

NEVADA INDIAN COMMISSION BOARD MEETING MINUTES

Wednesday, May 27, 2015 - 9:00am–12:30pm

Nevada Indian Commission Office, 5500 Snyder Ave., Carson City, NV 89701

Commissioners Present:

Richard Arnold, Chairman
Kathleen Quasula, Commissioner
Alvin Moyle, Commissioner
John Hansen, Commissioner

Staff Present:

Sherry L. Rupert, Executive Director
Chris Gibbons, Program Officer I
Denise M. Becker, Administrative Assistant III

Guests Present:

Patrick Naranjo, Native American Liaison, University of Nevada, Las Vegas (UNLV)
Lynn Manning John, Principal, Owyhee Combined School and Chair, Indian Education Advisory Committee
Wayne Howle, Senior Deputy Attorney General, Attorney General's Office
Theresa Rowe, Education Manager Head Start, Washoe Tribe of Nevada & California
Jim Bertolini, National Register Coordinator, State Historic Preservation Office (SHPO)
San San Tin, Education Director, Reno-Sparks Indian Colony
Fredina Drye-Romero, Indian Education Programs Professional, Nevada Department of Education
Dixie Jeffers, ICWA Specialist, Department of Health and Human Resources

I. Convene Meeting & Roll Call

Chairman Arnold convened the meeting at 9:06 am and asked Sherry to take roll. Four Commissioners were present, establishing a quorum.

II. Invocation

Chairman Arnold provided the invocation.

III. Welcome and Introductions

Chairman Arnold asked all those present to introduce themselves and thanked everyone for attending.

IV. Initial Public Comment

There was no initial public comment.

V. Election of Vice-Chairperson of the Nevada Indian Commission

Sherry explained that the position has been vacant since Commissioner Oliver passed away. She also explained that the Vice-Chairperson would step up in the absence of the Chair and assist at events as the spokesperson for the Nevada Indian Commission (NIC). Chairman Arnold opened nominations for Vice-Chairperson. Commissioner Moyle said he was interested in the position. Kathleen said she would do it by default, but suggested it may be more convenient to the Commission if this person was from the Reno-Carson City area. She supports Commissioner Moyle for Vice-Chairperson.

Commissioner Hansen motioned to nominate Commissioner Moyle as Vice-Chairperson, seconded by Commissioner Quasula. The motion carried with a vote of 3 for, 0 against, 1 abstention (0 absent).

Commissioner Moyle was named Vice-Chairperson by acclamation.

Vice-Chairman Moyle considers the NIC very important to the Native people and is honored to serve as the Vice-Chairman. He will do his best to serve the NIC to the best of his ability.

VI. Approval of May 28, 2014 Meeting Minutes

Chairman Arnold commented that the Commissioners need to get the minutes timelier; they should get the minutes within 90 days of the meeting.

Commissioner Hansen motioned to approve the May 28, 2014 meeting minutes as presented, seconded by Vice-Chairman Moyle. The motion carried with a vote of 3 for, 0 against, 1 abstention (0 absent).

VII. Approval of September 26, 2014 Meeting Minutes

These minutes were tabled until the next meeting.

Commissioner Hansen motioned to table the September 26, 2014 meeting minutes, seconded by Vice-Chairman Moyle. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

VIII. Commissioner Reports and Announcements

Chairman Arnold met John Baakadah, Radiation Control Supervisor and Emergency Response for the State of Nevada. He provides emergency response training and would like to get the tribes more involved with the training. Chairman Arnold will get the information to Sherry to send out to the Tribes as there is a training coming up in October.

Vice-Chairman Moyle mentioned that the Inter-Tribal Council has a group that works on these types of issues and would like Sherry to work them in this area.

Commissioner Hansen would also like the information to share with the Pyramid Lake Paiute Tribe Volunteer Firefighters.

IX. Executive Director Report – Sherry L. Rupert

Sherry briefly shared highlights from her report and the current Budget Status Reports for both the operating budget and the gift account.

In reference to Sherry's report on how she has been working with the Bi-State Sage Grouse Executive Oversight Committee on the pine nut issue, Vice-Chairman Moyle commented that in another situation he is aware of, the federal agencies did not look at the consultation policy adopted by the President's initiative. This is well worth the effort to get this message out to the Tribal Leaders. This still needs to be worked on.

Chairman Arnold commented that there are many different levels to this conversation. We need to make sure that we are listening to all viewpoints. We need to do due diligence so that we can make an informed recommendation. The Seneca's from New York commented that notification is not consultation. There needs to be more of a concerted effort to get people involved to share their perspective. We have to get people talking and get them to work together and make the meetings productive.

Commissioner Quasula is on a committee and knows Kevin Washburn, Assistant Secretary of Indian Affairs, Department of Interior well. She can mention this to him if the Commission would like. Chairman Arnold said there needs to be a plan or a strategy that could be addressed. She would try and find out what is going on and get his perspective. This would be a fact finding.

Sherry stated that the forum in August-September could be used as a fact-finding forum and come out with next steps. The intent is to bring tribes and those with tribal traditional ecological knowledge together with the federal agencies to share information from both sides.

Vice-Chairman Moyle mentioned that a National Environmental Protection Agency (NEPA) study was not done in the case that he is working on.

A. Discussion on Current Budget and Legislative Approved Budget

Sherry briefly went through the current budget status reports for the NIC budget and gift account. Sherry also presented the Commission with a copy of the Legislatively Approved Budgets for the NIC (Budget Account 2600) and for the Stewart Indian School Living Legacy (Budget Account 2601), noting changes from the prior biennium.

Chairman Arnold had a few requested revisions on the Executive Director's report:

- Add the swearing in of Commissioners Hansen and Quasula
- Under the budget section, third bullet add what the small amendment actually was; that the sale of any donation would come to the Commission for approval and not the Executive Director
- On page 2, add Cory's last name

Chairman Arnold also questioned if there was a cost to the subpoena and how the NIC was affected. He wondered whether the costs incurred for this request could be reimbursed to the NIC. Commissioner Quasula commented that often the court would pay for the copy costs, so she would also like to see the NIC recover the costs. Senior Deputy Attorney General Wayne Howle will check with the Attorney General's office on this request.

Commissioner Moyle motioned to approve the Executive Director report as presented and with the noted changes, seconded by Commissioner Hansen. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

X. Presentation Request for Letter in Support of State Historic Preservation office (SHPO) Grant Application to the National Park Service Underrepresented Communities Grant Program

Jim Bertolini mentioned that the NIC has a Stewart National Historic Landmark (NHL) Working Group working toward the national landmark designation. The letter of inquiry has been submitted and the group is waiting for a response. A few weeks after the submittal, his office became aware of this grant program. Stewart was one of the longest operating Indian schools in the nation. They want to build upon the National Register nomination. They are hoping to take a broader approach than the National Register nomination that acknowledges the cultural importance and relevant historic context of the school. The hope is that through the application process, this will provide some guidance for the ongoing planning and interpretive programs at Stewart.

The Underrepresented Communities Grant program is looking to support new listings to the register and in underrepresented communities. There are very few American Indian historic sites that have been recognized in this program. Eligible applicants are the SHPO's, the Tribal Historic Preservation Offices (THPO) and local governments. His office is seeking a letter of support from the NIC for this grant application.

Chairman Arnold asked about a designation as a Traditional Cultural Property (TCP); this adds another layer of protection and adds a tribal voice. This may be something to consider, as the native people are part of the living history of the school. Jim mentioned that a TCP may come out of the NHL nomination process. This could also bolster the NHL Designation, if the tribes applied directly for the TCP.

Vice-Chairman Moyle mentioned that he worked at the Stewart Indian School in the late 50's, and even after leaving the school, he still saw the historic value of the school.

Vice-Chairman Moyle motioned to approve the NIC Chairman sign and submit support letter for the National Park Service's Underrepresented Communities Grant submission, seconded by Commissioner Quasula. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

XI. Report on Indian Territory Projects and Activities

Chris Gibbons, Treasurer for the Indian Territory provided the Commission with a written report. She briefly went through the highlights of her report.

Chris also mentioned that Melissa Melero, Co-founder Great Basin Artists was awarded the 2015 Indian Territory's Excellence in Voluntourism Award.

Commissioner Hansen motioned to approve the Report on Indian Territory Activities, seconded by Commissioner Moyle. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

XII. Discussion on Combining the Tribal Early Childhood Advisory Committee (TECAC) and the Indian Education Advisory Committee (IEAC)

Sherry provided a brief description of each of the committees and discussed the process for holding a meeting within state Open Meeting Law requirements. There is a lot of work that goes into the planning and posting of a meeting. The TECAC started out with strong participation, but has dwindled and has had difficulty meeting a quorum in the past 6 months. Sherry explained that she spoke with Lynn John, Chair of the IEAC and Sherry Ely Mendes, Chair of the TECAC on combining the two committees. Sherry shared that there are many positive aspects of combining the two committees. This would continue the conversation in making sure that there is a continuum of education from early childhood to higher education. It makes sense to have both committees together and would lighten the load for the Commission.

Theresa, Vice-Chairwoman of the TECAC, agreed that it would be good for the TECAC to combine with the IEAC. She commented that having one combined committee would allow for better communication and time management, especially for those that are currently on both committees.

IEAC Chairwoman, Lynn John commented that combining the two committees would be to everyone's advantage to have the seamlessness of having one committee. They already work together on the Indian Education Summit. It would also allow the TECAC to remain active and relevant. It would be great to have those from the TECAC that want to actively participate.

Chairman Arnold inquired on the frequency of meetings for each of the groups. Sherry responded that the TECAC currently meets monthly, when they can get a quorum and the IEAC meets bi-monthly. If the TECAC moves over to the IEAC, then the group will continue to meet monthly. Sherry also explained that both committees have by-laws that would need to be amended. The IEAC by-laws would have to be revised to include the TECAC members and the TECAC by-laws would have to be dissolved.

Fredina explained that originally, the TECAC was supposed to go under the IEAC as a subcommittee. Chairman Arnold would like to make sure the two groups have a say in how this transition will look and would like Sherry to work with both committees to come up with a recommendation that could be brought back to the board.

San San commented that she sits on both committees and supports the transition as the focus can be on the child from cradle to adulthood.

Chairman Arnold suggested sending out notices to the committees on the transition. Sherry can work with the committees to make the transition.

Commissioner Hansen motioned to approve the Executive Director work with both committees and the Attorney General's office on transition to a combined committee, seconded by Vice-Chairman Moyle. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

Sherry was asked to report back to the Board at the next meeting.

A. Possible Approval of TECAC Appointment of Representative Form

Sherry requested approval of one Appointment of Representative Form to the TECAC for Theresa Rowe, Education Manager, Washoe Tribal Head Start.

Commissioner Hansen motioned to approve the TECAC Appointment of Representative Form, seconded by Vice-Chairman Moyle. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

XIII. EDUCATION

A. Possible Approval Indian Education Advisory Committee (IEAC) Appointment of Representative Forms

Sherry requested approval of one Appointment of Representative form to the IEAC for Rob Borges, Education Coordinator, Washoe Tribe of Nevada and California.

Commissioner Hansen motioned to approve the Appointment of Representative form for Rob Borges to the IEAC, seconded by Commissioner Quasula. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

B. Report on IEAC Activities

Lynn John briefly highlighted the contents of her written report. Lynn also reported that the IEAC would not meet over the summer, but had scheduled their next meeting for September 21, 2015.

Chairman Arnold requested that Lynn include bullet points with some of the report items that the tribes provide at the IEAC meetings for her future reports to the Commission.

Commissioner Hansen motioned to approve the IEAC report as submitted by Lynn Manning, seconded by Vice-Chairman Moyle. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

C. Report on Current Indian Education Program Activities

Fredina Drye-Romero provided a written report to the Commission. She briefly highlighted the contents of the report.

Fredina is on the National Indian Education Association (NIEA) convention planning committee and will be able to provide our local planning committee with some great information that will ensure the success of the 2016 NIEA Convention.

She is also on the WEST Comprehensive Center Board. All Comprehensive Centers will be meeting next week in Oklahoma.

Fredina mentioned Senate Bill 432 that will provide for an Education Program Professionals (EPP) for the Victory Schools initiative within 5 school districts when finalized. Washoe, Elko and Humboldt County School Districts fall within these 5 school districts that have high populations of low poverty students. This program will expand full-day kindergarten classes, summer academies, provide for eye glasses, etc. These programs will assist students to be more efficient in the classroom.

Vice-Chairman Moyle motioned to approve the Nevada Department of Education (NDE) report as submitted by Fredina Drye-Romero, seconded by Commissioner Hansen. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

A 5 minute break was taken at this time.

XIV. STEWART INDIAN SCHOOL

A. Possible Approval of Stewart Advisory Committee Appointment of Representative Forms

No forms were submitted for approval.

B. Report on Stewart History and Preservation Project

Chris went over her written report with the Commissioners.

Chairman Arnold had a question on the curation of items that fall under the Commission. He is wondering if we meet those standards. He wants to make sure that the items are safe guarded and curated properly. Chris mentioned that she spoke with Rachel Malloy on the curation of the items. Rachel's concerns were mainly the lighting. Rachel did come over and take a look at the storage area and mentioned that this area is very similar to where these items have been stored within their storage facility. Chris assured the Commissioners that she performs periodic checks on the collection and she will research 36 CFR, Part 79.

Vice-Chairman Moyle motioned to approve the Stewart History and Preservation Project report as presented and submitted by Chris Ann Gibbons, seconded by Commissioner Hansen. The motion carried with a vote of 4 for, 0 against, 0 abstentions (0 absent).

C. Discussion on the Implementation of SB 63, Coordinating Agency for the Stewart Indian School Activities and Uses

Sherry explained that she brought this to the attention to the Commission as the NIC moves forward with implementation of this statute. She would like to have discussion on how the Board thinks the implementation of the statute should move forward. There are several entities that have a stake in the Stewart Indian School, i.e. State Lands, SHPO, State Public Works Division, and Division of Buildings and Grounds. There is going to need to be a lot of coordination between the agencies.

Chairman Arnold recommended that there be a subcommittee and guiding document that would include agency needs and expectations. He suggested meeting with the other entities to find out what their expectations are, and to inform them of the NIC's vision and expectations as well. The NIC must establish a foundation to lay it all out, along with a timeline so there are no surprises to anyone. Sherry commented that as the Commission is given more responsibility for Stewart, there will also be a need to build capacity within the Commission. The NIC also needs to know what is on the agendas of the other agencies as well. It is important to note that the relationship between the agencies needs to remain cordial. The NIC wants to demonstrate to the state that this was a good move and that the NIC is here to build unity.

Vice-Chairman Moyle asked if this included all of the buildings at the Stewart Indian School. He thinks that it is impressive that the state looks to the Indian Commission as the lead on this initiative. This is quite an achievement for the Indian Commission.

Sherry explained that the intent of the bill is not to take over all authority and responsibilities, but to coordinate the agencies and their resources to create efficiencies.

Commissioner Quasula had to leave at this time.

Chairman Arnold commented that he thought it very symbolic that the NIC is taking the lead on the Stewart Indian School. He goes back to the TCP, and the opportunity to bring in the tribal voice. The NIC can stand proud on what has happened here so far.

D. Discussion and Planning for the 2015 Stewart Father's Day Powwow

Sherry reported that the Powwow Committee has been meeting regularly. She also mentioned that Terri McBride is now on Carson City's Cultural Commission and has a standing agenda item to report on the Stewart Indian School. The Powwow flyer was created and printed by the Carson City Visitor's Bureau. All Indian taco food booths are full and they have received payment for an additional 2 other food vendors. And, there are currently 11 paid arts and crafts vendors. The Committee received 2 grants for this event, \$2,500 from the Division of Tourism and \$3,944 from the Nevada Arts Council. The Great Basin Artists will once again decorate Building #1 with their art, which will be up in time for the Stewart Alumni Reception on Thursday, June 18th. Sherry asked the Commissioners to volunteer their time or to support the event by purchasing raffle tickets, sponsoring a dance category, or gathering raffle items.

Chairman Arnold explained that because of the nature of the event, the Powwow Committee may want to look at having mainly Native artists. Sherry mentioned that the Powwow Committee has discussed this several times and at length, and is now requiring photos of booths and the items they plan to sell. Chairman Arnold is of the belief that the Powwow and the art being sold and the booths themselves should help us tell our story. This is not a swap meet or craft fair. Chris mentioned that she needs to go over the application with the vendors prior to their set up so they understand completely what is expected. Chris will be taking really good notes on the vendors this year.

XV. Agenda Items for Future Meetings

Suggestions for future agenda items included: Report back on TECAC and IEAC merger, an update on the recovery of copy costs from the subpoena that was served, and prior meeting minutes. Any other requests for agenda items can be forwarded to Sherry.

Chairman Arnold would like the Indian Territory to consider revising the large stones in the airport exhibit to add in Southern Paiute. He would like the NIC to check on the cost of adding an additional stone for the Southern Paiute. This will show the accuracy and the diversity of the tribes in Nevada. Chris added that the next cycle of Projects Related Tourism grants may be a possibility for funding this revision.

Chairman Arnold inquired if the NIC could forward out information from the Nevada State Clearinghouse to the tribes. Sherry replied that she just received an email from the Clearinghouse making this request, so yes this information will be forwarded out to the affected tribes.

XVI. Scheduling and Location of Next NIC Meeting

The next Nevada Indian Commission Board Meeting was scheduled for August 26, 2015 to begin at 9:00am.

Commissioner Hansen motioned to approve the next Indian Commission meeting date, August 26, 2015, seconded by Commissioner Moyle. The motion carried with a vote of 3 for, 0 against, 0 abstentions (1 absent).

XVII. Final Public Comment

Sherry reported that the NIC has a new intern, Miss Kate Krolicki. Kate has been working on several small projects that include content for the new NIC website, a database of the tribal veteran's organizations and smaller projects for the Stewart Father's Day Powwow.


XVIII. Adjournment

Vice-Chairman Moyle motioned to adjourn the meeting, seconded by Commissioner Hansen. The motion carried with a vote of 3 for, 0 against, 0 abstentions (1 absent). Meeting was adjourned at 12:39 pm.

CERTIFICATION

It is hereby certified that these Meeting Minutes were approved at a meeting of the Nevada Indian Commission with a vote of 3 for, 0 against, 0 abstentions, 1 absent, at a meeting duly held on September 4, 2015.

Certified by:



Sherry L. Rupert, Executive Director
Nevada Indian Commission