



Regular Washoe Tribal Council Meeting Minutes  
September 9, 2016  
Carson Colony

**A. CALL TO ORDER**

Presiding Officer: Neil Mortimer, Chairman

**B. ROLL CALL**

**Council Members Present**

Neil Mortimer, Chairman

Gary Nevers, Carson Colony

Chad Malone, Carson Colony

Rueben Vasquez, Dresslerville Community

William Smokey, Dresslerville Community

Lorraine Keller, Reno/Sparks

Deirdre Flood, Woodfords Community

Jeremy Steele, Secretary/Treasurer, confirms quorum.

Stan Smokey, Stewart Community

Irvin Jim, Woodfords Community

Jacqueline Steele, Stewart Community

**C. READING OF THE AGENDA:** Chairman Mortimer

**D. APPROVAL OF MINUTES: August 2016.** Motion to approve the minutes made by Irvin Jim, Woodfords Community, seconded by Chad Malone, Carson Colony. **The vote was (9) for, (0) against, (2) abstentions. Motion carries.**

**E. OLD BUSINESS**

**1) Chris Strobbe, Wa She Shu Casino General Manager**

a) Casino Update – Business is improving. Discussed various promotions the Casino is hosting. Discussed expansion and PCI is committed. Work may begin in approximately eight weeks.

**2) Deirdre Jones Flood, Vice Chairwoman**

a) Constitution Committee Letter of Interest – Reading of Letter of Interest from Benny Fillmore. Motion to approve made by Chad Malone, Carson Colony, seconded by Rueben Vasquez, Dresslerville Community. **The vote was (8) for, (0) against, (3) abstentions. Motion carries.**

## F. NEW BUSINESS

### 1) Rebecca Smokey

a) Burial Software. Requested that the software purchased last year be implemented and asked that she be one of the people to input the data. The Chairman elaborated on the history of the burial software. Chairman suggested that Ms. Smokey and the Secretary/Treasurer input the data. **Consensus of Council was (9) for, (0) against, (2) abstentions. Motion carries.** Ms. Smokey brought up the burial of a non-Tribal member in the Stewart Cemetery. The family came forward to request also. A poll of the Council showed agreement to allow the family to bury the non-member in the cemetery for a fee for the burial services to include labor and materials.

b) Petition for Removal/Recall of Deirdre Jones Flood – Reading of the Petition by Ms. Smokey. Diane Vitols, General Counsel explained the Constitution and Election Ordinance. Ms. Smokey explained what they are trying to accomplish by the petition and indicated she felt it should be decided by Tribal Council. Ms. Vitols explained that because the petition included Tribal Members from various Communities, it is an infringement on the rights of the people who voted that person into office. The Chairman requested clarification and asked each Tribal Council member “Do you understand the implications being stated by your Legal Counsel?” Councilman Jeremy Steele – “Yes, I understand”. Councilwoman Lorraine Keller – Unsure as she feels the Constitution overrides any ordinance and is unsure of how this affects the recall petition. Councilwoman Jacqueline Steele, Councilman Stan Smokey, Councilman Irvin Jim, Councilman Chad Malone, Councilman William Smokey, Councilman Rueben Vasquez and Councilman Gary Nevers all indicated they understood. Ms. Smokey and Ms. McDonald continued discussion about the interpretation of the Constitution. Ms. Smokey also reminded Council of their Code of Conduct oaths. She also added that she did not feel Tribal Membership should be sanctioned a \$500.00 fee. The Chairman asked for clarification on exactly what Ms. Smokey was asking from Council. Ms. Pitts stated that if they went through Woodfords Community Council and they choose to remove her, there should be no fee but the Council would be bound to uphold it. Ms. Smokey asked Tribal Council to accept the petition for the recall and also, if accepted by majority vote, set a hearing outlining the Legal process according to the Constitution. The Chairman asked for the pleasure of Tribal Council. Gary Nevers, Carson Colony feels he must go with the Legal Counsel’s opinion and send it back to Woodfords to see what their members want. Rueben Vasquez, Dresslerville Community, also agreed with Legal Counsel and would like it given back to Woodfords. All Tribal Council can do is relieve her of the Vice Chairperson title. William Smokey, Dresslerville Community agreed that it should go back Woodfords Community. Chad Malone, Carson Colony, on Ms. Smokey’s letter refers to the Code of Conduct and wants to know if Legal Counsel knew about it. Ms. Vitols stated she was aware there was one but did not know it was referred to in the petition so she did not research it. He feels Council should accept the petition because of the Code of Conduct issue. Irvin Jim, Woodfords Community feels it should go back to the Woodfords Community as they are the ones that voted her in. Stan Smokey, Stewart Community, agreed with Legal Counsel and it should go back to the Woodfords Community. Jacqueline Steele, Stewart Community agreed with Legal

Counsel and also agreed it should go back to Woodfords as it should be their decision to remove her. Lorraine Keller, Reno/Sparks questioned enough signatures on the petition from the Woodfords Community. If the petition has the right amount of signatures, Tribal Council should accept the petition. Jeremy Steele, Off Reservation, agreed with Legal Counsel that the Constitution must be upheld and not pick and choose what we want out of the Constitution and since they are trying to remove her from all Councils, it needs to go back to the Woodfords Community. If Ms. Smokey just wants to remove her from the Vice Chairperson position, she needs to change the petition. Chairman Mortimer indicated Tribal Council has agreed with Legal Counsel. If membership has questions regarding how to do a recall they can visit with Counsel.

Ms. Smokey requested clarification on the \$500 fee. Ms. Vitols explained that if the Woodfords Community Council votes to remove, there is no fee for that. If instead of that vote, there is a petition process they must meet all the requirements which would include the \$500 fee. Denise Pitts would like a two-minute recess to discuss with Ms. Smokey. Council broke for dinner.

Ms. Smokey clarified that they would go to the Woodfords Community.

**2) Darinda Caldera, Head Start Director**

a) 2017 Head Start Funding Grant Application and Resolution Approval. Reading of Resolution #2016-09-WTC-082. Motion to approve by Irvin Jim, Woodfords Community, seconded by Rueben Vasquez, Dresslerville Community. **The vote was (10) for, (0) against, (1) abstention. Motion carries.** Ms. Caldera continued with her Department report. Will be due for the Tri-Annual Review by the Office of Head Start soon. Will have Shared Governance Training in October and encourages Tribal Council to attend along with their Policy Council.

**3) Kenneth Cruz, Roads Crew Manager**

a) Resolution to apply for TIPSF Planning Grant - Presented by Rob Beltramo, Planning Director. Resolution #2016-09-WTC-83. Motion to approve by Jacqueline Steele, Stewart Community, seconded by Rueben Vasquez, Dresslerville Community. **The vote was (9) for, (0) against, (2) abstentions. Motion carries.**

b) Resolution to apply for TIPSF Engineering Grant – Presented by Rob Beltramo, Planning Director. Resolution #2016-09-WTC-84. Motion to approve by Chad Malone, Carson Colony, seconded by Rueben Vasquez, Dresslerville Community. **The vote was (10) for, (0) against, (1) abstention. Motion carries.**

**4) Norm Harry, Environmental Director**

a) Presentation of Bank Stabilization Treatment Concept – Presentation by Cardno, Mark Gookin, P.E., CFM, QSD, QSP, Senior consultant/Office Manager Natural Resources & Health Sciences Division and Carson Water Subconservancy District (CWSD) Ed James, P.E. General Manager

Rueben Vasquez, Dresslerville Community requests that this information be brought to his Community for Tribal Member input. Stan Smokey, Stewart Community asks for clarification on rock vs. wood. Reasons were more cost effective and aesthetics. Chairman Mortimer polled the Council regarding rock vs. wood. Gary Nevers, Carson Colony, does not believe his community needs a presentation and leans toward root balls (wood). Irvin Jim, Woodfords Community trusts the experts and does not feel a presentation is needed in his Community. Jacqueline Steele, Stewart Community trusts the experts and does not feel a presentation is needed in her Community. Jeremy Steele, Off Reservation trusts the experts but leans towards wood. Lorraine Keller, Reno/Sparks, rock. Jacqueline Steele, Stewart Community, has no opinion on this and would like the professionals to decide. Stan Smokey, Stewart Community, rock. Deirdre Flood, Woodfords Community, leave to the professionals. Irvin Jim, Woodfords Community, concurs with Chad Malone, Carson Colony, rock. William Smokey, Dresslerville Community, trusts the professionals' judgement. Rueben Vasquez, Dresslerville Community, depends on his Community's decision but either way.

Norm Harry discussed noxious weed goat control. Stan Smokey, Stewart Community voiced approval from a ranch point of view. Denise Pitts asked if the Dresslerville ranch will continue to be neglected. Norm explains they are working on this and recommends using the goats vs. current spraying for noxious weeds. Denise Pitts asked about burning and Norm Harry explained that using the goats is less invasive. Chairman Mortimer asks for a consensus if Council wants to use goats at the Stewart Ranch south of the Carson River. Jeremy Steele, Off Reservation, yes. Lorraine Keller, Reno/Sparks, yes. Jacqueline Steele, Stewart Community, yes. Irvin Jim, Woodfords Community, yes. Chad Malone, Carson Colony, yes but concerned that it not be an area where the Elders pick willows. Norm Harry assures them there are no willows in that area. William Smokey, Dresslerville Community, yes. Rueben Vasquez, Dresslerville Community, yes, but would like to know where the water will come from for the goats. Norm Harry explained they have discussed this and they may use the solar wells in the area. Cale Pete, new employee introduction.

**5) Irvin Jim, Woodfords Community**

**a) Alpine Biomass Reduction –** Councilman Jim read an email from Supervisor Norma Santiago with El Dorado County. Project Concept: Through a partnership with Alpine County, local and state agencies, and the Washoe Tribe, develop a joint project that addresses forest management and watershed restoration while creating jobs and a source of revenue for the Tribe. Chairman Mortimer asked for a consensus from Tribal Council. Gary Nevers, Carson Colony feels it's a Woodfords decision. Rueben Vasquez, Dresslerville Community feels more research is needed and does not feel comfortable at this time. William Smokey, Dresslerville Community would also like more information re: actual benefits. Chad Malone, Carson Colony, should have someone present to Council with the additional information. Deirdre Flood, Vice Chairwoman, would like a feasibility study, more of a discussion at this point to see if this is feasible. Stan Smokey, Stewart Community, more information is needed, may be an opportunity. Jacqueline Steele, Stewart Community agrees that more information is required.

Lorraine Keller, Reno/Sparks also requests more information. Jeremy Steele, Off Reservation would like them to present to Council and let Council know exactly what they want. Would like a more formal presentation.

#### G. DEPARTMENT REPORTS

a) Rob Borges – Education Department. Gave a narrative in booklet form of what has been happening this year. Verbal presentation on current status of the Department and stats on Tribal Members and Native members in schools. Vice Chairwoman Flood comments on how well Romaine Smokey and Bridget Koos have done. The Chairman requested more out-reach on the Johnson O'Malley. Tribal youth come into the Chairman's office requesting assistance with sports equipment, etc. As it's an allowable expense under Johnson O'Malley he would like more spent on these requests. Jeremy Steele, Off Reservation would also like more out-reach to the Off Reservation Community to let them know they do have opportunities to better their education. Education Committee has asked that the Incentive Scholarship Guidelines be revised so he has a resolution to present. The Chairman reminded him of the proper protocol to present a resolution. The Chairman asked Council if they would hear the resolution. Reading of Resolution #2016-09-WTC-85. Motion to approve made by Irvin Jim, Woodfords Community, Reuben Vasquez, Dresslerville Community seconded. **The vote was (9) for, (0) against, (1) abstention. Motion carries.** (Lorraine Keller, Reno/Sparks no longer present).

Off Agenda: Rebecca Smokey – "I would like to request the petitions because the Council did not consider it so if I could collect the petition back and just for the record, we had to, just to let you know that we had 175 voters' signatures on a petition that will not be recognized".

#### H. COMMUNITY AND CHAIRMAN REPORT(S)

a) **Carson Colony** – Gary Nevers. No action items. Thanks to all who participated in the Washoe Picnic and helped to make it successful. Had a fire meeting with the Community members and talked about getting an MOU with the City for better protection. Once they have the agreement, will meet with the Legal Department. Chad Malone – Need to have the agreement as the Fire Department indicated they had no jurisdiction but with the help of members who are ex Fire Fighters it helped to save the Community. There were residents that refused to leave their homes. Watering their homes down thus the reason no structures burned.

b) **Dresslerville Community** – Rueben Vasquez. One action item. Resolution #DCC-16-06-03. Land assignment termination. Transferring from Tarrah Kizer to her brother Reese Kizer. Notarized documentation has been given to their Community Council authorizing this transfer from Tarrah Kizer. WTC Resolution #2016-09-WTC-86. Actual home and assets on the land have not been turned over to Reese Kizer but they want the land transfer done first. Personal Property or assets must go through probate. Continuing discussion on the proper way to transfer the land. Chairman Mortimer would like more information before going forward to keep it uniform with all the Communities. Motion to approve with provisions/additional documentation by Chad Malone, Carson Colony, seconded by Irvin Jim, Woodfords Community. Denise Pitts wants time to be

given to them, one month until next Tribal Council meeting. Chairman Mortimer suggested tabling until the parties involved can appear with the proper documentation/information. Chad Malone, Carson Colony rescinds his motion. Irvin Jim, Woodfords Community also rescinds his motion. Tabled until next Tribal Council meeting. Rueben Vasquez would like to thank those Tribal Council members that responded to his email regarding the Standing Rock issue. William Smokey open meeting set for Tuesday, Sept. 13 for Hunting & Fishing meeting. Rueben Vasquez, elders are asking about the wood project. Chairman Mortimer – Have the wood but a matter of getting the crew together but yes for this season.

**c) Off Reservation** – Jeremy Steele. No action items. In final stages of website and have different ideas of how to get the information out there. Becky Smokey questions Mr. Steele's position as Secretary/Treasurer and Off Reservation representative and why he is voting since she feels it is a direct conflict. Diane Vitols responds that she would like to do the research and address it at the next meeting rather than spur of the moment. Denise Pitts asks about the Clinic meeting Tribal Council agreed to have. The Chairman stated that the meeting was already held. Ms. Pitts states that the HAC board sat at the table but they wanted a meeting with Tribal Council with the Director and Deputy Director answering the questions in front of the Tribal Council. Chairman Mortimer stated that it is up to the Tribal Council. Ms. Pitts stated that it was their understanding there would be another meeting. Deirdre Flood, Vice Chairwoman stated she was at the meeting and there was an agreement that the Clinic was going to have time to make the changes that need to be made and implement those procedures.

**d) Reno/Sparks** – Lorraine Keller – No longer present.

**e) Stewart Community** – Jacqueline Steele, no action items. Would like to work with Carson Colony in any type of emergency, like the fire. Opened the Community building for those that need to be evacuated. Would like to implement an emergency plan.

**f) Woodfords Community** – Irvin Jim, no action items. Few items to discuss. Youth Awareness Day was very successful. Update on CHIPS.

Rueben Vasquez, Dresslerville Community requested information about where the Letter of Support went and said it looks like the Tribe is in a gray area since the letter went to the President and his Chief of Staff and not the Chairman of the Standing Rock Sioux Tribe. Ms. Vitols stated that they were due to receive the Judge's statement and he came out with a 52-page opinion stating that the Army Corps likely met their obligations and therefore it was going forward. The Obama Administration issued a joint press release with the Interior and the Army Corps that stated they were going to hold off within 20 miles of the lake until they can be sure the Army Corps met their obligations and furthermore, they were looking at the way that Tribes are consulted. It also cites that support from scores of Tribal Nations were instrumental in getting Obama to reach that result. Sending the letter where we did, had the effect of getting the Obama Administration to do something.

**Chairman's Report** – Talked about the Tahoe Summit. Vice Chairwoman Flood also discussed the Summit. Spoke about the NIEA Convention and wanting to sponsor an

Elders' Lounge area. Requested a donation of \$200.00 from each Community to purchase water, yogurt, etc., for the lounge.

Valerie Nevers requested the Communities to donate to Nick Agnason's service. Any contributions should be dropped at the Cultural Center in Gardnerville with Herman or Melba.

#### **H. ADJOURNMENT**

Motion to adjourn made by Chad Malone, Carson Colony, seconded by Irvin Jim, Woodfords Community. **The vote was (9) for, (0) against, (1) abstention. Motion carries.** Meeting adjourned at 11:42pm.