN) twice. An EAN shows a person's wage and is signed by the Employee, the Director, the Human Resources Staff, the Chairman or Designee. Stacy signed as the Employee and the Chairman. Andrea Martinez signed as the Director but rescinded her signature on February 10, 2023.

**3.16 Fraud in the Workplace**

*Fraud shall not be tolerated in the workplace. The Tribal Chairman and Program Directors are responsible for the detection and prevention of fraud, misappropriations and other irregularities. The Programs Directors must be aware of the types of fraud which may occur and be alert for any irregularity.*

- a) *Any irregularity that is detected or suspected must be reported immediately to the Tribal Chairman who may refer the matter to the Tribal Police, Tribal Attorney and/or outside agencies for investigation and determination.*
- b) *Types of fraud may include, but are not limited to: any dishonest or fraudulent act; misappropriation of funds, supplies or assets; receiving gifts or kickbacks from vendors; improperly handling money or reporting of financial transactions; disclosing confidential and/or proprietary information to third parties; destruction, removal or inappropriate use of records, equipment, furniture or fixtures without permission.*
- c) *Anyone reporting any irregularity that is detected or suspected must be acting in good faith and have reasonable grounds for believing the information provided. Allegations made maliciously or with knowledge shall be grounds for disciplinary action up to and including termination.*

**Charge 4:**

Stacy Hicks, as Acting Chairman, made employee appointments of the Human Resources Manager, Finance Director, General Assistance Program (GAP) Manager/Director

In the Human Resources Policies and Procedures Manual, Chapter 2 section 2.14 - Appointing Authority

**2.14 Appointing Authority**

*The appointing authority shall be the Tribal Chairman or other designated official who*

*has authority to make appointments. After the appointing authority has made his/her selection, the HR Manager will ascertain that all required documentation, investigations and tests have been completed and shall then certify appointments. **The Tribal Council shall make appointments of Program Directors, including the Finance Officer, Comptroller, and Human Resources Manager.***

**Charge 5:**

Stacy Hicks hired a Department Director as full time employee without conducting an interview process by the Tribal Council, signed the EAN with a status change from probationary to fulltime on January 25, 2023 with an effective date of January 30, 2023, and a “promotion” from a Coordinator position in a different department to the new Director position in a separate department effective January 20, 2023. This is fraud and nepotism as the employee is Stacy Hicks’ close relative.

*Human Resources Policy and Procedures approved by WR-126-2017 - Definitions page 4 - **Nepotism:** Favoritism shown to relatives such as appointing or promoting them to positions because of that relationship rather than due to merit or job qualifications.*

**3.16 Fraud in the Workplace**

*Fraud shall not be tolerated in the workplace. The Tribal Chairman and Program Directors are responsible for the detection and prevention of fraud, misappropriations and other irregularities. The Programs Directors must be aware of the types of fraud which may occur and be alert for any irregularity.*

- a) *Any irregularity that is detected or suspected must be reported immediately to the Tribal Chairman who may refer the matter to the Tribal Police, Tribal Attorney and/or outside agencies for investigation and determination.*
- b) *Types of fraud may include, but are not limited to: any dishonest or fraudulent act; misappropriation of funds, supplies or assets; receiving gifts or kickbacks from vendors; improperly handling money or reporting of financial transactions; disclosing confidential and/or proprietary information to third parties; destruction, removal or inappropriate use of records, equipment, furniture or fixtures without permission.*
- c) *Anyone reporting any irregularity that is detected or suspected must be acting in good faith and have reasonable grounds for believing the information provided. Allegations made maliciously or with knowledge shall be grounds for disciplinary action up to and including termination.*

**Sanction Against Stacy Hicks as Tribal Vice-chairman/Administrator**

After discussion the following is what the Council has agreed upon to include in WR-26-2023: Stacy is to have no access to the building, tribal records, documents, financials, financial reports, electronic and physical, sanction from powers and authority of Tribal Council. Article Six, Sections 1 through 4, include the ramifications that would apply,

from Wes Williams, our tribal attorney, cut off access to email and microix, included are revocation of the Tribal administrator position, surrender of laptop and keys. Andrea Martinez motions to approve Resolution WR-26-2023. Taylor O'Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against, and 0-Abstentions.

Genia Williams motions to terminate the administrator position due to it not being done according to policy, and there being no budget approved, effective immediately, and job posting taken down. Andrea Martinez seconds the motion. The motion passes with a vote of 4-For, 0-Against, and 0-Abstentions.

**VII. APPROVAL OF MINUTES**

None

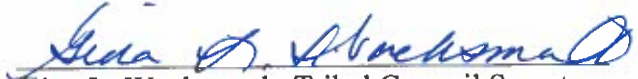
**VIII. CLOSED SESSION**

None

**IX. ADJOURNMENT**

Andrea Martinez motions to adjourn at 6:22 P.M. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against, and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday March 23, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:02 PM by Olen McCloud

**II. ROLL CALL**

Olen McCloud – Chairman – Present

Stacy Hicks, Vice Chairman – under sanctions by WR-26-2023

Gina Wachsmuth, Secretary – Present (*Arrives at 6:04*)

Andrea Martinez, Treasurer – Present

Genia Williams – Member – Present

Taylor O'Daye, Member – Present

Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions to approve the agenda with the following changes:

Table - Comnet First Net Lease Review until April 13, 2023-Stacy Hicks, Vice-chairman

Remove:

- Rescinding Law and Order Committee Appoint Resolution
- Minutes

Add:

- 30-Day Appointments in Closed session
- Chairman's Pay-Old Business
- Re-affirm WR-25-2023

Olen tells the Council that we are not going to discuss this motion. Shannon seconds Andrea's motion. Gina Wachsmuth asks Olen McCloud if he is going to call for a vote.

Olen refuses. Gina Wachsmuth as the next officer in line calls for the vote. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**IV. TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

None

**Olen McCloud Report**

Olen reads his report regarding the potential flooding of the Walker River, and his state of emergency.

Andrea Martinez comments that there are multiple untrue statements in his letter to the community (that were attached to the agendas for the evening).

**V. OLD BUSINESS**

**Comnet Lease – Council**

Tabled

**Background Investigations For Committee Members – Council**

Tabled by consensus.

**Rescinding Law & Order Committee Appointments Resolution**

Taken off the agenda.

**Reaffirm the WR-25-2023 – Olen McCloud**

Olen says that there are some corrections that maybe needed to the resolution and will check on it tomorrow.

Stacy Hicks makes a motion to reaffirm WR-25-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**VI. NEW BUSINESS**

**Memorandum of Agreement with Lyon County Sheriff's Office – Shawn Clanton, Chief of Police**

Genia Williams motions to approve WR-27-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Chairman Salary – Council**

Gina Wachsmuth motions to approve the chairman's salary at \$32.00/hour Andrea Martinez and Gina Wachsmuth, HR, and Olen will sign off on the employee action notice. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 1-Against and 0-Abstentions. Andrea Martinez voted against because even though there is an excuse of why an EAN for \$40.52 was first signed by the chairman she doesn't think



that that is right. She understands that it was brought to the attention of the people who are running the administration and it wasn't changed, so she is against this.

**VII. APPROVAL OF MINUTES**

None

**VIII. CLOSED SESSION**

Gina Wachsmuth motions to go into closed session at 8:26 PM. Genia Williams seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

*Stacy Hicks leaves the meeting at 9:20 PM.*

Gina Wachsmuth motions to go into open session at 9:40 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**IX. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 9:40 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

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### Special Tribal Council Meeting

Monday March 27, 2023

Tribal Conference Room/Zoom not available – 5:00 PM

### Minutes

#### I. CALL TO ORDER

The meeting was called to order at 5:35 PM by Gina Wachsmuth, Council Secretary

Presiding officer is Gina Wachsmuth, Tribal Council Secretary by:

*Walker River, Paiute Tribe*

*RULES OF ORDER/PARLIAMENTARY PROCEDURE*

*Approved by Resolution WR-06-2006*

III. OFFICERS AND DUTIES:

SECRETARY

8. *To call a meeting to order in the absence of the chairman or a vice chairman.*

#### II. ROLL CALL

Olen McCloud – Chairman – Absent  
Stacy Hicks, Vice Chairman – Absent  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Genia Williams – Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

#### III. APPROVAL OF AGENDA

Andrea Martinez motions to approve the agenda. Genia Williams seconds the motion. The motion passes with a vote of 3-For, 0-Against and 1-Abstentions. Shannon Williams abstains because she would like to schedule the meeting for when Olen McCloud could be at the meeting and have him sign off on it.

#### IV. NEW BUSINESS

### **Hearing for the Expulsion of Stacy Hicks**

Gina Wachsmuth explains that a meeting was held on March 22<sup>nd</sup> to present charges for the expulsion of Stacy Hicks. Gina read the charges out at that meeting, even though Stacy Hicks was not present.

Andrea Martinez states for the record that on March 21, 2023, Stacy was notified via e-mail of the notice of charges for expulsion on March 22, 2023, and of the hearing date of March 27, 2023, at 5:00 PM. An e-mail is considered legal delivery for those charges. Shannon Williams asked what time that email was sent and Andrea response at 8:35 pm. An email shows the record of Stacy Hicks receiving the notice of the agendas set for the reading of the charges and the date for her hearing. There is also her Facebook page where she leaves a comment dated March 22, 2023.

Gina Wachsmuth reads the procedures for the hearing. She states that this process was prepared by tribal attorney, Wes Williams.

#### **Allegation #1:**

During her duty as vice-chairman, and serving as acting chairman on March 9, 2023, Stacy Hicks posted on her personal Facebook page, Xerox scan 03092023111545, which was 175 pages of the Walker River Paiute Tribe's Posted General Ledger Transactions for the Diabetes Program.

Stacy Hicks did not comply with:

1. *Authority of the Procurement Policy and Procedures Authority & Introduction* and violated
2. and violated 2. *Chapter 2 Procurement Conduct 2.1 F.*

### **Procurement Policy and Procedures** **Authority & Introduction**

1. ***Authority:*** *The Constitution and by-laws of the Walker River Paiute Tribe at Article VI authorizes and holds the Tribal Council responsible to manage the various resources of the Tribe. This Procurement Policy and Procedures manual has been formally adopted by the Walker River Paiute Tribe under Resolution WR-84-2019. It therefore carries the full weight of the Council's authority and is to be fully complied with by all Tribal Council Members, Tribal officials, and Tribal employees.*
2. *2.1 Tribal Code of Conduct*
  - F. *They will safeguard Tribal information and assets at all times. Disclosure of confidential information is grounds for immediate dismissal*

Stacy Hicks' disclosure on Facebook included confidential personal patient information, which may be a violation of HIPAA, and which may subject the Tribe to significant liability. In violating HIPAA and these policies Stacy Hicks has opened the Tribe to fines and civil

penalties by the Indian Health Service and the Department Human Health Service. It also opens the Tribe to lawsuits by the people whose names are listed in Xerox scan 03092023111545, which should have been kept confidential.

**Evidence:** The Facebook posting of the general ledger for the diabetes program with the names of three patients.

**Witnesses:**

John Lockwood-Diabetes Coordinator, Christa Nez-Clinical Applications Coordinator and Acting HIPAA Compliance Officer, and Andrew McAuliffe-Clinic Director.

**Christa Nez-**Starts by introducing herself as working with the Tribal Clinic. She says her job is clinical applications coordinator. She also assists with the HIPAA issues that arise. She says they were invited by the tribal council to present a HIPAA complaint. She says here this evening she has Andrew McAuliffe, the Tribal Health Clinic Director, and John Lockwood, Diabetes Coordinator.

Christa says she received a complaint on March 9, 2023, 10:00 AM from the Walker River Tribal Health Clinic Diabetes Coordinator, John Lockwood. The vice chairman/acting chairman, Stacy Hicks, of the Walker River, Paiute Tribe, had posted on social media, Facebook on her personal page-Walker River, Paiute Tribe-members only, a payment ledger from the Diabetes and SOS grant funds. Three patients names are on that ledger that came from our finance department.

The clinic operates under a 638 contract with the IHS, as such, the tribe signed the contract, and agreed to operate the contract in accordance with all relevant federal laws, federal courts. Indemnity is extended to the tribe through the contract as long as the tribe complies with the terms, to that and HIPAA cases must be reported to the Department of Health and Human Services, and the Civil Rights Commission. The Tribal Health Clinic is required to report such violations. If not reported, the clinic could be deemed at fault. If the oversight agencies determine that the disclosing party is at fault, and the complaint is valid, it could result in a penalty of \$75,000 for unintentional disclosure and up to \$250,000 for willful disclosure.

Since the clinic falls under the governance of the tribal council, she says that we are required to coordinate full disclosure with the governing board to avoid subsequent HIPAA violations by sharing this information with the Governing Board members. She says she respectfully requested the tribal council to complete the HIPAA training to avoid further, more unintentional, or secondary, HIPAA breaches. She says she knows she's in no position to direct the council to do anything. That is why she respectfully requested the Council to receive the HIPAA training.

Christa thanks the council and reminds us that she gave us binders that Andrew McAuliffe will go through the sections with us.

**Andrew McAuliffe-**says that as Christa mentioned, we have an obligation to report these specified ways. The tribe signed a contract several years ago and the contract stays in

place and every year the contract gets updated with what is known as an annual funding agreement. He says that they included that information in our packet. It is stipulated to the Privacy Act. He says this was enacted in 1974.

After that, HHS and government entities started to compile patient information to adapt electronic health records. As such, there came to be HIPAA and the HITECH Act which addresses the storage of patient information in electronic systems. It further emphasized the Privacy Act because of the accessibility of electronic records. One could surmise that it is probably more stringent as far as protecting patient information.

The clinic makes no decisions and is there to carry out the reporting obligations of the contract and makes no judgments. The report is sent to the oversight agency, where they assess the complaints and the merits of the complaints. He says they don't make any decisions and complete their objectives if it was a breach or not a breach.

Ms. Nez reported the subject matter and felt that it warranted HIPAA proceedings. He states from there they went forward with reporting it as required and gathered a lot of information and that the first tab in the binders is the HIPAA law with the requirements.

In small communities, he knows that there are specifics in there for under 25,000 - 50,000 people. Due to the small community, we are more obligated for patient protection because people can be identified by the process of elimination, of diagnosis and patient information. If names are given in specific circumstances, which are the allegations here. For example, that would be the diabetes program that this report was reporting on that the individuals named have diabetes. We're required to report under the contract, and we included HIPAA violations that were submitted to them.

He says he was probably the last person to know because he doesn't have a Facebook account personally, and was a little surprised, so they contacted the person in Phoenix who is the subject matter expert. They asked him what he thought, and he said that it warranted further investigation and then proceeded accordingly. They received 4 complaints. Ms. Nez stated that this is going to disclose the same information to the Tribal council and the public, and that's why we asked all of you to get HIPPA training, so you all know.

Gina Wachsmuth asks Andrew what would happen if the tribe did nothing regarding this violation. Andrew says that it was reported, and Ms. Nez talked about criminal assessments or criminal fines, as \$75,000 as criminal fines for unintentional disclosure, and willful disclosure is up to \$250,000. There are also civil penalties of \$75,000 up to \$100,000.

Andrew says there is a lot of information in our binders and though he is not a HIPPA expert will answer our questions the best they possibly can. He does oversee the tribe's contract, and years past that he's worked at the Indian Health Service, He knows that the contract stipulates to it very specifically in the language of the contract. It was adopted under tribal resolution and puts it into full force and affect and makes it binding to the tribe. Andrew states that the tribal resolution is in the binder.

Andrews says that we've talked about criminal penalties and civil penalties, the issue for privacy, is that we want to offer a credible service. He says that we are not being judgmental because it goes to entities who say yes or no to the fact that a HIPAA violation has transpired.

The *Standards for Privacy of Individually Identifiable Health Information* ("Privacy Rule") establishes, for the first time, a set of national standards for the protection of certain health information. He adds that people with mental health issues, HIV, minors, and substance abuse have extra protection and are required to maintain those records, for numerous years after the patient has been treated. The fines are even more stringent for those patients. It is something they must be mindful of when they carry out the contract.

To meet the goal of the Privacy Rule is to assure that individuals' health information is properly protected, and they are obligated to do so. The clinic is going to be covered either by a hybrid entity because they operate as an extension of the federal government due to the contract.

In the packet, the tribe is carrying out the terms of the contract, federal indemnity and federal torts, is extended to the Tribe. We always want to make sure that we are doing what is stipulated in the contract.

Gina Wachsmuth asked him who is responsible for paying the fines for the violations? Andrew answers that it could be the tribe or the individual. He says that they don't assess those or make the determination, and that it's a serious thing when HIPAA violations happen.

Andrew mentions that there is a section in the packet about compliance and criminal penalties. The Tribe is covered in there as an entity. The Privacy Act has been in effect since 1974. The tribe has probably been under the Privacy Act since 1976. Back in the early years, everything was on paper. After everything was made electronic, money was offered to health records on computers. The HIPAA Act was put into effect in 1996 and underscores the Privacy Act. The Tribe had until 2004 to comply with those requirements.

PHI is personal health information and PI is personal information. In a small community it is easier to figure out the identity of a person through the process of elimination. That type of thing can happen unintentionally, so we always have to be guarded. A breach is generally impermissible disclosure. It compromises the security and Privacy of PHI & PI. The gist is that we try to operate the clinic as credibly as possible. They don't want the public to know what their patients are being treated for and don't want to compromise their credibility.

Data sets and collected information are transmitted electronically now. Electronic media has the capacity to really get you into trouble quickly and has seen it happen in the years he's been working in the Public Health service. Most of the violations he's seen are unintentional.

The reporting requirements are emphasized, and they are obligated to report. Sanctions can range from money to removal. They must let the patients know that there has been a breach of their information. Sometimes the patient can get angry and pursue civil lawsuits. The reporting goes to HHS and the Office of Civil Rights. Christa Nez says there is a patient on the list who is deceased, and the family can pursue a civil lawsuit.

Andrea Martinez asks what the approximate time is for an investigation to be completed. Andrew replies that it depends on the case and how quickly it is followed up.

The tribe has to make sincere efforts to remediate the problem because if you don't, we will all be in trouble. Gina Wachsmuth asks what the remediation for this HIPAA breach. Andrew suggests that the tribe look at their own personnel policies and procedures. He says they did include the sanctions and talked about potential fines. The Tribe must show good faith efforts to remediate it, because if you don't, it makes the Tribe complacent.

Miranda Quintero states there are two issues on this allegation, one is the procurement policy violation and the other is the HIPAA on this one allegation. Christa Nez says yes, and that the Council signed an oath of confidentiality, and that should cover everything. Andrea says that the is the code of conduct will always safeguard confidential information and assets, and yes, the oath of confidentiality. Genia Williams says that we sign those forms every year.

Christa Nez would respectfully request that the Tribal Council and finance be mandated to complete the HIPAA training online that she sent out to the Council because of this situation. Taylor O'Daye asked if it would be considered remediation if the Council completed the HIPAA training that was sent to us. Andrew answers that he thinks it would certainly help as the governing board.

Taylor says that Stacy was sending us the information summary of the Privacy Right Act that she saw in the HIPAA act modules, she highlighted the whistleblower paragraph. How does that not come into play in this case? Andrew answers that whistleblowers will be protected, and that you can't pursue action against somebody just for disclosing, and under federal statutes you can't go after them, fire them or threaten them.

Miranda Quintero asks if there would be a cost to the Tribe if it were a violation and sanctions were imposed? Would the cost of the fines come out of the general budget, or would it come out of the Tribe's insurance? Andrea answers that we would have to contact the insurance and they would have to review it.

Shannon Williams says that tribal members should be able to come into the finance office and be able to look at information. Andrew says yes if it is their information. Shannon says that they used to be able to come in and look at the general ledger and see what has been spent on what. She gives the example of a baseball team that got some kind of donation. She wants to know how that is different from, she tells John Lockwood not to take offense, but John is not a doctor, and he doesn't have patients, so how is that different, and that our finances are open to our members. Andrew said yes, as long as it's

financial information, but if it is patients' information, which was the case here, it is protected information, and this correlation is between the patients and the diabetes program.

Christa tells Shannon that at this point the clinic does financing with our PRC to pay the bills so that's why she wants finance to have the HIPAA training too. Miranda Quintero says that the document was obviously given by someone from the finance department and normally when you are dealing with clients of any sort you would redact that information so somebody probably should have gone through the 175 pages before they released it. She says that she can't input any information regarding the people that they serve.

Stacy Hicks is not present to respond to Allegation #1 nor to provide evidence.

The presiding officer will read Allegations 2 – 5 and then call for a motion to go into closed session as they are concerning personnel.

**Allegation #2:**

When Vice-Chairman, Stacy Hicks, was acting as the Chairman she immediately appointed an immediate family member as the Human Resources Manager. This is a conflict of interest.

*Human Resources Policy and Procedures - Definitions page 4 - Nepotism: Favoritism shown to relatives such as appointing or promoting them to positions because of that relationship rather than due to merit or job qualifications.*

**3.20 Conflicts of Interest and Nepotism of the Tribe's Personnel Policy**

*a). No member of a personnel selection committee or the Tribal Council shall participate in the selection of an applicant who is a member of his or her immediate family (spouse, domestic partner, son, daughter, father, mother, sister, brother).*

**Evidence:** Witness testimony and/or copies of personnel records to be reviewed in closed session.

**Allegation #3:**

Stacy Hicks, when she was acting as the Tribal Chairman, committed fraud by signing her own Employee Action Notice (EAN) twice. An EAN shows a person's wage and is signed by the Employee, the Director, the Human Resources Staff, the Chairman or Designee. Stacy signed as the Employee and the Chairman. Andrea Martinez signed as the Director but rescinded her signature on February 10, 2023.

**3.16 Fraud in the Workplace**

*Fraud shall not be tolerated in the workplace. The Tribal Chairman and Program Directors are responsible for the detection and prevention of fraud, misappropriations and other irregularities. The Programs Directors must be aware of the types of fraud which may occur and be alert for any irregularity.*



- a) *Any irregularity that is detected or suspected must be reported immediately to the Tribal Chairman who may refer the matter to the Tribal Police, Tribal Attorney and/or outside agencies for investigation and determination.*
- b) *Types of fraud may include but are not limited to: any dishonest or fraudulent act; misappropriation of funds, supplies or assets; receiving gifts or kickbacks from vendors; improperly handling money or reporting of financial transactions; disclosing confidential and/or proprietary information to third parties; destruction, removal or inappropriate use of records, equipment, furniture or fixtures without permission.*
- c) *Anyone reporting any irregularity that is detected or suspected must be acting in good faith and have reasonable grounds for believing the information provided. Allegations made maliciously or with knowledge shall be grounds for disciplinary action up to and including termination.*

**Evidence:** Witness testimony and/or copies of personnel records to be reviewed in closed session.

**Allegation #4:**

Stacy Hicks, as Acting Chairman, made employee appointments of the Human Resources Manager, Finance Director, General Assistance Program (GAP) Manager/Director

In the Human Resources Policies and Procedures Manual, Chapter 2 section 2.14 - Appointing Authority

**2.14 Appointing Authority**

*The appointing authority shall be the Tribal Chairman or other designated official who has authority to make appointments. After the appointing authority has made his/her selection, the HR Manager will ascertain that all required documentation, investigations and tests have been completed and shall then certify appointments. The Tribal Council shall make appointments of Program Directors, including the Finance Officer, Comptroller, and Human Resources Manager.*

**Evidence:** Witness testimony and/or copies of personnel records to be reviewed in closed session.

**Allegation #5:**

Stacy Hicks hired a Department Director as full time employee without conducting an interview process by the Tribal Council, signed the EAN with a status change from probationary to fulltime on January 25, 2023 with an effective date of January 30, 2023, and a “promotion” from a Coordinator position in a different department to the new Director position in a separate department effective January 20, 2023. This is fraud and nepotism as the employee is Stacy Hicks’ close relative.

*Human Resources Policy and Procedures approved by WR-126-2017 - Definitions page 4 - **Nepotism:** Favoritism shown to relatives such as appointing or promoting them to positions because of that relationship rather than due to merit or job qualifications.*

**3.16 Fraud in the Workplace**

*Fraud shall not be tolerated in the workplace. The Tribal Chairman and Program Directors are responsible for the detection and prevention of fraud, misappropriations and other irregularities. The Programs Directors must be aware of the types of fraud which may occur and be alert for any irregularity.*

- a) *Any irregularity that is detected or suspected must be reported immediately to the Tribal Chairman who may refer the matter to the Tribal Police, Tribal Attorney and/or outside agencies for investigation and determination.*
- b) *Types of fraud may include but are not limited to: any dishonest or fraudulent act; misappropriation of funds, supplies or assets; receiving gifts or kickbacks from vendors; improperly handling money or reporting of financial transactions; disclosing confidential and/or proprietary information to third parties; destruction, removal or inappropriate use of records, equipment, furniture or fixtures without permission.*
- c) *Anyone reporting any irregularity that is detected or suspected must be acting in good faith and have reasonable grounds for believing the information provided. Allegations made maliciously or with knowledge shall be grounds for disciplinary action up to and including termination.*

**Evidence:** Witness testimony and/or copies of personnel records to be reviewed in a closed session.

**V. CLOSED SESSION**

Shannon Williams motions to go into closed session at 6:55 PM to review evidence. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Andrea Martinez motions to go into open session at 7:18 PM. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Taylor O'Daye motions to approve WR-28-2023 allowing the Tribal Council Secretary as the next officer present to request finance documents. Andrea Martinez seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Genia Williams motions to go into closed session at 7:19 PM to review evidence. Andrea Martinez seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Genia Williams motions to go into open session at 9:09 PM. Shannon Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

**IV. Closing Statement:**

Interested Tribal members-None  
Tribal Council Members-None  
Ms. Hicks-No show

**V. Deliberations.**

The council deliberated the expulsion.

**VI. Decision**

The vote for expulsion by secret ballot is:  
5-FOR  
0-AGAINST

Andrea Martinez motions to approve WR-29-2023 for the expulsion of Stacy Hicks..  
Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against  
and 0-Abstentions.

Andrea Martinez motions to declare the vice-chairman seat vacant. Taylor O'Daye  
seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-  
Abstentions.


Genia Williams motions to inform the election committee and that the Council is  
choosing the next highest vote getter in the last election, Miranda Quintero, to serve as  
the vice-chairman for the remainder of the term. Andrea Martinez seconds the motion.  
The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Andrea Martinez motions to approve WR-30-2023 to fill the vacant vice-chairman seat  
with the next highest vote getter in the last election for vice-chairman with Miranda  
Quintero. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-  
Against and 0-Abstentions.

**VII. ADJOURNMENT**

Taylor O'Daye motions to adjourn at 9:30 PM. Andrea Martinez seconds the motion. The  
motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Regular Tribal Council Meeting  
Thursday April 13, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 PM by Olen McCloud, Chairman

**II. ROLL CALL**

Olen McCloud – Chairman  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Genia Williams – Member – Present  
Taylor O'Day, Member – Absent  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions to approve the agenda with the following changes: Add:

- Mineral County School District Update - Stephanie Kuehey
- TERO Commissioner Vacancy - Nicole Castillo
- Enrollment - Closed Session

Move:

- BLM to Old Business
- Comnet to Old Business

Miranda Quintero seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**TREASURER'S REPORT – Andrea Martinez, Tribal Treasurer**

**SUMMARY**

Special Council Meeting April 13, 2023

Approved June 8, 2023

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I am pleased to report the progression of the Tribe in moving forward and completing the required reporting and single audits to get the tribe back into compliance and most importantly to lift the sanctions imposed in late February. The Tribal Council recently hired a new Finance Director that started the first week in April, completed the 2020 audit in early April and are working together to make sure we address the multiple major projects and priorities that the Tribe has started.

On March 17, 2023 Blue Bird CPA was on site to wrap up the 2020 audit and had open discussions with leadership about the completion of the 2020 audit. There will be a presentation by the auditor to the membership at the next Special Tribal Council Meeting on April 27, 2023.

Continued in person meetings within the finance department in the month of March and scheduled to start meetings with the new Finance Director starting next week.

Attended a virtual webinar on March 22, 2023, regarding ethical decision making and responding to allegations of fraud and abuse of funds, (hosted by Mark Courey, Director of Forensic Litigation Services.) The ethical decision-making framework relies solely on, what is in the best interest of the Tribal community and to make sure the decisions are based on the values of the organization.

In early March a strategic planning team identified stakeholders to assist in the planning and process of drafting ideas for the Mineral County School District. On March 24, 2023 we had our first core design team meeting to draft the vision and the values moving forward for our School District, but more importantly we are able to be a part of a team to create a plan for the future of our children here at Schurz Elementary School. The Core Design Team meetings will continue well into the month of May. We are working with our Schurz Elementary Principal Lance West, Superintendent Stephanie Keuhey, Mineral County staff and the TNTP team. Updates about the strategic planning process can be found on the Mineral County School District's website.

#### **IV. OLD BUSINESS**

##### **Mineral County School District Update - Stephanie Kuehey-MCSD Superintendent, and Erin Ashley-TNTP**

Stephanie says they have chosen to partner up with The New Teacher Project (TNTP) as developed their strategic plan. Erin Ashley introduces herself as part of the Miwok tribe who now works for TNTP it is supporting the Mineral County School District during this strategic planning process. Stephanie says that strategic planning has been lacking in Mineral County. Currently they are reviewing all the available local data for students district wide. She says they're looking at stakeholders' input and surveys online.

During the Strategic Planning phase of the process, there are two groups that work in parallel to write the strategic plan. A core design team, composed of leaders and decision makers throughout the district will review the trends in data and stakeholder feedback from

the Data Gathering and Community Vision phases. They will draft a new vision and values for the district. Next, an advisory team will be assembled that represents the diversity of backgrounds and people throughout the district. They will provide feedback on the vision and values for the core design team to review. The core design team will update the vision and values, then a similar process will be repeated as the team drafts priorities, goals, metrics, and actions to move the district forward.

**BLM Updates – John Mitchell, Acting Field Manager**

Tabled

**Comnet Lease Review – Chris Schlack-SAC Wireless**

Chris says he works with SAC Wireless, and they represent Comnet Wireless on program to deliver FirstNet, First Responders network. Project would install antennas at 64 feet on the tower behind admin along with a generator. He says they are on a final design for this site. He's the next step would be to work with the attorney to finalize the lease draft and then subsequent review. Justina Benner a tribal member expresses her concerns on the RF safety to people.

**V. NEW BUSINESS**

**ITCN Family Violence Grant – Clarise Charlie Hubbard, ITCN**

Andrea Martinez motions to approve resolution WR-31-2023 supporting the Intertribal Council of Nevada's Domestic Violence Prevention Program for funding for FY 2024-2027. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**TERO Appointment – Nicole Castillo, TERO Director**

Gina Wachsmuth motions to appoint Danyale Savage. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Allegations from April 6th meeting for Gina Wachsmuth, Tribal Council Secretary**

Olen McCloud wants to read the allegations against Gina Wachsmuth from the April 6th meeting where there was no quorum. Andrea Martinez reminds him that he had a chance to add it when we approved the agenda. No action taken.

**Re-affirmation of Poll Vote for Charles Zeh Contract – Olen McCloud, Chairman**

No consensus

**Re-affirmation of Poll Vote for Associate Judge Contract – Olen McCloud, Chairman**

No consensus

**Forensic Audit – Olen McCloud, Chairman**

Andrea Martinez would like to table this until a funding source is identified and a scope of work developed. This is item passed by consensus.

**Review Contract for Quarles and Brady – Andrea Martinez, Treasurer**

Special Council Meeting April 13, 2023

Approved June 8, 2023

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Andrea was asking for a report from Quarles and Brady. The chairman replies that he hasn't seen one.

**Highway Safety Grant – Roman Sanchez, Walker River Tribal Police**

Genia Williams motions to approve WR-32-2023 to develop an application to the BIA Indian Highway Safety Program for FY 2024. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Nevada Department of Environmental Protection Permission to access to the Reservation – Jefferson Emm, GAP Manager**

Jefferson will discuss this further with NDEP and Jon McMasters of Water Resources.

**Duck Water Pow Wow Donation – Olen McCloud, Chairman**

Tabled by consensus.

**Night in the Country Donation – Olen McCloud, Chairman**

Tabled by consensus. This is supposed to be the Lyon County Fair.

**Collective Strategies**

A report is being requested, with Andrea Martinez following up with it as the treasurer.

**VI. APPROVAL OF MINUTES**

None at this time

**VII. CLOSED SESSION**

Genia Williams motions to go into closed session at 9:08 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

*Olen McCloud left the meeting at 9:15 PM.*

Genia Williams motions to go into open session at 9:24 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

**VIII. ADJOURNMENT**

Gina Wachsmuth motions to go into open session at 9:24 PM. Andrew Martinez seconds the motion. The motion passes with a vote of 4-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,



Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting**  
**Thursday April 27, 2023**  
**Tribal Conference Room/Via Zoom – 6:00 PM**  
**Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:13 PM by Olen McCloud, Chairman

**II. ROLL CALL**

Olen McCloud – Chairman  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Genia Williams – Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

*Olen McCloud calls on former vice-chairman Stacy Hicks and she answers that she is present.*

A quorum is present.

**III. APPROVAL OF AGENDA**

Andrea Martinez motions to approve the agenda with the following changes:

Add:

- Move visitors to the front of the agenda.
- Rescind WR-11-2022, WR-32-2020, WR-108-2022 – Andrew McAuliffe, Clinic Director

Shannon Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**IV. OLD BUSINESS**

**VISITORS:**

**BLM Updates – John Mitchell, Acting Field Manager**



### Geothermal project updates

- Diamond Flat –
  - Geothermal exploration environmental assessment
  - Allen Hot Springs and Lee Hot Springs area off Hwy. 95
  - Reviewing contractors' preliminary environmental assessment
- Other Geothermal
  - Wabuska Exploration-public scoping from March 14th through April 14th north of Yerington, baseline survey is completed.
  - Dixie Meadow-in discussion with US Fish and Wildlife Service regarding consultation with Dixie Valley Toad a 12 MW decision was issued in December 2022
  - Coyote Canyon Exploration-environmental assessment in progress
  - Comstock Exploration-currently on hold until other priority projects have crossed milestones.
  - Signed December 2022 the purpose was to expand Navy bombing and training areas, but many other actions are included.
  - Major work workloads on the BLM are formation of special designation area call outs and conveyances - Wilderness areas, national conservation areas, grazing allotment boundary changes in the process of hiring a special project manager devoted to this project and an associated team of other BLM specialists.

### Wild Horse Census Flights

- currently rescheduling the Marietta and Pilot Table Mountain flights due to helicopter malfunction
- the last figures were:
  - Pilot Table-884, AML is 249 to 415 with half on Department of Defense lands.
  - Marietta Burro Range-756 Burros, 73 horses, AML is 78 to 104
  - Garfield Flat-373 horses AML is 83 to 125
- Marietta Burro Gather-environmental assessment is complete, waiting on funding and ranking to conduct a gather.
- Expected currently reviewing scoping comments and preparing preliminary EA
- Flight lines for previous census flight sent to chairman McCloud on April 5th That impacts downstream.

### Other Large-Scale Projects in The District

- Vegas to Reno (aka VERO) Fiber Optic Project-multiple BLM districts throughout Nevada public scoping April 3rd to May 2nd anticipated as an EA.
- Nevada Energy Greenlink North and West transmission lines between Reno and Vegas EIS are 469 miles long, with a 200 foot right of way, surveys being completed.
- Libra Solar Environmental Impact Statement
  - Where: West of Black Mountain in Northern Wassuks, 11 miles southeast of Yerington, portion of gen-tie line through Lyon County, rest of project in Mineral County

- proposal 700 megawatts of solar field would be 5778 acres, 345 or 525 kilovolt gen-tie line.
- Stage: NOI in Federal Register to be published soon, virtual public scoping meeting to follow

#### Smaller Scale Projects

- NDOW-12 guzzlers in Stillwater field office- multiple counties
- Comnet Pilot Peak Rd.- realignment EA baselines in progress
- Paine grazing permit renewal-range health assessment is complete, working on preliminary EA for Lucky Boy, 9 mile, and East Walker River
- VORRA Yerington OHV race and poker run April 14th and 15th southeast of Yerington.
- VORRA Hawthorne off road race SRP race, Ryan, Paymaster, Win-Win Flat from May 27th through 29th

#### **Free Education Opportunity – Abi Bhairi, Founder Find Edj**

##### Program Info:

This program utilizes data analytics and machine learning to help students who face a range of challenges with respect to their involvement in the juvenile justice system, their learning environment, family structure, mental health, and so on. It is completely free of cost and all it needs is the participation of the students, consent from the parent/legal guardian, a point of contact from the department, and access to the student's data, we can also work with completely anonymized data if required.

##### Value for Students and Stakeholders:

The students get to participate in a holistic learning experience that is introspective and will help them understand their skills, personality traits, learning styles, and academic areas of excellence and improvement. Upon completion of the program the students will receive a data rich, customized FindEdj report, highlighting their academic analysis, personality assessment, and wellness analysis that is an invaluable asset to students, parents, counselors, and their education team engaged in the well-being and academic success of the students. This program has been observed to work especially well with at risk students, students in foster care, and students with limited access to educational tools and resources. It helps them see a fresh perspective in life and gives them the motivation to pick up the right path and pursue their educational goals.

#### **Bluebird CPA 2020 Audit - Jamshed Kudratov, CPA**

The 2020 audit will be complete next week as soon as finance finalizes it. The 2021 audit will be scheduled in September 2023 for six to eight weeks from start to finish.

#### **Forensic audit**

Tabled until budget is approved scope of work is defined by consensus.

#### **Minutes**

Move until the end of meeting by consensus.

### **Allegations Against Gina Wachsmuth – Olen McCloud, Chairman**

Olen McCloud reads the charges he has prepared against Gina Wachsmuth. Andrea Martinez asks him if he's not going to take comment by the council. He says she has five days to respond. Andrea says that according to the constitution, in matters as important as this, needs to be discussed amongst the council. Olen says we'll go into closed session then.

Courtney Quintero says since she is a public official it should be discussed in public. She asks Olen if he takes notes in the meetings, because even if Gina gave him the minutes how would he know they were valid. She says if he said something and she wrote it in the minutes and it was not correct he could say that's not what he said, if he took notes every meeting. Olen says that's what Gina's position is, to take notes. Courtney tells Olen that she means he should take his own notes. Olen says no, no, no, he's too busy running the meeting. Olen says that's what it states in here and that's what she does. He further says she takes the minutes and comes to the next meeting where we approve them. Courtney asks him how he verifies what he says from the notes that he didn't take. Olen says he's not going there. Courtney says they're trying to tell him to take notes. Olen says the meetings are recorded and that he doesn't have time to sit there and take minutes. Courtney said that he can't remember what happened at the last meeting and he should take his own notes so that he knows what was said at the last meeting. Olen says if it's that serious he will listen to the recording.

Andrea Martinez tells Olen that there is some misinformation that he was reading. She says that all that is required in WR-06-2000 is that the agenda be posted for four or five days. There is no clause stating what designated area means. Elected officials do not have the authority to define what is not written in our governing documents without amending the existing or adopting additional language through resolution which requires a motion by majority vote. Pursuant to WR-06-2000 adoption of Roberts Rules of Order the agenda must be prepared and posted and distributed in the council, committee, or enterprise at least five days before the meeting so that each person can examine of the issue which Olen has stated.

Andrea says the chairman admits to receiving the agenda for removal of Stacy Hicks on March 22, 2023, per his letter on April 6, 2023, set for March 27, 2023. Five days prior to the meeting an agenda was posted within WR-06-2000 timeframe. The chairman was contacted on three different occasions prior to the posting of this agenda on the illegal actions taken by Stacy Hicks March 13, March 15, and March 22., also addressing the March 23rd meeting. If the tribal council would like to define what is distributed appropriately it means an amendment or an adoption of a resolution is required. Special and regular meetings are defined differently in the WRPT laws and the WR-06-2000, subjecting them to different processes.

There is no procedure to cancel a meeting in the WRPT constitution or bylaws nor is there a process in WR-06-2000 which then requires all council members to follow the WRPT bylaws Arctic 5 Section 7 question of procedure, there is no procedure in place to cancel a meeting, therefore council must meet and discuss thoroughly to make a motion on how to proceed. Elected officials do not have the authority to act alone, to make new laws and

procedures. Meetings can only be cancelled by motion and majority vote until a resolution is adopted adding that language or the WRPT constitution and bylaws are amended. WPPT constitution Article VI Section F this clause gives the council legal power to manage all economic affairs and enterprises.

The Walker River Ventures is an entity of the WRPT. This subjects officials to different capacities, each prioritizing the tribal council as the successor. Olen was given five days' notice as required by the WR-06-2000 document. He made the conscious decision not to show up. His absence pursuant to WR-06-2000, the duty officers, Secretary, Section 8, gives secretary the authority to call meetings to order in the absence of the chairman or the vice chairman. There is no existing clause or language that prevents the secretary from signing. WR-06-2000 Duties of Officer, Secretary, Section 8, gives the secretary the same authority to sign documents, as the chairman. Again, WR-06-2000, Secretary, Section 8, the tribal secretary is given the authority to call a meeting to order and run, preside over a meeting in all capacities that chairman and vice chairman may have.

It required that the tribal council give the accused the opportunity to answer any and all charges. The tribal council gave Stacy Hicks the opportunity to show up and answer. Stacy Hicks did not show up. Her conscious decision not to show up does not remove the opportunity that was already given to her. Any individual is entitled to file a complaint in any jurisdiction if they believe a crime has been committed.

Andrea explains that this statement is regarding the resolutions that were sent to BIA. The WRPT Constitution and Bylaws, Article VI, Section 2, states that only resolutions and ordinances are subject to approval. Article V, Section 5 and 6, states only resolutions and ordinances. The tribal council has the ability to give directives. The secretary has been given a directive to complete all meeting minutes, and which she has been doing. WRPT Bylaws, Article V, Section 6, all final decisions of the tribal council matters on temporary interest or relating especially to particular individuals or officers or rules of order the council shall be embodied in resolutions. A resolution for removal with the affirmative four votes has been submitted to the Superintendent of the BIA without being disapproved. It has now passed the required 10 days to approve or disapprove.

Andrea states that Stacy Hicks was removed after following all required actions with the support of the WRPT Constitution and Bylaws and WR-06-2000 authorities. The agenda was posted six days prior to her removal hearing. Chairman acknowledges in his letter that he received at the agenda within the required time frame. Chairman does not have the authority to define what proper places means without amending the constitution or a resolution. Miranda Quintero was appointed by the tribal council after the vice chairman seat had been declared vacant, WRPT Constitution, Article V, Section 1. Andrea says she just wanted to clear the air for anyone who was confused by the chairman's previous statement.

#### **Comnet – Olen McCloud, Chairman**

Olen says that since it has become such an issue about 4G behind the tribal administration building, he contacted American Towers. They were to have a call next week with all three

parties and work out a solution to put it on the tower on Black Mountain. Taylor O'Daye says that before we move forward on this that we should set an ordinance on how we want regulate cell towers or Internet towers before we agree on anything. She said we can determine the number of frequencies, waves and who gets to post what tower and where, and we'd have an ordinance like that because it's new.

## V. **NEW BUSINESS**

### **Rescind COVID Resolutions – Andrew McAuliffe, Clinic Director**

The council would like documentation from legal on the outcome of spending funds once the pandemic is declared over.

### **FY 2022 Abbreviated IHBG-APR – Genia Williams, Housing Director**

Gina Wachsmuth motions to approve WR-34-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstained due to a conflict of interest.

### **FY 2022 IHP-ARP-APR – Genia Williams, Housing Director**

Gina Wachsmuth motions to approve WR-35-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstained due to a conflict of interest.

### **FY 2022 IHBG-APR – Genia Williams, Housing Director**

Gina Wachsmuth motions to approve WR-36-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstained due to a conflict of interest.

### **Appointment of Chief Tribal Judge – Leah Jim, Tribal Court Coordinator**

Gina Wachsmuth motions to appoint Aaron Morritsen as chief tribal judge by WR-37-2023. Genia Williams seconds the motion. The motion passes with a vote of 4-FOR, 2-AGAINST, and 0-ABSTENTIONS.

### **Appointment of Chief Tribal Judge – Leah Jim, Tribal Court Coordinator**

Gina Wachsmuth motions to appoint Sunny Stevenson as tribal associate judge by WR-38-2023. Genia Williams seconds the motion. The motion passes with a vote of 3-FOR, 2-AGAINST, and 1-ABSTENTIONS. Andrea Martinez abstains due to a conflict of interest for having a biased vote with a court case involving a relative of Sunny Stevenson.

### **Open Bank Account for Navy Settlement Funds – Andrea Martinez, Tribal Treasurer**

Andrea says that she submitted this agenda request in April 2023 and at that time chairman McCloud said he already handled it. Andrea explains she changed the 5<sup>th</sup> “Whereas” in a previous submitted resolution or from “projected” to “received”, because the tribe did receive the \$20 million in the beginning of April. Says she's not sure where that check is as she had not been notified. Gina Wachsmuth tells Andrea that the check should be in the safe. Andrea asks, if its in the safe. Chairman McCloud says yes, it is in the safe.

Genia Williams motions to approve WR-39-2023. Shannon Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

*Genia Williams leaves at 9:55 PM*

**Donation request for Stewart Father's Day Pow Wow – Chairman**

Tabled until a budget is in place by consensus.

**Donation Request IAIA Auction to Raise Scholarship Funds for Indigenous Students – Chairman**

Tabled until a budget is in place by consensus.

**Donation Request for Big Sandy Rancheria Pow Wow and Gathering – Chairman**

Tabled until a budget is in place by consensus.

**Donation Request for and Sober Grad Night – Chairman**

Tabled until a budget is in place by consensus.

**VI. APPROVAL OF MINUTES**

Shannon motions to set a date for the minutes to be completed by the next Council meeting on May 11, 2023. Andrea Martinez says that she will second the motion. Taylor adds that the council needs to provide corrections. The motion passes with a vote of 4-FOR, 1-AGAINST, and 0- ABSTENTIONS. Gina Wachsmuth votes against because she thinks she could have them done, but if she doesn't, she will vote against.


**VII. CLOSED SESSION**

None

**VIII. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 10:27 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

### Special Tribal Council Meeting

Thursday May 11, 2023

Tribal Conference Room/Via Zoom – 4:30 PM

### Minutes

#### I. CALL TO ORDER

The meeting was called to order at 4:35 PM by Miranda Quintero, Vice-chairman.

#### II. ROLL CALL

Olen McCloud – Absent

Miranda Quintero, Vice Chairman – Present

Gina Wachsmuth, Secretary – Present

Andrea Martinez, Treasurer – Present

Genia Williams – Member – Absent

Taylor O'Daye, Member – Present

Shannon Williams, Member – Present

A quorum is present.

#### III. APPROVAL OF AGENDA

Gina Wachsmuth motions to approve the agenda with the addition of rescheduling the Regular Tribal Council Meeting. Taylor O'Daye seconds the motion. The motion passes with a vote of 3-FOR, 0- AGAINST, and 0-ABSTENTIONS.

#### IV. OLD BUSINESS

None

#### V. NEW BUSINESS

**Expulsion Charges for Olen McCloud**

### Walker River Paiute Tribe Constitution and By-laws

### Article V – Vacancies and Removal from Office

Section 2. The Tribal Council may by the affirmative vote of four (4) members expel any member for **neglect of duty or gross misconduct**. Before any vote for expulsion is taken in

Special Council Meeting May 11, 2023

Approved July 27, 2023

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the matter, such member or officer shall be given an opportunity to answer any or all charges at a designated council meeting and the decision of the Tribal Council shall be final.

**Charge 1: Failing to meet his duty to preside at duly called meetings.**

The Tribe's Bylaws state in Art. I, Section 1 that the Chairman shall preside at all Tribal Council meetings. This Constitutional mandate requires the Chairman to attend any duly called Tribal Council meeting, whether called by the Chairman or at least four Tribal Council members. If he refuses to attend, then the Chairman is not meeting this directive stated in the Bylaws that requires him to attend and preside at the meeting, so he is committing neglect of duty. This section of the Bylaws does not state that Tribal Council meetings cannot be conducted if they are not presided over by the chairman or vice chairman. Those two officials may refuse to attend duly called meetings, so the Tribal Council has the duty and power to continue to conduct Tribal business in duly called meetings where a quorum is present. In 2000, the Tribal Council adopted the Tribe's Rules of Order/Parliamentary Procedures by exercising the Tribal Council's power to adopt resolutions under Constitution, Article VI, Section 1(m) regulating the procedure of the Tribal Council itself. Section III of the Rules of Order states the Secretary has the power to call meetings to order in the absence of the chairman and vice chairman so the Tribal Council can conduct business. Based on this, the Tribal Council can conduct duly called meetings where a quorum is present even if the chairman and vice chairman are not present.

Chairman McCloud failed to preside at a duly called Tribal Council meetings on March 22, 2023, and March 27, 2023. He refused to preside at the March 22, 2023, Emergency Council Meeting to provide Notice of the Hearing for the Removal of Stacy Hicks. Chairman stated it was an illegal meeting even though the Tribal Council held emergency meetings in December 2022. Chairman refused to preside at the March 27, 2023, hearing for the removal of Stacy Hicks. Chairman claimed the meeting was illegal because he did not preside, even though the secretary of the council can legally call a meeting to order as stated in the parliamentary procedures so that the Tribal Council can conduct business in the absence of the chairman and vice chairman. The Chairman and Stacy Hicks were present prior to the meeting, but both refused to stay.

**Charge 2: Violating Human Resources Policy & Procedures**

The Tribe's Human Resources Policy and Procedures states under "Authority" the Constitution and By-Laws of the Walker River Paiute Tribe at Article VI authorizes and holds the Tribal Council responsible for managing the various resources of the Tribe. This Part One of the Human Resources Policy and Procedures manual has been formally adopted by the Walker River Paiute Tribal Council under Resolution WR-126-2017. It therefore carries the full weight of the Council's authority and is to be fully complied with by all Tribal Council Members, Tribal officials, and Tribal employees.

Chairman Olen McCloud appointed Vice-Chairman Stacy Hicks to the position of Administrator without authorization from the Tribal Council and without Tribal Council approval of her salary. The Council met with Mr. McCloud to speak with him regarding this

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position and he asked that the Council write him a letter because he was busy dealing with the flood emergency. Treasurer Andrea Martinez hand delivered the letter to his office. The Council is the appointing authority for a position at the administrator level, as has occurred in the past. Despite the meeting and the letter to Mr. McCloud, he kept the position and went even further by advertising it. The Council did not approve the advertising for the position and did not approve the salary to be paid for the position being advertised. The Chairman was informed the position was not funded because the Tribe's General and Indirect Budgets had not been passed. This administrator position is above the Tribe's directors as those positions would be overseen and supervised by the Administrator.

*Human Resources Policies and Procedures Manual, Chapter 2 section 2.14 - Appointing Authority:*

*The appointing authority shall be the Tribal Chairman or other designated official who has authority to make appointments. After the appointing authority has made his/her selection, the HR Manager will ascertain that all required documentation, investigations and tests have been completed and shall then certify appointments. The TRIBAL COUNCIL SHALL MAKE APPOINTMENTS OF PROGRAM DIRECTORS, INCLUDING THE FINANCE OFFICER, COMPTROLLER, AND HUMAN RESOURCES MANAGER.*

**Charge 3: Chairman set his own salary.**

BYLAWS, ARTICLE IV—SALARIES states:

1. Salaries of tribal officials shall not be paid from tribal funds in the Treasury of the United States nor changed in amount unless approved by the Tribe at an election.
2. The members of the Tribal Council, boards, and committees shall be paid for expenses incurred in the interest of the community out of any available tribal funds when previously authorized by the Tribal Council

Olen McCloud did not inform the Human Resources Staff that the Council set his rate of pay at \$32 per hour at the March 9, 2023, Regular Council Meeting. He signed an Employee Action Notice giving himself a wage of \$40.52, which constitutes fraud in the workplace, and therefore neglect of duty or gross misconduct. This was later corrected by the Tribal Council at the March 23, 2023, Council Meeting. Chairman McCloud stated he didn't know what he was signing, which is also neglect of duty or gross misconduct.

Human Resources Policy and Procures states:

**3.16 Fraud in the Workplace**

*Fraud shall not be tolerated in the workplace. The Tribal Chairman and Program Directors are responsible for the detection and prevention of fraud, misappropriations and other irregularities. The Programs Directors must be aware of the types of fraud which may occur and be alert for any irregularity.*

- a) *Any irregularity that is detected or suspected must be reported immediately to the Tribal Chairman who may refer the matter to the Tribal Police, Tribal Attorney and/or outside agencies for investigation and determination.*
- b) *Types of fraud may include but are not limited to: any dishonest or fraudulent act; misappropriation of funds, supplies or assets; receiving gifts or kickbacks from vendors; improperly handling money or reporting of financial transactions; disclosing confidential and/or proprietary information to third parties; destruction, removal or inappropriate use of records, equipment, furniture or fixtures without permission.*
- c) *Anyone reporting any irregularity that is detected or suspected must be acting in good faith and have reasonable grounds for believing the information provided. Allegations made maliciously or with knowledge shall be grounds for disciplinary action up to and including termination.*

**Charge 4: Cancelling duly called Tribal Council meetings.**

At least four Tribal Council members called for Tribal Council meetings on March 22, 2023, and March 27, 2023. This occurred by the Tribal Council members exercising their power to call a meeting as stated in the Tribe's Bylaws Article V, Section 2, which states:

Special meetings may be called by a written notice signed by the Chairman or a majority of the Tribal Council, and when so called, the Tribal Council shall have the power to transact business as in the regular meeting.

Olen McCloud attempted to cancel these duly called meetings because he believes that they are illegal. He wrote letters to the public and staff making these claims and interfering with the Tribe's governmental affairs.

Olen McCloud does not recognize the Tribal Council's right to call meetings without his consent as stated in the Bylaws, which constitutes neglect of duty and/or gross misconduct.

**Charge 5: Failure to comply with Tribal Council actions.**

The Tribe's Bylaws state at Article V, Section 2 that Special Council Meetings may be called by a written notice signed by the Chairman or a majority of the Tribal Council, and when so called, the Tribal Council shall have the power to transact business as in regular meetings. Constitution, Article VI, Section 1(m) states the Tribal Council has the power to adopt resolutions regulating the procedure of the Tribal Council itself and of other tribal agencies and tribal officials.

The Council passed WR-26-2023 "Sanctions Against Stacy Hicks" before she was scheduled to have an Expulsion Hearing. She violated confidential information publicly on her Facebook account causing the Tribe to have a HIPPA violation that will likely result in fines and lawsuits from those whose names appeared on the documents. Mr. McCloud failed to recognize the seriousness of the violations. He continues to allow Ms. Hicks access to confidential Tribal documents even though she did not safeguard them as she

should have while serving the Tribe in the capacity of Acting Chairman. Ms. Hicks continues to work in an office the Chairman set up for her as the administrator despite her being removed from office by the Tribal Council, and despite the sanctions imposed by the Tribal Council's resolution WR-26-2023.

Mr. McCloud refuses to fulfill his duty as Chairman by not abiding by resolutions passed by the Tribal Council or recognizing the Council does legitimately have power to conduct tribal business during their duly called meetings.

Olen McCloud is still recognizing Stacy Hicks as the Vice Chairman even though she has been legally removed from office by including her on his agendas, and not swearing Miranda Quintero into office as the Vice Chairman. The Chairman has included Ms. Hicks on poll votes for attorney contracts.

**Charge 6: Failure to recognize removal of vice chairman and appointment of new vice chairman.**

The Tribal Council removed Stacy Hicks from the Tribal Council at a hearing conducted on March 27, 2023. Olen McCloud continues to list her on his agendas and keeps her on as a Tribal Administrator. Chairman McCloud will not recognize that the Council has appointed Miranda Quintero as Vice-chairman to fill the empty vice-chairman seat through resolution WR-30-2023, which is neglect of duty and/or gross misconduct.

**Reschedule Regular Council Meeting**

Gina Wachsmuth motions to reschedule the Regular Council Meeting for May 17, 2023, at 6:00 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 3-For, 0-Against and 1-Abstentions. Shannon Williams abstains.

**VI. APPROVAL OF MINUTES**

None


**VII. CLOSED SESSION**

None

**VIII. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 5:33 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 3-For, 0-Against and 1-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

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**Regular Tribal Council Meeting  
Tuesday May 23, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:01 PM by Miranda Quintero, Vice-Chairman

**II. ROLL CALL**

Vacant, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Andrea Martinez, Treasurer – Present  
Genia Williams, Member – Present  
Taylor O'Daye, Member – Present  
Thomas McKnight Sr. Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth motions to approve the agenda with the following changes:

Add:

- Ending Covid-19 Emergency Declaration – Andrew McAuliffe, Clinic Director
- Personnel to Closed Session
- Filling Council Vacancy to New Business

Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**IV. TREASURERS REPORT - Andrea Martinez, Treasurer**

**Summary for May 23, 2023**

During the past month, the treasurer had a busy schedule that included several meetings and events related to various tribal projects and initiatives.

The first meeting was with tribal leaders to discuss the native impact bills going through the process at the Nevada State Legislature. Subsequently, the treasurer attended a meeting with the tribal council to receive the next set of directions for upcoming projects. Zack, the tribe's project manager, will go into detail on another agenda item.

-Our Tribal health clinic discussion consisted of the timeline, budget, and next steps to be considered.

-The Nutritional and Wellness Center will be a new building located by the tribal food sovereignty area, there is discussion on the size of the building and the budget and who will be on the project team.

- The community park continues to progress thanks to recent renovations and improvements. The basketball hoop that is not complete is projected to be completed by next week. The bathrooms are ready for use on the northwest side of the park.

- The water looping project is moving forward with the next steps and an update by the contractor Stantec will be presented tonight.

- Broadband is still moving forward with completion in 2025. Our project manager Zack is working closely with CC Communications to keep the project up to speed and moving forward.

-The gym will be getting new doors in approximately 2-3 weeks

-The Smoke shop will also be getting door replacements

-Lastly, there will be a roof evaluation at the gym as part of the roof was damaged in a recent windstorm.

The treasurer also participated in a Native Nations Governance Project regional workshop for two days. These events provided valuable insights on various community engagement processes to include communications, professional development, and other effective tools to consider. We spent much time on how we can best inform, involve, and collaborate with our community and tribal citizens. Most importantly what is the ideal vision of our Tribe's communication strategy? This is a very valuable question that I believe should be a priority of the Tribal Council.

Moreover, the treasurer has been a part of the core design team for the Mineral County School District. The team discussed the current challenges faced by the school district and proposed some recommendations for improvements. The strategic plan is in the making and will be complete in the coming months.

Furthermore, the treasurer had in person meetings with the finance director of the tribe

to go over some financial aspects to include the status on the general and indirect budget, the status on the 2021 single audit, various contacts, the status of department, financials regarding Walker River Ventures LLC and the placement of the Navy Settlement funds. The check from treasury was initially put into the bank account previously opened before councils approval for the new bank account, but is in the transition of being placed in the new account approved by council.

Note: Jake Sanders will be here Friday June 9<sup>th</sup> to meet with the Finance Director and I to further discuss the “fidelity bond” that the Tribe is covered under through our current insurance. This fidelity bond extends coverage to the Tribal Council Treasurer and all employees of the tribe.

Lastly, the treasurer attended a tribal school district brainstorming meeting to discuss next steps to be taken for the local school, so that we can improve our school in all aspects.

Overall, these meetings and events have been productive in moving forward the tribe's goals and objectives including being a part of the last two emergency planning meetings and assisting in getting the community organized for putting the flood mitigation plan in place and moving.

## **V. OLD BUSINESS**

### **BLM Stillwater Update – John Mitchell, Acting Field Manager**

Tabled, Chairman’s secretary will reach out for next meeting.

### **Safe and Sober Grad Night Donation**

Gina Wachsmuth motioned to approve a \$150 group donation coming out of the Housing. Department budget. Andrea Martinez seconds the motion. The motion passes with a vote of 4-FOR, 0- AGAINST, and 1-ABSTENTIONS. Genia Williams abstains due to a conflict of interest.

### **End COVID-19 Emergency Declaration – Andrew McAuliffe, Clinic Director**

Gina Wachsmuth motions to approve WR-41-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0- AGAINST, and 0- ABSTENTIONS.

## **VI. NEW BUSINESS**

### **Arevia Powers the Libra Solar Project Update - Chris Brooks, EVP, External Relations**

Tabled, Chairman’s secretary will reach out for next meeting.

### **Renewable Energy Projects with Solar Avantus – Colette Brown Rodriguez, Director, Tribal Relations**

Tabled, Chairman's secretary will reach out for next meeting.

**Nevada Works-Good Jobs Northern Nevada - Thurman Roberts, Tribal Navigator**

Tabled, Chairman's secretary will reach out for next meeting.

**Hozhonigo Update – Zack Haynes, Project Manager**

New Clinic- Lisa Valdez explains that the clinic is looking for funding for the new clinic. She says there is \$1.5 million in the ARPA funds, but the decision will have to come to the Council regarding where the remainder of the funding will come from. Miranda Quintero wants the Tribe to revisit the ARPA budget and that we identified different funding to help get the new clinic built such as 3<sup>rd</sup> party billing, Medicare, and also the veterans-working on accreditation now. The clinic director as also increased revenue x 3. We were also planning on going after grants that would help with the ambulatory unit and some other functions. Lisa says that the clinic director mentioned loans and USDA grants. Genia Williams mentions another source to apply for funding to help with the new clinic.

Zack says that if had a June 1<sup>st</sup> start date then the first payment would be 1.7 million on July 1, then \$1.9 million the following month, as an example. Zack says we have \$3.6 million to start. Miranda says that we will probably see the contract and resolution come back for the June 8, 202 Regular Council meeting to finalize the schedule with the contractor. If we are not prepared for the June start date, then the contractor won't be able to start for 3-6 months. The \$19.46 million is the final price and will be guaranteed, with some going back to the Tribe in Tax and TERO fees.

Broadband-CC Communications is the contractor. The service agreement was sent to legal for review. It's a five-year contract for CC Communications to provide the service, modems, routers, and power. After five years when the service agreement is up, the tribe can have the option of going with a different contractor to provide the internet service, if not it will roll over to a two-year term year after year. They also sent over an agreement resolution from a BIA template. The project should be getting to start. Zack says Tax and TERO have been involved since the beginning.

Water Looping Project-There has been some drilling that took place at the water tank, US-95, and US 95-A sites. The results came out good, so they're working on the final reports for the initial review, that was great. Letters were sent out asking landowners for permission to come on their land to do the surveys and would like to have the responses by the cut off date. Jon McMasters has set June 16<sup>th</sup> for that. We will be packaging the responses to BIA for final approval. When that is complete, we'll do a final fly over to determine the center line of the pipeline. Jack Bryck is online and will do a more detailed update on the water looping project.

Ballpark, Powwow Grounds, Park Area-Playground, shelters, BBQs, tables, benches, trash cans, concession/restroom, and restrooms are all ready for use. Zach would like to see a sidewalk around the edge of the concession, and a concrete ramp to finish it off. Zack has one bid for that work but would like to see if housing has time in their schedule to complete that for a better cost.

Gym-The new doors have arrived, clinic and gym maintenance will install those doors. There is also an estimate for the roof, which there was some wind damage that pulled off 14'x15' section of the roof.

Administration Building-There is an estimate to repair this roof as well.

Swimming pool-Zack has been working with Andrew to get estimates to fix the plumbing. The pipes and filters are plugged with sand. Andrew has a couple of ideas. One is to dig up the concrete and replace the pipes or replace the pool with a fiberglass pool. They are currently working on estimates to get this done.

Ballfield-shovel ready, as part of the phase on part. Phase two is on hold due to the cost and funding. Andrea has some ideas for funding that could come from the state.

**Stantec Update on Water Looping Project – Jack Bryck, PE BCEE**

Jack shows a power point presentation on the water looping project and different aspects of how the project will take place.

**Navy Settlement Economic Development Resolution – Elveda Martinez, Water Resources Coordinator**

Taylor O'Daye motions to approve WR-42-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Van Request – Esha Hoferer, Tribal Member**

The driver will need to be on the Tribe's insurance therefore a staff member will have to drive. Esha will find a volunteer driver who is on the Tribe's staff. The Council approves by consensus.

**Education Board Member Appointment – Angela Williams, Education Director**

Gina Wachsmuth motions to appoint Lance West to the Board of Education. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Higher Education Grants Revision – Angela Williams, Education Director**

Andrea Martinez motions to approve WR-43-2023. Shannon Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Election Ordinance Revision – Angela Williams, Election Board Chairman**

Taylor O'Daye motions to post the ordinance changes for 30 days. Shannon Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Tribal Victim Services, OVC Grant – Sam Helme, Victim Services**

Genia Williams motions to approve WR-44-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.



**Filling Chairman’s seat – Miranda Quintero, Vice-Chairman**

Taylor O’Daye motions to appoint Andrea Martinez to fulfill the remainder of the chairman’s term that ends in 2024. Andrea Martinez seconds the motion. The motion passes with a vote of 2-FOR, 1-AGAINST, and 2-ABSTENTIONS. Shannon Williams votes against. Gina Wachsmuth abstains because she wanted Miranda Quintero to serve until after Amber Torres’ case was heard in court. Andrea abstains due to a conflict of interest for herself.

Andrea gives a verbal resignation from the treasurer’s seat, for the record, and will follow up with a written resignation. Miranda requests that the resignation is received before taking the oath of office. The oath will be given the following day.

Shannon Williams motions to declare the treasurer’s seat vacant. Taylor O’Daye seconds the motion. The motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS.

Gina Wachsmuth motions to appoint Genia Williams to fulfill the remainder of the Treasurer’s term as the next highest vote getter. Andrea Martinez seconds the motion. The motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstains due to a conflict of interest for herself.

Genia gives a verbal resignation from her seat as a council member, and gives a verbal resignation for the record, and will follow up with a written resignation. Miranda requests that the resignation is received before taking the oath of office. The oath will be given the following day.

Gina Wachsmuth motions to declare the council member seat vacant. Taylor O’Daye seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Shannon Williams motions to appoint Thomas McKnight Sr. as the next highest vote getter to the vacant council member seat. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**VII. APPROVAL OF MINUTES**

Special Council Meeting, January 5, 2023

Genia Williams motions approve the minutes from the Special Council Meeting minutes from January 5, 2023, with corrections. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Regular Council Meeting, January 12, 2023

Tabled. Request to streamline the minutes.

Regular Council Meeting, January 17, 2023

Tabled. Request to streamline the minutes.

Special Council Meeting, January 26, 2023

Genia Williams motions approve the minutes from the Special Council Meeting minutes from January 26, 2023, with corrections. Shannon Williams seconds the motion. The motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS. Andrea Martinez abstains because she didn't review.

Regular Council Meeting, February 9, 2023

Shannon Williams motions approve the minutes from the Regular Council Meeting, February 9, 2023, with corrections. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, February 23, 2023

Tabled. Request to condense the minutes.

Regular Council Meeting March 9, 2023

Tabled. Request to condense the minutes.

Special Council Meeting, March 22, 2023

Andrea Martinez motions approve the minutes from the Special Council Meeting minutes from March 22, 2023. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, March 23, 2023

Tabled. Request to condense the minutes.

Regular Council Meeting, April 13, 2023

Not ready.

Special Council Meeting, April 27, 2023

Not ready.

**VIII. CLOSED SESSION**

Gina Wachsmuth motions go into closed session at 10:28 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ASTENTIONS.

Gina Wachsmuth motions go into open session at 11:35 PM. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ASTENTIONS.

**Chairman's Salary**

Genia Williams motions to set the chairman's salary at \$34.00 per hour. Gina Wachsmuth seconds the motion. The motion passes with a vote of 3-FOR, 1-AGAINST, and 1-ASTENTIONS.

**Signatory Authority**

Gina Wachsmuth motions to approve WR-45-2023. Andrea Martinez seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Vice-chairman's Pay**

Genia Williams motions to approve paying vice-chairman, Miranda Quintero, under the chairman's salary fund codes for. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS

**IX. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 11:57 PM. Genia Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,



Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

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**Regular Tribal Council Meeting**  
**Thursday June 8, 2023**  
**Tribal Conference Room/Via Zoom – 6:00 PM**  
**Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:03 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Thomas McKnight Sr., Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth Motions to approve the agenda with:

Tabling:

- Health Clinic Vote
- Housing. Annual Services Agreement
- Petitions Report

Adding:

- 7th Generations People's Fund
- Minutes of April 13, 2023, Council Meeting-Shannon asks if there are any more minutes. Miranda Quintero says that since we received those minutes that we should add them.

Miranda Quintero seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

#### IV. MINUTES

##### **Regular Council Meeting Minutes-April 13, 2023**

Miranda Quintero makes a motion to approve the minutes from the Regular Council Meeting on April 13, 2023, with corrections. Genia Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against and 1-Abstentions. Taylor O'Daye abstained because she wasn't present at that meeting.

A special council meeting is set for June 29, 2023, at 5:30 PM to approve previous minutes.

#### V. TREASURER'S REPORT – Genia Williams, Tribal Treasurer SUMMARY

I received my oath of office on May 24<sup>th</sup>, 2023, as the Treasurer for the Walker River Paiute Tribe. My goals and priorities for the Tribe at this time will be:

- Monitor the status of FY2021 and FY2022 audits and ensure completion is completed in a timely manner. I plan to have a schedule of timeframes for the completion of the audits.
- Work with the Finance Director/Chairman on the General and Indirect budget for the approval by the council. I plan to have both budgets brought forth at the June 22<sup>nd</sup> Special Council meeting.
- Review the financial status of the Tribe.
- Ensure grant reporting is being completed.
- Schedule weekly meetings with the Finance Director.

I have had the opportunity to meet with the Finance Director and get an update on the status of the FY2021 audit. At the next meeting I will have a more definite time frame for the completion of the audit.

I would like to take a more proactive approach to update the agencies on the status of delinquent audits. I would like to have a letter sent out to our federal funding agencies regarding the status of FY2021 audit. This may help with future sanctions due to delinquent audits. The Tribe relies on federal grants that fund services to our membership. It is crucial that we manage our grants in a responsible manner.

In the FY2020 audit there were a few findings, and it was due to delinquent reporting. It is imperative that the Federal Financial Reports (SF425's) are submitted in a timely manner. A process needs to be defined to ensure reporting is completed on time. If we take steps to ensure the reports are submitted on time it could mitigate a finding in FY2021 audit.

There is a lot of work ahead of the Tribe to get to a healthy financial standing. By that, I would like to see the Tribe catch up on all audits and clear of findings. Where the Walker River Paiute Tribe is free of non-compliance letters from our federal agencies.

This is my priority, and I will continue to work diligently to ensure that this becomes a reality.

### **Chairman, Andrea Martinez's Report**

**CHAIRMAN'S REPORT**  
**TRIBAL COUNCIL MEETING DATE: June 8, 2023**  
**CHAIRMAN: Andrea Martinez**

### **SUMMARY**

I wanted to provide you with an update on my activities thus far. The number one priority is the safety and wellbeing of our community and staying prepared and updated with our high water flows and flood preparation.

- **Emergency Management Meetings:** I have participated in various emergency management meetings. We have discussed ways to improve our emergency response plan to the flood emergency to continue to prepare and assess the ongoing flood situation.
- **Human Resources:** I have been working to find someone to assist in our HR department. I have had part time help from an employee who is able to delegate some time to this position. The council has recently approved appointing a temporary 30 day employee to assist full time.
- **Contract Review:** I have also been reviewing contracts related to various projects and operations that the tribe is involved in. This is an important step in ensuring that we are being fairly supported and that our partners are meeting their contractual obligations.
- **Legal Follow-Up:** In conjunction with reviewing contracts, I have been following up with our attorneys to ensure that all legal matters are being handled appropriately.
- **Audit Preparation:** In preparation for an upcoming audit, I have been working with our team to ensure that all necessary paperwork is in order and that we are ready for any questions that may arise.
- **Walker River Ventures LLC Meetings:** As you may be aware, our LLC has been set aside over the past few months. I have been gathering and reviewing all relevant information pertaining to the LLC. We have a tentative Walker River Ventures meeting scheduled for June 20 to initiate the establishment of the LLC board, financial review, compliance, and status.
- **Project Updates:** I have been keeping tabs on the current projects that the tribe is involved in and providing regular updates to the council and members by scheduled

meetings various departments involved with current projects. This is an important step in ensuring transparency and accountability.

- **Employment Positions:** Finally, I have been working to address open employment positions within the tribe. This includes recruiting new employees, as well as ensuring that existing employees are receiving the support they need to be successful.

I am eager to continue to tackle key priorities in the office and continue to make progress toward our common mission.

## **VI. OLD BUSINESS**

### **Navy Updates – Kish LaPierre, Tribal Liaison, NAS Fallon**

NAS Fallon Tribal Program Updates for the Walker River Paiute Tribal Council Meeting  
June 8, 2023

Kish La Pierre, NAS Fallon Tribal Liaison Officer

1. B19 and Walker River off Range Ordnance (ORO) Project Status-Regarding the Off Range Ordnance Project for the B19 and your Reservation Lands we wanted to give some clarifications on the status of the project. On 12 June we sent to Chairwoman Martinez the Draft PA which still needs final comments from your respective Tribal Council Members (also sent was the PA report and cover letter) that requires final comments and recommendations to complete the final draft of that report). The next planned phase is the Site Inspection (SI) fieldwork and after report. The Navy cannot award a contract to do this SI fieldwork until the WRPT gives the ok for the scope of work (SOW) (also attached to the email was the referenced SOW). Ms. Elveda Martinez provided initial comments/recommendations for SI SOW and the Navy responded (email also included the Tribal Comments and Navy's responses). Right now the folks in San Diego at NAVFACSW are waiting on the Tribes approval/recommendations for both the Draft PA and the SI Statement of Work. Until then, the project is basically stalled. Please let us know your comments and how your Tribe would like to be involved going forward with the proposed SI field studies. Additional contacts are my supervisor Ms. Ann Schofield and Ms. Lucreatria Holloway from NAVFACSW who will be assisting us going forward with the ORO Studies.

2. Ethnographic and Archaeological Inventories Updates for B17 and B20: Project Status and Report Deliverables for B-20. In May 2023, Far Western continued field surveys and working in the accessible B-20 parcels at the north end of the Carson Sink. To date they have completed approximately 68,479 acres of survey under Task Order N6247320F5333. Far Western continued studies on the Traditional Cultural Property locations at B20. Far Western continues mid-project, pre-field survey planning, Tribal hiring outreach, logistics coordination, and data sharing with NAS Fallon and NAVFACSWDIV personnel, as needed. Far Western mobilized field Rotations 14 (4/26-5/5/2023), 15 (5/10-5/19), and 16 (5/31-6/9) for B20. On-going ethnographic interview scheduling and work in conjunction with other task orders. Far Westerns Updates: •

Planning for interviews with FSPT Elders scheduled for 6/21-23/23. • Planning for interview with Maurice Franck-Churchill, representing Duckwater Shoshone Tribe, on 6/14/2023. • Ongoing data compilation and preliminary reporting. • We continue to track all responses/inquiries for the Ethnographic Consultant positions. Deliverables for B17 from Far Western: a. In May 2023, Far Western continued processing results from the previous survey sessions of 34,595 acres at the B-17 expansion area under Task Order N6247321F5233. b. To date, Far Western has completed approximately 10,843.7 acres of inventory and resource documentation (total through May 1, 2023). 2. Work Completed to date: a. Results processing, file management, and general survey preparation. 3. Work Proposed for Next Month: a. Fieldwork planning for June rotations (Rotation 5 6/14-6/23 staffing and logistics). b. On-going results processing and data management. c. On-going coordination with Yomba Shoshone Tribe on more involvement from tribal members.

3. NAGPRA Repatriation Status and Updates-We are now in the process of completing a draft Notice of Inventory Completion that acknowledges the remains as being culturally affiliated with the 13 Tribes. We will send this draft notice to you electronically in the next week for your review and comments. We will then finalize the draft inventory notice and send to the National Park Service Documents & reports Coordinator for the National NAGPRA Program in DC. Once the National NAGPRA Program Director approves the Notice we will forward to your Tribe with a transfer letter from the CO at NAS Fallon. The Notice will then be posted on the NPS NAGPRA Database Site. We will then begin the Proposed Transfer of Collections process which involves Transfer Statement Document, CO accompanied Transfer Letter, and NAGPRA Notice to post in the local newspaper. NAGPRA Regulations indicate that there should not be separate notices posted less than two weeks apart for same case. After this time we would like to arrange a date and time to arrange the transfer of these human remains and artifacts housed at the NVSM in Carson City, NV to the designated Tribal Reps. We will then finalize the transfer so that repatriation can occur. Would you prefer to repatriate at an undisclosed location or would you prefer to repatriate back at the locations where the remains were discovered? If the former, would you like a protective barrier such as a chain link fence or some other protective barrier? For purposes of planning with the base CO, we ask that you decide on burial methods and let us know so that we can plan for any associated expenses as well as ground preparation related to a Section 106 updated study for any further ground disturbance.

## **BLM Updates – John Mitchell**

### Other Projects

- Vero Fiber Optic Line - Vegas to Reno project is being managed out of the NVSO with local office support. Scoping period ended May 3, 2023.
- Green Link Transmission Line - Also being managed out of the NVSO with support from Office.
- Libra Solar - Completed the public meeting on Monday 5/8/23. Public scoping period ended May 24, 2023. ePlanning web page for the project [HTTPS://eplanning.blmgov/eplanning-ui/project/2022592/510](https://eplanning.blmgov/eplanning-ui/project/2022592/510)



### Smaller Projects

- Working with NDOW to install wildlife guzzlers field office.
- Pain Grazing Permit Renewal -Baseline surveys are complete and working on preliminary environmental assessment.

### **Hozhonigo Update – Zack Haynes, Projects Manager**

- Zach will notify Brycon of the decision by the council to wait a year while they apply for grants to help pay for the construction of the new clinic.
- Brycon's bid on the clinic construction was too high and they will reissue an RFP.
- The broadband grant is ready for signature by the chairman. It has had a legal review. The easement was reviewed by the BIA and legal. It will be ready for the next meeting.
- June 16th is the final day for water looping and then send to the BIA.
- Park - Everything has been installed, everything ready for use. Zach wants to put a sidewalk around the concession stand.
- The ballpark still needs funding.
- Four Seasons will get automatic doors. They're shipping out June 22nd, the contractor will install them.
- Gym – the new doors to the gym will be installed by clinic maintenance staff.
- The gym roof is going to be repaired.
- Generator for freezer - Hotwire will hook it up and install it in early July.
- The basketball hoop will be installed tomorrow.
- Zach says the announcers stand at the Pinenut grounds will be cleaned up after a tree limb fell on it.

## **VII. NEW BUSINESS**

**Donation request for Samuel and Chauncey Henderson – Danyale Savage, Parent**  
Miranda Quintero motions to donate \$75 to each of the boys from the Housing donation line item. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Donation request for Various All-Star players – Tashina Jim, Coach**  
Gina Wachsmuth motions to donate \$75 each to Gabriella Sanchez, Suti Sanchez, Adan Juarez, Asaya Sanchez, Nylah Guzman. from the Housing donation line item. Miranda Quintero seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Summer Youth Employment Program – Nicole Castillo, TERO director**  
Nicole and the Council discuss changing the GPA from 3.0 to 2.0, for students to qualify for jobs. She informs us that ITCN will be here on Tuesday to meet regarding employment for the youth program they have. Their minimum wage is \$8.50, and the Tribe's is \$8.25. Not sure how many positions will be available.

**Annual Service Agreement – Haley Richardson, WRHD Procurement**  
Tabled

**Reaffirmation of WR-46-2023 Emergency Declaration Due to Flooding – Gina Wachsmuth, Council Secretary**

Miranda Quintero motions to reaffirm WR-46-2023. Genia Williams seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Flood Update – Elveda Martinez, Water Resources**

Weekly Meetings: The Team meets every Wednesday at 9am. Those attending include Council members, Emergency Management Team (Tribal Staff, Fire, EMS, Irrigation, etc.). Charles Quartz is our Incident Commander.

Water Updates are given by Jon McMasters on gage readings for reservoirs and the Walker River. As of this afternoon the river continues to run very high but has held at the same levels for the past 7 days; flows through town have fluctuated between 2, 800 and 3,000 cfs. The river continues to stay in the channel near all structures, however erosion of the riverbanks in some areas continues.

Reservoir levels also continue to stay near the same; upstream flows near Mason in the main stream also appear steady and forecasts call for no noticeable increase over the next few days.

Weber Reservoir – Closed until further notice \*Danger Signs & Road Closed Signs have been installed.

River/Roads/Bridges – Tree removal is being done – Billie Rose Frank is the contact.

Bridges – We are getting lights for nighttime monitoring from Mineral County; the Army Base is monitoring the train bridge, including weekends.

Drone – Roy Begay has been flying the river and reservoir on a regular basis; hoping to post on the Tribe's website.

\*Emergency Funding – The Tribe received \$78,000.00 from the BIA on May 18th.

-Equipment, operator, emergency hires, fuel, and supplies

- Received an additional \$14,005.46; for drinking water; 4 pallets have been ordered/332 cases in first order; will be delivered to the gym; to be distributed at the June 14<sup>th</sup> Community Meeting.

\*Seventh Generation Fund; request \$50,530.00 for supplies – Sara Twiss requesting approval this evening.

\*Supplies from the State – Received sandbags, bagging machine, plastic sheeting (visqueen) and radios.

Cement Blocks – Placed at different locations – lift station so far.

FEMA Assistance – Met with them on May 31<sup>st</sup> for first emergency that was from March 8-19, 2023; they'll be here on 6/13/2023 for additional information. For the big emergency we will be going under the State of Nevada.

Planning for Flooding:

\*Homes along the River – Identify and notify of evacuations, sandbags, etc. Inundation maps were reviewed at different levels of potential flooding; from 4,000cfs – 5,000cfs.

\*Sandbags/Homes Sandbagged – First Round; 11 homes and some tribal buildings were identified; Second Round; 8 more homes were identified; Emergency hires filled sandbags and assisted homeowners with wrapping homes with plastic sheeting (visqueen) and stacking with sandbags; Nicole Castillo, TERO Director ramrodded the effort. During the first week she had 30 Emergency Hires; this week she had 22. They are being paid \$18.00 per hour.

\*Emergency Personnel – identify roles and responsibilities, possible tabletop exercise, etc.

\*Evacuation Location – Schurz Elementary School; got approval.  
-Emergency Trailer-fifty cots, etc. from Mineral County; will be here by Monday, June 12<sup>th</sup>.

**Recall Petitions Report – Gina Wachsmuth, Council Secretary**  
Tabled. Report not ready and needs some clarifications.

**7<sup>th</sup> Generation of Indigenous Peoples Fund – Sarah Twiss, and Jose Malvido,**  
Gina Wachsmuth motions to reaffirm WR-47-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Chuck Zeh Contract – Andrea Martinez, Chairman**  
Chuck Zeh will be paid out of the retainer, with no need for a contract at this time.

**Protection of Peehee Mu'Huh – Josh Dini**  
Gina Wachsmuth motions to reaffirm WR-48-2023. Taylor O'Daye seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**VIII. CLOSED SESSION**

Miranda Quintero motions to go into closed session at 9:03 PM. Genia Williams seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

*Gina Wachsmuth loses connection to Zoom at 9:03 PM*

Miranda Quintero motions to go into open session at 9:27 PM. Genia Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**IX. ADJOURNMENT**

Thomas McKnight Sr. motions to adjourn at 9:28 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday June 22, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:01 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Thomas McKnight Sr., Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Absent (*Shannon Williams arrives at 7:15 PM*)

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth Motions to approve the agenda. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Honoring Cindy Benjamin**

Cindy Benjamin is being honored for her years of service to, and retirement from, the Nevada State Legislature. Cindy is presented with a Pendleton Coat. Chairman Martinez reads the resolution from the Nevada State Legislature.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

**UNR Office of Indigenous Relations Update – Daphne Emm- Hooper, Director of Indigenous Relations**

Special Council Meeting June 22, 2023

Minutes approved August 10, 2023

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Daphne gives an overview of the Office of Indigenous Relations.

- Native American fee waiver AB150, will have legislative updates, that are expected to result in changes for fall semester of 2023. Daphne will be the point of contact for any fee waiver questions.
- Programs and research-Any research and or program proposals will go through their office. They will develop a MOU with each tribe regarding expectations and contact protocol. They will be working on data sharing agreements, Institutional Review Board processes, Nevada Water Networks, and student projects.
- Economic Development and Health Care-State-wide Tribal Economic Development Plan, partnership between Nevada Works and the University Center for Economic Development for Workforce Development. Health Care-They are working with the UNR Schools of Medicine, Public Health, and the Nursing Residency Program.
- Summer Programming-CABNR, Discover Your Path! Summer Camp in Lake Tahoe, July 31st through August 4th. Native Students LEAD (Learning Power Achieve Dream) Program, August 6th through August 12th.
- NAGPRA Updates-UNR has contracted with Cogstone Resource Management to triage campus collections for NAGPRA compliance. Contractors will complete the review of 2500 anthropology boxes and any potential NGPRA discoveries will be followed up with the tribes for guidance on care and coordination of a pathway to repatriation. The current NAGPRA collections are being evaluated for completeness, and revised repatriation notices will be published in the Federal Register by the end. 2023. Any tribe that would like to visit our collections and discuss any related Nag Pro topic, please feel free to contact our NAGPRA Coordinator Rochanne Downs and she will gladly accommodate.
- UNR as a Resource-The office of Indigenous Relations aims to build strong community connections, by providing funding and resources and by creating a supportive and culturally inclusive environment for Indigenous students , faculty and community . Working within the University and in the community. Asking what can the university do to provide support?

**Donation request for Karmen Vasquez – Anna Miller, Grandparent**

Gina Wachsmuth motions to donate \$75 to Karmen Vasquez from the Housing donation line item. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Donation request for Casey Johnson – Kim Johnson, Parent**

Miranda Quintero motions to donate \$75 to Casey Johnson from the Housing donation line item. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Commercial Insurance Proposal – Lisa Valdez, Finance Director**

Genia Williams motions to approve WR-49-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Homeowners Assistance Program (HAP) – Lisa Valdez, Finance Director**

Lisa is updating the Council regarding HAP. HAP assists homeowners on and off the reservation for the Covid-19 pandemic and the homeowners who meet the eligibility requirements. The requirements are to submit the applications with all documentation required, and all financial hardship after January 21, 2020. HAP has income qualifications. The application will be on the website. The Tribe received \$1.62 Million and was approved for an additional \$91,064.62 for a total of \$1.7 Million. This program started October 2021 and will end September 2026. According to our reports, we have spent \$385,211.01, and remaining funds are \$1.3 Million. Miranda suggests that we stay up to date on the federal regulations so there is no findings should someone be wrongfully approved and they would have to pay it back. Lisa would want to RFP for a sole source contract, which is allowable in our financial management policy, to make sure the processes are followed and make the process faster, and the timeline for the contract would be a couple of weeks.

*Shannon Williams arrives at 7:15 PM*

**General Budget – Lisa Valdez, Finance Director**

Gina Wachsmuth motions to approve WR-50-2023. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Indirect Budget – Lisa Valdez, Finance Director**

Gina Wachsmuth motions to approve WR-51-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 1-Abstentions. The Indirect Cost Rate is currently 17.33%.

**Grant Writers Detail Cost Proposal, Nicky Sandoval – Lisa Valdez, Finance Director**

Gina Wachsmuth motions to approve WR-52-2023. Genia Williams seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions. This cost will come out of the ARPA funds.

**2020 Audit Resolution – Lisa Valdez, Finance Director**

The 2020 Audit was submitted to the clearing house and was accepted. There was late reporting on a few of the grants and a corrective action plan is in place.

Genia Williams motions to approve WR-53-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**Contract for Associate Judge Joanna Roberts – Lisa Valdez, Finance Director**

This item will be tabled by consensus until the July 13, 2023, Regular Council meeting.

**Annual Service Agreement for Hammond Furniture LLC – Larcina Jim, Housing Assistant**

Gina Wachsmuth motions to approve WR-54-2023. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Genia Williams abstains for conflict of interest.

**Annual Service Agreement for Arellano Plumbing and Heating – Lareina Jim, Housing Assistant**

Gina Wachsmuth motions to approve WR-55-2023. Taylor O’Daye seconds the motion. The motion passes with a vote of 5-For, 0-Against and 1-Abstentions. Genia Williams abstains for conflict of interest.

*Andrea Martinez leaves the meeting at 8:15 PM.*

**Annual Service Agreement for Walker River Mechanical – Lareina Jim, Housing Assistant**

Thomas McKnight Sr. motions to approve WR-56-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Genia Williams abstains for conflict of interest.

**Annual Service Agreement for Vinnie’s Electric – Lareina Jim, Housing Assistant**

Gina Wachsmuth motions to approve WR-57-2023. Taylor O’Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Genia Williams abstains for conflict of interest.

**WRHD Home Improvement Loan Program– Lareina Jim, Housing Assistant**

Gina Wachsmuth motions to approve WR-58-2023. Taylor O’Daye seconds the motion. The motion passes with a vote of 3-For, 1-Against and 1-Abstentions. Genia Williams abstains for conflict of interest. Shannon Williams votes against.

**Protection of Pee Hee Mu’huh from Lithium Mining – Josh Dini, and Michon Eben**

Gina Wachsmuth motions to approve WR-59-2023. Taylor O’Daye seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Enrollment Board Appointment – Danyale Savage, Enrollment Specialist**

Gina Wachsmuth motions to appoint Tashina Jim and Sarah Twiss to the Enrollment Board. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Genia Williams abstains for conflict of interest.

**VI. CLOSED SESSION**

Miranda Quintero motions to go into closed session at 9:06 PM. Genia Williams seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Gina Wachsmuth motions to go into open session at 9:20 PM. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**VII. ADJOURNMENT**



Thomas McKnight Sr. motions to adjourn at 9:20 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting**  
**Thursday June 29, 2023**  
**Tribal Conference Room/Via Zoom – 3:30 PM**  
**Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 3:38 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Thomas McKnight Sr., Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth motions to approve the agenda with the addition of:

- Executive Secretary Resolution
- Petition Procedures
- CKP Insurance Update
- Emerging Leaders Conference

Miranda Quintero seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

**IV. OLD BUSINESS**

**Approval of Minutes**

**Regular Council Meeting January 12, 2023**

Taylor O'Daye motions to approve the Regular Council Meeting January 12, 2023, minutes with corrections. Genia Williams seconds the motion. The motion passes with a

vote of 4-For, 0-Against and 2-Abstentions. Miranda Quintero and Thomas McKnight Sr. abstained because they weren't on the council at that time.

Special Council Meeting January 17, 2023

Shannon Williams motions to approve the Special Council Meeting January 17, 2023, minutes with corrections. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 4-For, 0-Against and 2-Abstentions. Miranda Quintero and Thomas McKnight abstained because they weren't on the council at that time.

Special Council Meeting February 23, 2023

Taylor O'Daye motions to approve the Special Council Meeting February 23, 2023, minutes with corrections. Genia Williams seconds the motion. The motion passes with a vote of 4-For, 0-Against and 2-Abstentions. Miranda Quintero and Thomas McKnight abstained because they weren't on the council at that time.

Special Council Meeting January 26, 2023, Closed Session

These minutes were approved on May 23, 2023

Regular Council Meeting March 9, 2023

Genia Williams motions to approve the Regular Council Meeting March 9, 2023, minutes with corrections. Taylor O'Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against and 2-Abstentions. Miranda Quintero and Thomas McKnight abstained because they weren't on the council at that time.

Special Council Meeting March 23, 2023

Taylor O'Daye motions to approve the Special Council Meeting March 23, 2023, minutes with corrections. Taylor O'Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against and 2-Abstentions. Miranda Quintero and Thomas McKnight abstained because they weren't on the council at that time.

**V. NEW BUSINESS**

*Miranda Quintero steps out at 5:36 PM*

**Executive Secretary Resolution – Gina Wachsmuth, Council Secretary**

Gina Wachsmuth motions to approve WR-61-2023. Taylor O'Daye seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

**Emerging Leaders Seminar – Andrea Martinez, Chairman**

Gina Wachsmuth motions to approve travel for the Tribal Council to attend the Emerging Leaders Seminar. Taylor O'Daye seconds the motion. The motion passes with a vote of 4-For, 0-Against and 1-Abstentions. Shannon Williams votes against because she wants Gina Wachsmuth to get her job done for Council.

**CKP Insurance – Andrea Martinez, Chairman**

Andrea reads the letter from CKP Insurance. We will need an attorney recommendation to cancel this insurance policy.

**Petition Procedures – Andrea Martinez, Chairman**

The procedure when a petition is taken out against the Council Secretary will be for the secretary, chairman, and enrollment specialist to accept the petitions, stamp them in and then turn them over to the election board for verification by consensus.

*Thomas McKnight Sr. leaves the meeting at 6:01 PM.*

**VI. CLOSED SESSION**

None

**VII. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 6:13 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Regular Tribal Council Meeting  
Thursday July 13, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Thomas McKnight Sr., Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Gina Wachsmuth motions to approve the agenda with tabling the following:

- Good Jobs Northern Nevada, Thurman Roberts, Project Scope
- Personnel, Lesley Hawley-HR-Closed Session
- Minutes-tabled until July 27, 2023, Special Council Meeting

Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**IV. MINUTES**

Tabled until July 27, 2023

**Honoring Marge Sanchez – Council**

Mrs. Marge Sanchez is being honored for her years working at the Schurz Elementary School and is now retiring.

**Treasurer's Report – Genia Williams, Treasurer  
SUMMARY**

Special Council Meeting July 13, 2023

Approved August 27, 2023

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As stated in last month's report, I continue to work with the Tribal Administration on issues that affect our financial well-being. The items were identified as the priorities and we are continuing to work on the items below:

- Monitor the status of FY2021 and FY2022 audits and ensure completion is completed in a timely manner. I plan to have a schedule of timeframes for the completion of the audits.

Currently, the testing for FY2021 audit has started. The finance staff are pulling information for testing by the auditors, and it was reported to me that they are two-thirds completed. The date anticipated for completion of the audit is October.

- Work with the Finance Director/Chairman on the General and Indirect budget for the approval by the council. I plan to have both budgets brought forth at the June 22nd Special Council meeting.

Both budgets were approved and will be input into the system this week for tracking. We should be able to have reports by next month's meeting for the General and Indirect budgets.

- Review the financial status of the Tribe.

This process is taking place as the Finance Director is working with Charles Carslaw on the financial status of the Tribe.

- Ensure grant reporting is being completed.

Currently, the Finance Director is diligently working on all reporting for grant funding. This is taking some time and we are behind in this area.

- Schedule weekly meetings with the Finance Director.

I continue to have open communications with the Finance Director as well as the Chairman on the financial status of the Tribe.

There's a lot of work that is being done; it's going to take time to get some of these things completed. Beginning to work on this next audit is the next step to a healthy financial standing. We are moving forward, but it is time consuming, and we won't see results for a few months.

As we move through this process, we will begin to see a more accurate and financial picture of the Tribe. This will conclude my report, if you have any questions, please feel free to contact me.

## **Chairman's Report – Andrea Martinez**

### **SUMMARY**

I wanted to provide an update on recent activities related to our business operations. Despite staying up to date on high water flows and potential flooding, we've been able to make significant progress in moving business forward. We've been focusing on key priorities and addressing important business matters. While keeping a close eye on any updates regarding the flooding.

Special Council Meeting July 13, 2023

Approved August 27, 2023

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- **Emergency Management Meetings:** I have participated in various emergency management meetings. We have discussed ways to improve our emergency response plan to the flood emergency to continue to prepare and assess the ongoing flood situation.
- **HR:** Additionally, I have been working to find someone to assist in our HR department. I have had part time help from an employee who is able to delegate some time to this position. The council has recently approved to appoint a temporary 30-day employee to assist full time.
- **Contract Review:** I have also been reviewing contracts related to various projects and operations that the tribe is involved in. This is an important step in ensuring that we are being fairly supported and that our partners are meeting their contractual obligations.
- **Legal Follow-Up:** In conjunction with reviewing contracts, I have been following up with our attorneys to ensure that all legal matters are being handled appropriately.
- **Audit Preparation:** In preparation for an upcoming audit, I have been working with our team to ensure that all necessary paperwork is in order and that we are ready for any questions that may arise.
- **Walker River Ventures LLC Meetings:** As you may be aware, our LLC has been set aside over the past few months. I have been gathering and reviewing all relevant information pertaining to the LLC. We have a tentative Walker River Ventures meeting scheduled for June 20 to initiate the establishment of the LLC board, financial review, compliance, and status.
- **Project Updates:** I have been keeping tabs on the current projects that the tribe is involved in and providing regular updates to the council and members by scheduled meetings with various departments involved with current projects. This is an important step in ensuring transparency and accountability.
- **Employment Positions:** Finally, I have been working to address open employment positions within the tribe. This includes recruiting new employees, as well as ensuring that existing employees receive the support they need to be successful.

I am eager to continue to tackle key priorities in the office and continue to make progress toward our common mission.

## **V. OLD BUSINESS**

### **BLM Stillwater Field Office Update – John Mitchell, Acting Field Manager Geothermal Projects**

- **Diamond Flat-**Reviewing Preliminary EA. BLM is working with Ormat for some additional data to address SHPO concerns.
- **Wabuska-**Exploration project completed baseline surveys.
- **Dixie Meadows-**still in discussions with USFWS on EA.
- **Coyote Canyon-**Exploration project, EA still in progress.

### NDAAs FRTC

- Trying to hire a project manager to focus on implementation of the FRTC.
- BLM is working through legislation which designated new SMA's, Wilderness NCA's and grazing boundary changes.

### Wild Horse and Burro

Clan Alpine Horse Gather EA-The preliminary EA is complete. Public comment period is open between June 16, 2023 and July 17, 2023 <https://eplanning.blm.gov/eplanning-ui/project/2022686/510>

### Other Projects

- Vero Fiber Optic Line-From Las Vegas to Reno. This project is being managed out of the NVSO with support from the office. The initial version of environmental assessment to cooperating agencies for 30-day review mid-September. The public scoping period ended May 2, 2023.
- Green Link Transmission Line-This project is also being managed out of the NBSO with support from the office. The North-45-day public scoping period ends in July 10, 2023. The West-90-day public comment period for dropped Environmental Impact Statement ends on August 23, 2023.
- Libra Solar-Completed the public meeting on Monday 5/8/2023. Public scoping period ended May 24, 2023. E Planning web page for the project. <https://eplanning.blm.gov/eplanning-ui/project/2022686/510>

### Smaller Projects

- Working with NDOW to install wildlife guzzlers throughout the field office. Map provided to the council after BLM's last update.
- Paine Grazing Permit Renewal-Preliminary EA is available for a 30-day public comment period from June 16, 2023 to July 17, 2023. <https://eplanning.blm.gov/eplanning-ui/project/2022686/510>

## **VI. NEW BUSINESS**

### **Smoke Shop Summer Hours – Nelletta Aguilar, Store Manager**

Summer store hours will remain the same by consensus.

### **Open Dump Closure Project – Jefferson Emm, GAP Manager**

The Council approves by consensus the Job announcements for the Dump Closure Project. Jefferson will speak with TERO and the finance director.

### **Project Updates – Zach Haynes, Project Manager**

#### **Nutrition and Wellness Building**

- Reissued RFP
- Smaller square foot building with less on the interior.
- Found a few smaller contractors that are interested in bidding.
- March 31, 2024, Project Complete.



### Water looping

- Sent letters to allotment owners for permission.
- June 16, 2023 - Final day for responses.
- Did not get many responses and packing that info to send to BIA for next steps.
- 16 allotments we need permission from.
- Fly over to determine the center line is to happen next.

### Park/Ballfield/Powwow Ground Improvement

- Tables to be bolted down permanently.
- Concessions are ready to use.
- Concrete sidewalk with ramp around concession. One bid in for the work, is it possible for housing to pour this.
- Rental for Pinenut Festival lights will cost \$2000 for 5 sets for one week.
- Hotwire to provide possible temporary power like last year.

### Other Miscellaneous Tasks

- Four Seasons Smoke Shop Automatic Front Door arrived and will be installed July 25th.
- New metal front doors for the gym are on site and awaiting installation by the clinic maintenance staff.
- Tribal Health Clinic on hold until further notice, with a possible new site?

### Broadband

- Service agreement-Legal has reviewed and it is ready for signature by the chairman. Basically a 10-year contract for CC Communications to provide the service and equipment with auto renewal for five years.
- Agreement for grant of easement resolution. A template has been received and legal is reviewing and modifying it.
- Resolution for Tribal Council BIA document. Received a template and legal is reviewing and modifying it.

Miranda Quintero motions to approve WR-62-2023 for CC Communications Server Provider Contract. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

### **Reopening Weber Reservoir – Elveda Martinez, Water Resources Coordinator**

Miranda motions to open up Weber Reservoir by closing off the Yerington Highway, closing off the spillway and the river roads leaving Fallon Highway and Rodeo Grounds roads open, no boats, open to tribal members, locals and community, and also open for John Lockwood 's Rez Challenge. Signage will go by the spillway. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST AND 1-ABSTENTIONS. Shannon Williams abstains because she wants it discussed on Monday, with BIA when they are here, and she thinks a lot of outside people are going to come.

### **Re-affirmation of WR-49-2023 – Gina Wachsmuth, Council Secretary**

Special Council Meeting July 13, 2023

Approved August 27, 2023

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Genia Williams motions to re-affirm WR-49-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**Petitions Report – Gina Wachsmuth, Council Secretary**

Gina Wachsmuth gives the Council the petitions report with the recommendations. Shannon Williams wants a copy of all the Petitions. Due to chances of retaliation against signers on petitions, Gina Wachsmuth motions to get the attachments to the petitions report returned from the Council members, attachment 1 is the 1<sup>st</sup> 3 pages of the petitions for Shannon Williams, Taylor O’Daye, and Andrea Martinez, attachment 2-receipts for filing the 3 petitions, Attachment 3-letter to the election board and enrollment requesting verification of the signatures and enrollment, Attachment 4-letters from enrollment and election board with their verification and election board meeting minutes that shows their process for verification, and Attachment 5-Email from Wes Williams. Miranda Quintero seconds the motion. Shannon Williams asks for a discussion. Taylor O’Daye also discusses her ideas.

Gina Wachsmuth changes the motion to get Attachment 1- the 3 pages with the signatures on them from each of the three petitions. The motion passes with a vote of 4-FOR, 1-AGAINST AND 1-ABSTENTION. Shannon Williams votes against it because it doesn’t say in the policy that it is confidential information. Taylor O’Daye abstains due to a conflict of interest because she is on one of the petitions.

Miranda discusses if the petitions are valid or invalid. Gina Wachsmuth reads the email from Wes Williams regarding the question of whether the petitions are valid, but due to WR-02-2021 being used as the basis for the number of signatures the petitioners used, being in conflict with the constitution.

Thomas McKnight Sr. motions to refund the money paid to file the three petitions due to WR-02-2021 being in conflict of the constitution. Gina Wachsmuth seconds the motion. Thomas McKnight retracts his motion until we get legal review.

Miranda Quintero motions to get a legal review on certifying or not certifying the petitions and whether we can refund the petitioners fee that they paid based on the discrepancies between the ordinance and constitution. Gina Wachsmuth seconds the motion. The motion passes with a vote of 4-FOR, 1-AGAINST AND 1-ABSTENTION. Shannon Williams votes against it because she says it is two separate issues. Taylor O’Daye abstains due to a conflict of interest because she is on one of the petitions.

**VII. CLOSED SESSION**

Gina Wachsmuth motions to go into closed session at 9:14 PM. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

Gina Wachsmuth motions to go into open session at 9:25 PM. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**VIII. ADJOURNMENT**

Thomas McKnight Sr. motions to adjourn at 9:25 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Friday July 14, 2023  
Tribal Conference Room/Via Zoom – 1:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 1:04 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present

Miranda Quintero, Vice Chairman – Present

Gina Wachsmuth, Secretary – Absent (*Arrives at 1:09 PM*)

Genia Williams, Treasurer – Present

Thomas McKnight Sr., Member – Present

Taylor O'Daye, Member – Present

Shannon Williams, Member – Present (*by Zoom*)

A quorum is present.

**III. APPROVAL OF AGENDA**

Miranda Quintero motions to approve the agenda. Thomas McKnight, Sr. seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**IV. MINUTES**

None

**V. OLD BUSINESS**

None

**VI. NEW BUSINESS**

**Proposed Water Settlement Pending Claims – Wes Williams, Tribal Water Attorney, Alice Walker, Tribal Water Attorney, Gus Guarino and Marissa Hazel, US Attorneys**

Wes has provided the Council with copies of the Final Proposed Water Litigation Settlement, his Water Settlement Legal Memorandum, and the resolution for the settlement.

Wes gives the council and attendees a bit of history regarding the tribe's water litigation over the years. He explains the tribe's claims are for the water we have on the reservation 1. Storage at Weber Reservoir 2. Water on the Restored Lands 3. Groundwater. He also explains that the water rights belong to the Tribe and not the people who use the water.

Wes has a resolution to direct and request that the United States, including the Bureau of Indian Affairs and the United States Attorney General, to take all actions necessary to approve and move forward with finalizing the settlement agreement to resolve the Tribe's and United States' pending water rights claims.

Before the resolution is passed the Council will hold a community meeting on July 24<sup>th</sup> at 6 PM to let the tribal members know what's going on and to have their questions answered, and to acknowledge the people who have worked on these issues over the years by Consensus.

**Weber Dam – Request Repair of the Spillway and Fuse Plug – Elveda Martinez, Water Resources Coordinator**

Elveda is asking for the Tribe to request that BIA repair the spillway and the fuse plug at Weber Dam. It is the BIA's responsibility to repair the irrigation system. She has been having a hard time getting ahold of BIA to discuss this issue. She asks how we are going to get them to deal with the dam issue. Wes says that he started the process by contacting the Superintendent and he hasn't heard back from her yet. He says if she doesn't respond, that we can start moving up the chain of command from there. Alice Walker will reach out to the Assistant Secretary if she needs to in order to help this process move forward. Elveda just wanted to let everyone know about the issues regarding the dam.

**VII. CLOSED SESSION**

None

**VIII. ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 3:10 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 6-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday July 27, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 PM by Chairman, Andrea Martinez

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Thomas McKnight Sr., Member – Present  
Taylor O'Daye, Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Genia Williams motions to approve the agenda with:

Remove: Budget for Police 638 Contract-Chief Clanton, WRPD  
Table: Cultural Survey-Heimy Olivera, Tribal Coordinator, Hud Bay  
Add: Opening of Weber Reservoir-Andrea Martinez, Chairman  
Pinenut Festival Budget-Andrea Martinez, Chairman  
Move: Minutes to the end of New Business

Shannon Williams requests that the Council only review minutes from March 27, 2023 through May 23, 2023, because she hasn't reviewed June 8, 2023, through July 13, 2023, minutes yet.

Taylor O'Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**IV. OLD BUSINESS**

**Proposed Water Settlement Pending Claims Court Approval – Elveda Martinez, Water Resources Coordinator**

Genia Williams motions to approve WR-64-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**V. NEW BUSINESS**

**Approve 2023-2024 Budget for 638 Contract – Sean Clanton, Chief WRPD**

This was removed because finance can take care of it.

**NDOT Comm Site Lease – Jon McMasters-Land Office and Jake Grivette-NDOT**

Gina Wachsmuth motions to approve WR-65-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**Council Support for Nomination of Crystal Miller to Secretary’s Tribal Advisory Committee (STAC) – Crystal Miller**

Gina Wachsmuth motions to approve WR-66-2023. Taylor O’Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**Cultural Survey Hud Bay – Heimy Olivera, Coordinator.**

Tabled

**NV Energy Greenlink West Transmission Line – Madeleine Ware Van der Voort and Greg Helseth-BLM Nevada Office**

Madeleine and Greg have a power point presentation for the meeting. BLM is currently seeking comments from the public regarding the Greenlink Transmission Line Project. The BIA will transfer the land received in the Navy settlement within a year.

**Emergency Temporary Associate Judge – Elena Summerfield, Law & Order Committee Chairman.**

The council will get a list of judge candidates from Leah Jim at Court and do a poll vote to choose, by the August 4<sup>th</sup> Court date, by Consensus.

**Law & Order Committee Vacancy – Elena Summerfield, Law & Order Committee Chairman.**

Gina Wachsmuth motions to appoint Mya Murphy to the Law & Order Committee for a two-year term. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST AND 1-ABSTENTIONS. Miranda Quintero abstains due to a conflict of interest.

**Election Ordinance Revisions – Angela Hernandez, Election Board Chairman.**

Genia Williams motions to table this item until after the next election. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**Select Election Board/Committee – Tribal Council**

Special Council Meeting July 27, 2023

Approved. 2023

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Gina Wachsmuth motions to appoint Fawn Bolton, Courtney Quintero, Danyale Savage, Kelly Carter and Rubicella Valdez to the election board/committee, and Courtney Quintero will be the chairman per WR-67-2023. Thomas McKnight Sr. seconds the motion. The motion passes with a vote of 4-FOR, 1-AGAINST AND 1-ABSTENTIONS.

Shannon Williams is against this decision because she feels that the current board had momentum. Miranda Quintero abstains due to a conflict of interest.

**Pinenut Festival Budget – Andrea Martinez, Chairman**

Gina Wachsmuth motions to approve the Pinenut Festival budget of \$39,285. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**Approval of Minutes**

March 27, 2023, Special Council Meeting

Genia Williams motions to approve the March 27, 2023, Special Council Meeting minutes, with corrections. Miranda Quintero seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST AND 1-ABSTENTIONS. Miranda Quintero abstains due to not being on council at that time.

April 13, 2023, Regular Council Meeting

Approved June 8, 2023.

April 27, 2023, Special Council Meeting

Miranda Quintero motions to approve the April 27, 2023, Special Council Meeting minutes, with corrections. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

May 11, 2023, Regular Council Meeting

Miranda Quintero motions to approve the May 11, 2023, Regular Council Meeting minutes, with corrections. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST AND 1-ABSTENTIONS. Genia Williams abstains because she was absent for this meeting.

**VI. CLOSED SESSION**

Gina Wachsmuth motions to go into closed session at 8:10 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

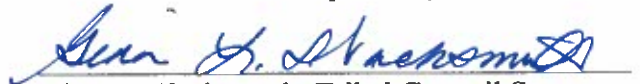
Gina Wachsmuth motions to go into open session at 8:21 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

**ADJOURNMENT**



Gina Wachsmuth motions to adjourn at 8:21 PM. Miranda Quintero seconds the motion.  
The motion passes with a vote of 6-FOR, 0-AGAINST AND 0-ABSTENTIONS.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Regular Tribal Council Meeting  
Thursday August 10, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 PM by Andrea Martinez, Chairman

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Taylor O'Daye, Member – Present  
Thomas McKnight Sr. Member – Absent  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Miranda Quintero motions to approve the agenda with the following changes:

Add:

- Healthy Homes Improvements – Wilelia Murphy, Residence Services
- ICWA Update, to Closed Session – Miranda Quintero, Social Services
- Move Minutes to the end of New Business

Taylor O'Daye seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**IV. TREASURERS REPORT – Genia Williams, Treasurer**

**Treasurer's Report  
Tribal Council Regular Meeting  
Thursday, August 10, 2023**

**SUMMARY**

As stated in last month's report, I continue to work with the Tribal Administration on issues that affect our financial well-being. The items were identified as the priorities and we are continuing to work on the items below.

- Monitor the status of FY2021 and FY2022 audits and ensure completion is completed in a timely manner. We are still on schedule for the completion date of October 2023.

Last month, the auditors were in the process of testing items for the audit. The auditors are currently reviewing selections for items being tested. At this point, they are reaching out to departments, BIA, and finance for items that need clarification or information that is missing. There is a significant time being taken on review of SF-425 quarterly reports, quarterly financial reports, and payroll reports.

The ERAP program is being reviewed for eligibility and testing is being completed. Reporting is also being reviewed for the SF-425 reporting along with quarterly ERA reports.

Other items being reviewed:

I.H.S. eligibility support, CY 2021 401K schedule with employees and employer contributions, Law Enforcement – SF425 quarterly reports and modifications. These are only a few of the items being reviewed and tested for compliance. The list is quite substantial.

- As stated in previous reports, I continue to work with the Finance Director/Chairman on financial issues, specifically the audit and reporting. Both the Finance Director and Chairman are working in a collective manner to address any issues on an administrative level.  
The Finance Director is working with Charles Carslaw on the financial status of the Tribe, and he has been active in working with the auditors.  
Some of the items that the Finance Director has been diligently working on this past month:
  - Working on the ARPA Treasury Report
  - FY2021 Audit
  - Revisions were submitted to Treasury for the HAP Coordinator for job position, and it was approved. The job position was posted.
  - Working with Robert Boyce, Tribal Support on the IDC rates for 2022-2024. There is an approved agreement with Mr. Boyce to prepare the IDC rates for 2022 - 2024. Agreement date: 3/17/2021 signed by Amber Torres.
  - Prepare the Pine Nut Festival budget for approval.

There's a lot of work that is being done; it's going to take time to get some of these things completed.

We are moving forward, but it is time consuming for all involved. As we move through this process, we will begin to see a more accurate and financial picture of the Tribe. This will be through the audits once they are completed.

Chairman's Report - Andrea Martinez

#### Summary

Regular Council Meeting August 10, 2023

Minutes approved August 24, 2023

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There is great news to report for July. The Chairman's office has been working in every effort to assist in moving business forward, planning for the months ahead, and networking with state officials, partners, and other tribal leaders.

### MEETINGS

- Nevadaworks- Thurman Roberts, Career opportunities, Phase I Information to Tribes
- Nevada Indian Commission Meeting- Update from the Nevada Secretary of the State Chief Deputy & Tribal Liaison. Update from Tribal ARPA Administrator, Janet Davis- Application and outreach to the Tribes.
- Zoom meeting with Mineral County Clerk-Treasurer Teresa McNally regarding voting days for the Tribe for the upcoming elections. The Walker River Paiute Tribe is requesting the same voting days as the county. SB327 and SB 216 were two major bills that were passed and are now in effect this past legislative session that will allow for Tribes to have the opportunity to have effective communication with clerks and be afforded the same voting days as a city or county.
- Water Settlement Community Meeting- an informational meeting about the tribe's water settlement was held on July 24, 2023
- Bi-State Inter-Tribal Meeting (virtual) Action Plan update
- Pinenut Festival planning meeting- working out the details for Pinenut Festival- Flyer was posted first week of August
- Schedule a working meeting with Tax and Council regarding ATM contract extension, history, and updates. August 15<sup>th</sup> at 4p
- High-speed NV- Tribal Consultation, addressing the state broadband action plan, will be presented to the council soon to discuss the affordable connectivity program.

### OTHER HIGHLIGHTS/ ONGOING PROJECTS

- Smart from the Start Energy Consortium- Information between agencies for conversation and working together, recognizing the point of contact for different state agencies.
- Phase I environmental assessment with BIA August 3<sup>rd</sup> & 4<sup>th</sup> field visit at the Walker Lake parcels and the Fernley East parcels. BIA has until December 22, 2023, to complete the Phase I assessment.
- The BIA is officially out of Level 1 response and the access roads on alt 95 will be opening, but the river road will stay closed pending road assessment.
- Intergovernmental Executive Committee Meeting- August 8, 2023, 1 p.m.
- Greenlink Tribal Listening session-August 10 at 2p.m.
- ITCN Executive Board Meeting -August 14, 2023
- Clean Pinenut Park August 15, 17, 22
- Breakfast with the Chairman at Schurz Elementary School at 7:30 a.m.-8 a.m.
- Water Looping Project Meeting August 22 at 11 a.m.
- Emerging Leaders Seminar August 29, 30- Scottsdale, AZ
- Whitehouse Council of Native American Affairs virtual at 2 p.m. EST.

## **V. OLD BUSINESS**

Regular Council Meeting August 10, 2023

Minutes approved August 24, 2023

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## **Navy Update – Kish LaPierre, NASF Tribal Liaison**

Toni Burton, Tribal Relations Coordinator

### Fallon Range Training Complex (FRTC) Modernization

James M. Inofe National Defense Authorization Act (NDAA) FY2023

- Record of Decision commitments FY21
- Land range expansion FY23 NDAA
- Proposed and existing withdrawn areas comprised of B-16, B-17, B-19, B-20, Dixie Valley Training Area and the Shoal Site  
– **For current updates, visit: [www.frctmodernization.com](http://www.frctmodernization.com)**  
*\*In-depth modernization presentation to your Tribal Council, upon request\**

### NDAA FY23 Highlights

- Cultural Resources: updated Integrated Cultural Resources Management Plan, Ethnographic studies & Archeological inventories, updated Programmatic agreement
- Natural Resources: updated Integrated Natural Resources Management Plan, Big Game hunting (B-17), updated Wildland Fire Management Plan, Sage Grouse noise study
- Other Items of Concern: Tribal Access agreement, Monte Cristo Range Protection Area, Conservation Law Enforcement Officers, SR-361 realignment (& other road realignments), pipeline realignment

### Tribal Access MOA

Purpose: to establish a procedure on accessing the FRTC ranges based on the needs of all the Tribes & the Navy

2023 progress

- Feb 2023 Navy sent revision including requirements from NDAA
- April 2023 Tribal leadership discussion of FPST revision
- June 2023 Navy received FPST revision including tribal comments
- Aug 2023 Navy revision sent to Tribes
- Tribal consultation will occur for final version & signatures

Bravo-19 Off Range Ordnance (ORO) Project:

Purpose: review of past use of this area and presence of Munitions & Explosives of Concern/Constituents on B-19 + reservation lands 2023 progress

- June – letter and copy of Draft Preliminary Assessment sent to Tribal Admin offices
- Contractor is waiting on formal comments regarding the Site Investigation (SI) Scope of Work and Preliminary Assessment

Intergovernmental Executive Committee (IEC) Section 2844 of NDAA FY2021: Directs Navy & Dept. of Interior to establish IEC committee

Purpose: to “exchange views, info & advice related to the management of natural &

cultural resources on the lands withdrawn”

- Stakeholders listed in legislation: State of NV, Counties: Churchill, Lyon, Mineral, Nye, Pershing & 17 northern NV Tribes, Dept of Interior (3 divisions)
- 1 Primary representative and 1 designated alternate
- Next meeting in November 2023
- For virtual attendance, visit: [www.frtcmodernization.com](http://www.frtcmodernization.com)

#### Ethnographic & Archaeological Surveys

- Contractor: Far Western Anthropological Group
- Current updates of total acres surveyed for inventory & resource documentation: B- 17-34,595; B-20 – 73,122
- Ethnographic studies are ongoing with coordination & consultation between Far Western and Tribal members.

#### HWY SR-361 Realignment

- Nevada Department of Transportation lead federal agency in cooperation with BLM, Fed.
- Hwy. Administration, US Navy
- Currently in planning study phase of roadway alignment alternatives, potential impacts, etc. for most feasible alternatives for future NEPA study
- Public meeting was held in Fallon, NV on July 18, 2023
- Public meeting is available 24/7 online at [dot.nv.gov/SR361](http://dot.nv.gov/SR361) from July 3, 2023-August 4, 2023
- Submit your comments & concerns to:  
Ryan Hornback, PE, Project Manager [rhornback@dot.nv.gov](mailto:rhornback@dot.nv.gov), (775) 888-3025 or Evan Pellegrini, Native American Consultation Coordinator [epellegrini@dot.nv.gov](mailto:epellegrini@dot.nv.gov), (775) 888-7092

#### NAGPRA consultation & coordination

Collection stored at Nevada State Museum

- Feb 2023 Presentation & intro to NSM (meeting at NSM)
- June 2023 Tribal consultation with THPO's, Cultural and Tribal leadership
- July 2023 Tribal working group to discuss repatriation protocol and future findings
- Tribal Engagement team to post “Notice of Inventory Completion” on Federal Register,

Site visit for repatriation location, follow guidance of tribes to complete repatriation

#### Tribal & Navy leadership Meet & Greet

- CPT Tanner is committed to visiting each of our Tribal partners on their respective lands

- Oct 2022 Te-Moak Tribe
- (BLM office-Battle Mountain)
- March 2023 Duckwater Shoshone Tribe
- May 2023 Pyramid Lake Paiute Tribe
- June 2023 Washoe Tribe of NV/CA

Tribal Youth base visits 2022-2023

- Fallon Paiute-Shoshone Tribe, Walker River Paiute Tribe, Washoe Tribe of NV & CA
- Memorial Day Tribute video [www.Facebook.com](http://www.Facebook.com) = Naval Air Station Fallon

November is Native American Heritage Month

- Hold cultural presentations on NAS Fallon
- Local Tribal Members showcase dancing, historical presentations, etc.
- Accepting all suggestions and volunteers!

**Re-affirm WR-66-2023 – Andrea Martinez, Chairman**

This resolution doesn't need to be re-affirmed as it was turned into BIA with the 10 days. Andrea Martinez reads the resolution.

**Re-affirm Poll Vote for Judge – Andrea Martinez, Chairman**

Tabled by consensus until end of the meeting for further discussion.

**VI. NEW BUSINESS**

**Donation Sponsorship YHS – Korie Sweeny**

Tabled by consensus.

**Stipend Increase TERO Committee – Nicole Castillo, TERO Director**

Nicole will check her resolutions regarding stipend increases.

**TERO Committee Appointment – Nicole Castillo, TERO Director**

There is one vacancy on the TERO committee and one application from Angela Williams.

Shannon Williams motions to appoint Angela Williams. Taylor O'Daye seconds the motion. The motion passes with a vote of the motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS. Gina Wachsmuth abstains.

**Tax Commission Appointment – Nicole Castillo**

There is one vacancy on the Tax Commission and one application from Shawna Castillo.

Gina Wachsmuth motions to appoint Shawna Castillo. Miranda Quintero seconds the

motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Syntax Core Business Services – Genia Williams, Housing Director**

Gina Wachsmuth motions to Approve WR-68-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstains due to a conflict of interest.

**Rural Partners Program Network – Nicole Castillo, TERO Director**

Nicole will reach out to this program so they can do a presentation to the Council.

**Cultural Survey – Heimy Olivera, HUD Bay Tribal Coordinator**

Heimy Olivera has provided information, and hard hats are required when visiting the site.

**Healthy Homes – Wilelia Murphy, Resident Services**

Miranda Quintero motions to approve WR-69-2023. Gina Wachsmuth seconds the motion. The motion passes with a vote of 4-FOR, 0-AGAINST, and 1-ABSTENTIONS. Genia Williams abstains due to a conflict of interest.

**VII. APPROVAL OF MINUTES**

Special Council Meeting, May 23, 2023

Genia Williams motions approve the minutes from the Special Council Meeting minutes from May 23, 2023, with corrections. Miranda Quintero seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Regular Council Meeting, June 8, 2023

Miranda Quintero motions approve the minutes from the Regular Council Meeting minutes from June 8, 2023, with corrections. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, June 22, 2023

Genia Williams motions approve the minutes from the Special Council Meeting minutes from June 22, 2023, with corrections. Taylor O'Daye seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, June 29, 2023

Shannon Williams motions approve the minutes from the Special Council Meeting minutes from June 29, 2023, with no corrections. Miranda Quintero seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**VIII. CLOSED SESSION**

Taylor O'Daye motions go into closed session at 8:31 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ASTENTIONS.



Shannon Williams motions go into open session at 10:01 PM. Gina Wachsmuth seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ASTENTIONS.


**Judge Appointment continued**

Miranda Quintero motions to seek an opinion and clarification from the attorneys regarding the judicial appointment because of a motion filed in court for the Hicks case on August 9, 2023. Genia Williams seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 0-ASTENTIONS.

**ADJOURNMENT**

Gina Wachsmuth motions to adjourn at 10:07 PM. Miranda Quintero seconds the motion. The motion passes with a vote of 5-For, 0-Against and 0-Abstentions.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE



## Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**Special Tribal Council Meeting  
Thursday August 24, 2023  
Tribal Conference Room/Via Zoom – 6:00 PM  
Minutes**

**I. CALL TO ORDER**

The meeting was called to order at 6:03 PM by Andrea Martinez, Chairman

**II. ROLL CALL**

Andrea Martinez, Chairman – Present  
Miranda Quintero, Vice Chairman – Present  
Gina Wachsmuth, Secretary – Present  
Genia Williams, Treasurer – Present  
Taylor O'Daye, Member – Present  
Thomas McKnight Sr. Member – Present  
Shannon Williams, Member – Present

A quorum is present.

**III. APPROVAL OF AGENDA**

Miranda Quintero motions to approve the agenda with the following changes:

Add:

- VFW Poker Run – CJ Schulz, VFW
- Stantec Amendment – Zack Haynes, Project Manager
- EPA Tribal Set Aside – Zack Haynes, Project Manager
- Discussion to move September Council Meeting Date – Andrea Martinez, Chairman

Gina Wachsmuth seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**IV. MINUTES**

Move to the end of new business

Special Council Meeting August 24, 2023

Minutes approved September 28, 2023

Page 1 of 3

**IV. OLD BUSINESS**

**Re-affirm WR-67-2023 – Gina Wachsmuth, Secretary**

Genia Williams motions to re-affirm WR-67-2023. Taylor O'Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**Hozhonigo Update – Zack Haynes, Project Manager**

Zack gives a power point presentation

Miranda Quintero motions to approve WR-71-2023. Genia Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Gina Wachsmuth motions to approve WR-72-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

\$714,000.00 from the State of Nevada funding. WestEd will start writing for this grant.

We will set a working meeting up for September 5, 2023 at 6 PM, where Zack can give us cost estimates.

**V. NEW BUSINESS**

**USGS Earth MRI Project Power Point Presentation. – Drew Decker, National Map Liaison**

Genia Williams motions to approve the flyover of the reservation to collect data. Thomas McKnight, Sr. seconds the motion. The motion passes with a vote of 5-FOR, 0-AGAINST, and 1-ABSTENTIONS. Miranda Quintero abstains because she would like more information.

**Emergency Temporary Judge – Andrea Martinez, Chairman**

Gina Wachsmuth motions to approve WR-73-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**2023 Election Board Appointment – Courtney Quintero, Election Board Chairman**

Gina Wachsmuth motions to approve WR-74-2023. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**2023 Call for Election and Calendar – Courtney Quintero, Election Board Chairman**

Genia Williams motions to approve WR-74-2023. Gina Wachsmuth second, the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**VFW Poker Run – CJ Schulz, VFW District 4 Commander**

Gina Wachsmuth motions to approve the request for the poker run. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**VI. APPROVAL OF MINUTES**

Shannon Williams motions to have the minutes read out loud. Taylor O'Daye seconds the motion. The motion passes with a vote of 5-FOR, 1-AGAINST, and 0-ABSTENTIONS. Gina Wachsmuth votes against because she feels that it would be more productive to go through each page.

Regular Council Meeting, July 13, 2023

Genia Williams motions approve the minutes from the Regular Council Meeting, July 13, 2023, with corrections. Miranda Quintero seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, July 14, 2023

Taylor O'Daye motions approve the minutes from the Special Council Meeting, July 14, 2023, with corrections. Shannon Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Special Council Meeting, July 27, 2023

Thomas McKnight Sr. motions approve the minutes from the Special Council Meeting, July 27, 2023, with corrections. Taylor O'Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**VII. CLOSED SESSION**


Taylor O'Daye motions to go into closed session at 8:44 PM. Shannon Williams seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Miranda Quintero motions to go into open session at 8:54 PM. Taylor O'Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

**ADJOURNMENT**

Thomas McKnight Sr. motions to adjourn at 8:55 PM. Taylor O'Daye seconds the motion. The motion passes with a vote of 6-FOR, 0-AGAINST, and 0-ABSTENTIONS.

Respectfully Submitted by,

  
Gina L. Wachsmuth, Tribal Council Secretary  
WALKER RIVER PAIUTE TRIBE