

**Nevada Indian Commission
Meeting Minutes**

**Wednesday, March 24, 2021
10 am**

Meeting Location: Zoom

Commissioners Present:

Richard Arnold – Chair (outgoing)
Kostan Lathouris – Vice-Chair
Brian Wadsworth – Commissioner
Kelly Krolicki – Commissioner
Staci Emm – Commissioner

Staff Present:

Stacey Montooth – Executive Director
Sari Nichols – Program Officer
Bobbi Rahder – Museum Director

Others Present:

Melyssa Navis, Tribal Liaison, US Forest Service
Tammy Smith, EEO Administrator, Nevada Department of Administration
Fred Wagner, Deputy Director, Nevada Department of Veteran Services
Elveda Martinez, Environmental Manager, Walker River Paiute Nation
Evette Cullen, Community Partner Liaison, Nevada Department of Health and Human Services, Welfare and Support Services
Lee Boner, Tribal Liaison, Nevada Department of Transportation
Riley Snyder, Writer/Reporter, *Nevada Independent*
Justin Luna, Tribal Liaison, Nevada Department of Public Safety
Sherry Rupert, CEO, American Indian Alaska Native Tourism Association (AIANTA)
Dan Nubel, Deputy Attorney General, State of Nevada
Fawn Hunter, Indian Education Program Specialist, Washoe School District
Tiffany Davis, Tribal Liaison, Silver State Health Insurance Exchange
Melanie Burt, Indian Education Director, Walker River Paiute Nation
Fran Maldonado, Tribal Liaison, Nevada Department of Health and Human Services, Child and Family Services
Marissa Weasel Boy, Yomba Citizen and Master's Student, University of Nevada
Cliff Banuelos, Tribal-State Environmental Liaison, Inter-Tribal Council of Nevada
Shelby O'Daye, COVID Coordinator, Inter-Tribal Council of Nevada
Lance West, Principal, Schurz Elementary
Paul Mitchell, Professor of Journalism, University of Nevada
Ryan Studebaker, Tribal Liaison, Nevada Department of Human Services, Welfare and Supportive Services

Sookaaki Charley, Administrator, Timbisha Nation
Fredina Drye-Romero, Education Programs Professional for Indian Education,
Nevada Department of Education
Marty Meeden, Education Director, Washoe Tribe of Nevada and California
Ginny Hatch, Chair, Yerington Paiute Nation
Priscilla Acosta, Tribal Liaison, Nevada Department of Health and Human Services
Director's Office
Deserea Quintana, Executive Director, Inter-Tribal Council of Nevada
Markie Wilde, Indigenous Student Services Coordinator, University of Nevada
Brian Melendez, CEO, Nevada Native Caucus
Teresa Melendez, Co-Founder, Nevada Native Caucus
Kailey Tay

I. Convene meeting, roll call, and establish quorum

Chairman Arnold convened the meeting. Director Montooth took roll call. Quorum was established.

II. Invocation

Mr. Vic Williams, US Military Veteran and Elder of the Walker River Paiute Tribe provided the invocation.

III. Welcome and Introductions

Chairman Arnold welcomed everyone to the meeting and gave thanks for such a large showing. He initiated introductions.

IV. Planning for Orientation of New Commissioners – Vice-Chair Kostan Lathouris

Vice-Chair Lathouris suggested a brief orientation/refresher for the new and existing commissioners about the rules and responsibilities of the commission.

Chairman Arnold said he found it helpful to look at the duties and responsibilities of the Commissioners to make sure that we are representing and sharing the concerns that are in the best interest of Tribal nations and Tribal people.

Vice-chair Lathouris stated he wanted to emphasize that this is not the result of anything wrong that has happened in the past, but that this would be a routine for all new commissioners.

V. Recognition for Outgoing Chair Richard Arnold.

Chairman Arnold announced that his term was up and not renewed in order to give others in the community a chance to serve. He said this has happened before, so he does not see this

as a goodbye. Time was offered for attendees to give thanks and well wishes to the out-going Chair.

VI. Initial Public Comments

Chairman Arnold called for public comments. There were no public comments.

VII. Approval of December 12, 2020 Commission Meeting Minutes (For Discussion and Possible Action)

Motion: Approve December 12, 2020 Commission Meeting Minutes

By: Commission Krolicki

Second: Vice-chair Lathouris

Vote: Motion Passed with one abstention with noted changes and modifications

VIII: Executive Director Report – Stacey Montooth (For Discussion and Possible Action)

Director Montooth stated that the Executive Director's Report has been posted and circulated to the public.

Chairman Arnold asked if there was any discussion.

Commissioner Emm stated it looked like there were two different budgets for the Nevada Indian Commission, one for the Nevada Indian Commission, and one for Stewart Indian School Cultural Center & Museum. She asked if the current balance rolled over from last year or if they had to get a new budget each fiscal year.

Director Montooth explained that there are two different budgets set up for our agency. The Nevada Indian Commission operates on a budget of about \$300,000 and the cultural center and museum, also operated on about \$300,000. She stated she believed it is a standard policy for most agencies in the State of Nevada and there are no rollovers.

Chairman Arnold announced that it is incumbent upon them to use the money wisely that they have and there were no excess funds. He stated in the past, the Executive Director was always good at providing updates and information to keep the commissioners apprised of budget spending. Chairman Arnold asked for the current balances, and he asked about the COVID-19 active cases being reported by Tribal Health Centers.

Director Montooth said that those Tribal Health Centers sharing data report about 30 active COVID-19 cases.

Vice-Chair Lathouris stated he appreciated the layout of the Director's report especially regarding the tracking of the 33 bills. It was easy to see exactly what is being tracked. He

stated his comment would be to include AB243 to the bills that are being tracked. Part of AB243 is to create a Nevada Police Reform Advisory Task Force. Vice-Chair Lathouris went on to say that he testified in support of it in his personal capacity because criminal justice issues can be very complex and complicated in Indian country due to existing federal laws. Having somebody with that background and experience can go a long way.

Commissioner Krolicki stated she loved the format and notes about each one of the bills and why the bill is important.

Commissioner Wadsworth asked if the budget was satisfactory.

Director Montooth stated specific to the Nevada Indian Commission, the budget is adequate. She stated they vacated one of the positions in order to meet the cost cuts that were required by the Governor and loss of Tourism funds.

Commissioner Wadsworth asked about the Awards Banquet. Director Montooth explained that it would be hard to plan for this type of event due to COVID restrictions. Commissioner Wadsworth felt the awards should go on. There was discussion about Nevada Indian Commission hosted events. Chairman Arnold reminded the group that they had previously looked at several factors, including resources, time, and return on investment. It was determined that events took too much time from the staff's day to day jobs and stretched their resources thin. He said events were off the table. Commissioner Wadsworth agreed that the pow wow was off the table but did not agree that the award banquet was. At the next Commission meeting, he would like to talk about hosting a virtual award event.

Commissioner Wadsworth asked for an update on the upcoming meeting with University of Nevada President Brian Sandoval.

Director Montooth stated she had an April 6 meeting set up with President Sandoval and with Ms. Marissa Weaselboy to address the compliance of the university regarding the ancestral remains of our relatives.

Vice-Chair Lathouris asked who would be in attendance and could a commissioner attend? Director Montooth stated that there will be four participants including Ms. Marissa Weaselboy, Markie Wilder, and an expert anthropologist. She did not have the authority to answer his question on who could attend and would get back to him. Chairman Arnold requested an update on the meeting before the next Commission meeting.

Commissioner Emm asked about the Mineral County School District land acknowledgment. She asked if the Nevada Indian Commission was creating its own type of recommendation or just following the Mineral County example.

Director Montooth stated for the record that it was Lance West's leadership as the principal of the Schurz Elementary School that brought the inclusion of a land acknowledgment by the Mineral County School District to the attention of the Nevada Indian Commission. She added

that this was not the first time that the Nevada Indian Commission has been involved in such a request.

Motion: Approve Executive Director Report

By: Commission Krolicki

Second: Vice-chair Lathouris

Vote: Motion passed

IX. Stewart Indian School Cultural Center & Museum Report – Bobbi Rahder (For Discussion and Possible Action)

Chairman Arnold stated the report refers to the Nevada Indian Commission Board, which should be corrected to be the Nevada Indian Commission. He asked where they stood on the National Historic Landmark application.

Bobbi Rahder stated that revisions are being done to the National Park Service, National Historic Landmark application. They had gotten suggestions from the National Park Service to make changes. Dr. Smoak said that he expects to submit those revisions to the National Park Service within the next 10 days. He also said that there were no National Historic Landmark applications approved during the last 18 months of the former administration. She stated as soon as she gets the revisions, she will submit those.

Vice-Chair Lathouris asked about research volunteers.

Bobbi Rahder stated they are very fortunate that they have dedicated volunteers and interns from UNR who are working with them.

She stated, regarding Commissioner Wadsworth's earlier question about the budget, they did have severe budget cuts for the fiscal year 21. But they were very blessed and fortunate to receive private donations and grants to cover those state budget cuts. This year we are pleased and surprised that Governor Sisolak recommended higher amounts for our FY22-23 operating budget. It still does not include the two positions that she would really like to add.

Motion: Approve Stewart Indian School Cultural Center & Museum Report

By: Commission Wadsworth

Second: Commissioner Lathouris

Vote: Motion passed unanimously

X. New Business (For Discussion and Possible Action)

A. Stewart Indian School Preservation Alliance (SISPA) update – Kelly Krolicki

Commissioner Krolicki stated she did not have a report but requested it stay on as an agenda item.

B. Bi-State Tribal Natural Resources Committee update – Melyssa Navis

Melyssa Navis stated that the committee is currently looking for a BTNRC committee chair. She said that the interim Chair is Danelle Gutierrez, the Big Pine Tribal Historic Preservation Officer (THPO). The Traditional Ecological Knowledge Summit, a virtual meeting, will be July 14-15 with a tentative field meeting, July 16. BTNRC is currently meeting separate than the planning committee because of the number of topics on the agenda, and it fits best for committee members.

C. Indian Education Advisory Committee report and proposed by-law changes – Fawn Hunter

The Indian Education Advisory Committee (IEAC) Chair Hunter presented a set of revised bylaw membership requirements as recommended by the Nevada Indian Commission's Deputy Attorney General (DAG). According to the DAG, quorum can never be met because there are 17 empty membership seats and only five active members. The DAG suggested that the bylaws be revised to nine voting members, with five required for quorum. The committee has not had a meeting in months and according to the DAG, cannot hold one until the bylaws are changed.

Commissioner Wadsworth asked if a 30-day review period had been followed as noted in Article 7. Chairwoman Hunter explained that the DAG referred any changes to the Nevada Indian Commission. The IEAC is a sub-committee under the NIC, therefore the NIC must adopt the changes. The IEAC cannot meet and make changes for a 30-day review. There was discussion on membership and the bylaws in general. The Commissioners had questions and found the bylaws confusing. They directed the Chair to have committee review and revise the entire document. Chair Hunter explained that they could not meet to do anything because of the issue of membership. The Commission agreed to change Article 3 of the IEAC bylaws, so that the committee could meet to revise the bylaws.

Motion: Approve the Proposed Changes to Article 3 membership of the By-Laws only
By: Vice-chair Lathouris
Second: Commissioner Krolicki
Vote: Passed unanimously

Commissioner Krolicki stated she had to leave and hoped they still have a quorum. As there were no more action items on the agenda, a quorum was not needed. Also, Chair Arnold officially stepped-down and Vice-Chair Lathouris took over running the meeting. There was discussion on which of the two empty Commission spots Commissioner Emm was filling, but no definite answer was available.

XI. Unfinished Business (For Discussion and Possible Action)

A. Consultation / AB264 follow-up – Stacey Montooth

Director Montooth thanked Commissioner Lathouris for drafting the first pass at a written bill for consultation as per AB264. She stated, as we had discussed in our last meeting, Commissioner Lathouris' draft was disseminated. It was disseminated to all affected parties including tribal leaders, tribal historic preservation offices, and education departments. In addition, the document went to every director in the state of Nevada. We also sent it to several federal agencies for their insight. Vice-Chair Lathouris' draft with edited highlights from comments received was included in the meeting materials. The Director asked that the Commissioners take time to review the document, as feedback would be helpful moving forward.

Vice-Chair Lathouris said that the format of the documents was great because we can see all the direct comments, and he expressed appreciation to all those agencies that responded. The Vice-Chair noticed that Duck Valley's Chair, (Brian) Thomas, commented on the draft as well. He also noted that not many Tribal leaders had made comments and would like to see more before revising the document. Director Montooth said that she had upcoming meetings with Tribal leaders and would ask them to review the document then. Vice-Chair Lathouris acknowledged those upcoming meetings and suggested tabling the discussion until the next commission meeting. He also suggested that with more feedback from Tribes, we can consider holding a special meeting just to address revisions to the AB264 policy.

B. Tuition Waiver follow up – Stacey Montooth

Director Montooth reported that, the Nevada Indian Commission was approached earlier this year by an elected official, Nevada Assemblywoman Natha Anderson, asking why the Native American people must pay to attend college in the State of Nevada, given the treaties. The Nevada Indian Commission has been partnering with several not-for-profit organizations that are not just looking to push the issue of free tuition but have been instrumental in the continuing expansion of Native American voting rights, the continued work to ensure that all our tribal citizens were included in the 2020 Census. These various working groups have connected with Assemblywoman Anderson, who introduced the tuition waiver bill. This is a bill that would change the cost of attending not just the University of Nevada but any institution that is under the purview of the Nevada Higher System of Education, through NSHE. Commissioner Arnold asked which Native American students would qualify for the waiver. Director Montooth said the discussion of who qualifies as a Native student is ongoing. The language will reflect how each Tribal Nation decides membership and descendency.

Commissioner Emm stated she applauded the individuals that worked on this.

C. University of Nevada (NAGPRA) compliance follow up – Stacey Montooth

Director Montooth stated she just learned during the meeting that the opportunity to discuss the issue with University of Nevada President Sandoval will be virtual, and at the request of the meeting organizers, it be kept to an intimate group. However, she encouraged input via email, from commissioners, or anyone interested in this critical issue.

Vice-Chair Lathouris stated if anybody is interested in attending, make sure to e-mail the executive director.

XII. Agenda items for future meetings (For Discussion and Possible Action)

Commissioner Emm stated she would like to see follow up on the consultation policy and discuss forming an activities committee.

XIII. Scheduling and location of future Nevadan Indian Commission Meetings (For Discussion and Possible Action)

Vice-Chair Lathouris stated we will leave that to the commission staff to communicate with the commissioners about whether we need to have a special meeting, specifically about AB264 as developments arise and to schedule the next regular meeting as well.

XIV. Final Public Comment

Vice-Chair Lathouris asked if there was any public comment.

Scott Anderson stated he wanted to thank everyone for the meeting today. He said it had been very enlightening as the Tribal liaison for the Secretary of State's Office. He announced that he would be sending a letter to each of the Tribal Nations as a reintroduction to the Secretary of State's Office and the services provided. He added the office is also going to try to set up a webinar for all Tribal Nations to go over the services and to field questions. He offered that he expects this to happen over the next couple of weeks.

Vice-Chair Lathouris stated he noticed that Scott Anderson was one of the commenters on the AB264 policy and he would like to thank him for his diligence to that and for providing comments.

There were no other public comments.

XV. Adjournment

Vice-Chair Lathouris adjourned the meeting at 1:04 p.m.