

S.I.R. Tribal News



TRIBAL CHAIRMAN'S REPORT

November 2016

I am about to share a sequence of events that I am not proud of. As many of you have heard the rumors, no one has had the benefit of hearing my statement regarding many falsehoods. I feel that as the Chairman, it is incumbent upon me to convey these events truthfully. Upon the conclusion of this letter, I hope that you understand.

The supreme law of our land is the Susanville Indian Rancheria Constitution. No single Tribal Member is above its provisions, and that includes all Tribal Business Council members. This is a fact with absolute merit, and it is undisputable. We are a Federally Recognized Tribe with certain rights and responsibilities. These rights are only afforded to our people because of the ratification of our Constitution. The laws that are set forth in that document are never taken lightly, and they most certainly should not be ignored by those who are charged with defending it. Unfortunately, we have found ourselves in a situation where venomous personal attacks have clouded minds, and have rendered our tribal government almost ineffective. I do not celebrate this, nor do I seek to take part in creating divisions amongst the people. As it stands right now, I am feverishly searching for ways to keep our government functioning in spite of a paralyzed council. That is why I am writing to you about these issues. I believe that now is the time that this situation is shared with all of you.

When we - as Council Members - assert that the will of the majority should be absolute, we are normally correct. Oftentimes we can find ourselves on the losing side of a vote and it is our duty to go with the majority of our colleagues. The will of the majority will almost always carry the day, that is unless the Constitution provides for a different outcome.

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**The next SIR General Council Meeting
is scheduled for February 6, 2017 at 1pm
845 Joaquin Street,
Joaquin Sports Complex (Gym), Susanville, CA**

There is language in our Constitution that talks about removing a TBC Member. In this section we find the only guidance we are authorized to operate by, according to the Constitution, Article IV, Section 3, *"Any members of the Tribal Business Council found guilty by the Tribal Business Council of behavior involving gross misconduct reflecting on the dignity and integrity of the tribal government and its members, gross neglect of duty or malfeasance in office shall be suspended if at least five (5) members of the Tribal Business Council vote in favor of such suspension.* In Article IV you will not find any part of the law that says a TBC member can be temporarily relieved of duty without pay for any reason, nor will you find anything in the law that says a TBC member must be reinstated by a majority vote of the council. The fact is, those that make these assertions are not operating within the scope of law, but rather their own personal opinions. You will also notice that in the case of voting to suspend a Council Member, the minority vote is protected by tribal law, not the will of the majority.

There are those that have been adamant that the majority rule to relieve me of my duty (an unconstitutional act) in order to investigate misconduct should supersede a constitutional vote to suspend me. Clearly, anyone with a basic understanding of our Constitution can see that their argument has many flaws. Using this sort of logic one must absolutely be acting with bias, for personal reasons, and most surely not applying our Constitution. To the onlooker, their argument may have merit; but that's before we look at the language found in our supreme governing document as it relates to this situation. There is no wiggle room here, the motion to suspend was made, seconded, and voted on. The count was 4 yes, and 2 no. 5 votes were not cast to find me guilty of misconduct. Therefore, according to the Constitution, we should be moving forward to other things. Unfortunately, we are not moving forward. We are stagnated by several Council Members who do not like the outcome of the vote to suspend. What's more, we are not able to conduct business because of those collective views.

Up to this point, as I write this letter to all of you, the Council has held at a regularly scheduled Tribal Business Council Meeting with all seven members present where the majority refused to transact tribal business. Their refusal to take part in their constitutional duty has put our tribal government and economics in jeopardy. Given the rhetoric from several Council Members I do not see any indication that they intend on changing their views and getting back to work. This is absolutely dangerous to our tribal governance. During this period of the year, we are supposed to be reviewing budgets and passing them. In addition to the normalcy of passing budgets, we also have several significant projects in the balance because of this obstruction. For any objective tribal member, it is plain to see that this is willfully ignoring our Constitution. I hope you will agree that this has taken a turn for the surreal. It is incumbent upon the tribal leadership to get past personal feelings and get back to serving the people of the Susanville Indian Rancheria.

Our Tribe cannot afford to be restricted from operations. While I certainly respect that there are Council Members that have issues with my personal life, none of us are above the Constitution and we should never stand in the way of providing governance to the people. The Tribal Business Council exercised its rights under tribal law to suspend me.

Tribal Chairman's Report (Cont'd)

The vote did not pass, at that point - according to the Constitution - we all have a duty to carry on with governing. I cannot understate the importance of what I am communicating to you and I am asking for your help. Please assist me in helping the SIR get back to working for all of you, and not working for vocal minority obsessed with personal vendettas.

It is only right and fair that I communicate how all of this has come to pass. I do so, because I sincerely believe in the value of integrity. Therefore it is extremely important to express the proper context to all of you.

Over the last several months I have struggled with issues in my personal life. My significant other of almost 5 years had decided to end our relationship. As every relationship has its struggles, ours was no different; and, as things came to a head and the decision was made, our worlds were turned upside down. At the time I did what I felt was right, and I signed my Rancharia home, along with everything that we built together, over to her. I walked away from this long term relationship with my clothes, and personal possessions, nothing more. As with every significant breakup, I went through a very dark time. In all honesty, I still love her and would go back to her in a heartbeat. She was my life, she was all I could hope for.

I began drinking heavily at home, and eventually ended up sitting at the bar in our Casino. In my mindset at the time, it completely escaped me at how my presence drinking in our Casino would appear to all of you. My depression was deep, and I just didn't want to feel anything. While it seems like an impossibility right now, the reality of losing everything hit me very heavily. I continued to frequent the Casino, and as things go in Indian Country, my drinking and interactions with people were the subject of great speculation and rumor. Obviously, my choice to drink at the bar was a horrible one and it was a choice that I am still suffering for today.

This fog of mine had gone on for over a month. In that time there were rumors of me fighting, being kicked out, throwing up in the Casino, attending underage house parties, and a whole array of other things. At a certain point, I began to realize what my conduct was doing to my reputation, and so I made the decision to discontinue my frequenting of the Casino bar. Unfortunately, the damage had already been done. Our community was rife with many stories about my conduct, and it was clear that I had single handedly destroyed the reputation I had worked so hard to build. It's important for you to understand - whether you agree or not - that there is not a day that goes by that I do not regret making the decision to sit at the bar for hours and consume alcohol. There is not an acceptable excuse for my conduct, even though no laws were broken, no fights actually happened, etc., I should have risen above that sort of thing.

Shortly after my choice to straighten things up, I was scheduled for a tribal business trip to Agua Caliente and upon the eve of my return, the Vice Chairman called to inform me that my former significant other had submitted a packet of allegations against me that they were quite serious, and that the TBC would hold a Special Meeting to discuss how they would deal with me. Given the nature of the conversations between me and my former significant other over the weeks after our breakup, I was very aware of what she had done, because she had threatened to do this for weeks.

I arrived back home on that Thursday and I reported to the TBC the next morning to review the evidence against me and to make a statement to my colleagues.

Once I was given the opportunity to review the packet that she had submitted to the TBC, I could instantly see the motivation. Though I was the one that was broken up with, she was quite angry to find out that I had met another woman after our breakup. Shortly thereafter is when the packet was submitted. I must honestly say, the contents of her submission were fierce and calculated. She made allegations that I had breached confidentiality on numerous occasions during private conversations I had with her in our home. She listed the different instances of the violations very specifically. Her submission was summed up by alleging that I had been in the Casino fighting people, getting kicked out, and vomiting on the premises in front of the public. Her request, or suggestion, was that the Council remove me, because she felt that I was unfit to be the Chairman. Obviously with a submission like the one she put forth, it was pretty damning.

I made my statement to my colleagues about her submission. On the points that she made about the conversations that we had over the course of this year, I admitted that I had several conversations with her in the privacy of our home. I also stated to the Council that these conversations were not one sided as she engaged in these conversations, and at times even prompted them. This woman is a person I trusted with my life. I never felt that I was violating the Tribe's integrity by communicating with a spouse like person with whom I was so intimate with. I expressed to the Council that while I did have these conversations with her, there is no one else that can make the same charge against me. I have not held these sorts of conversations with anyone else. That being said, I find it very hard to believe that I am the only Council Member that has had these sort of conversations with a spouse or spouse like person, and I am confident that you would agree.

With that, the Council excused me and began deliberating my fate. On that day I stood ready to face whatever punishment the Council saw fit, and at that point the only thing that could be done in accordance with tribal law was to suspended. Shortly thereafter, I received a call from the Vice Chairman to meet him at my office, and so I did. He read two motions to me. One stated that I had been relieved of my duties without pay until further notice, and the other was to initiate an investigation. At first I was angry because I did not see what there was to investigate, as I had already admitted to the conversations. The Vice Chairman advised me that I was under investigation for my conduct at the Casino. During that meeting, the TBC did not ask me a single question about my conduct at the Casino, so I was unaware of the charges, but I was very confident that nothing would become of it. Be that as it may, I knew that what they were doing was unconstitutional, but I made the decision to submit so that they could perform the investigation.

Over the course of the next two weeks, the investigation ensued. It was performed by the Vice Chairman and the Secretary/Treasurer. Upon the completion of their investigation, the TBC met to review the evidence and to make a determination on my fate. I was not allowed to be present at

Tribal Chairman's Report (Cont'd)

this meeting to see the evidence, nor was I allowed to field any questions or make statements in my own defense. Though I have been informed that the investigation did not bear fruit the basis for the motion to suspend me was for my previous admission of the conversations I had with my former significant other. The Secretary/Treasurer made the motion, it was seconded and voted on. As we all know, the vote was not successful in suspending me.

Since that time the TBC has met with the Tribe's Legal Counsel for direction regarding the Constitutional matter. The legal counsel that gave this informed opinion has been involved in the development of many portions of our tribal law. He is very experienced with the SIR and cannot be taken as not credible. The Attorney has advised the Council of several important points which can be found in italics below;

My advice is that the Tribal Chairman is not currently suspended and has the authority to perform his duties as Chairman.

As I explained in a previous email the TBC motion on September 19, relieving the Tribal Chairman of his duties without pay wasn't two separate actions: (1) relieve the Chairman from duty and (2) not pay him. It was one motion to relieve him from duty without pay. The other motion directed an investigation into the allegations of the Tribal Chairman's misconduct.

The Tribal Constitution in Article IV, Section 3 provides for the suspension of a member of the TBC, if the member is found guilty of gross misconduct by a vote of at least 5 TBC members. (See, also, Bylaws of the Susanville Indian Rancheria, Art. III, Section 1, 9 [No member of the Tribal Business Council shall be suspended or removed from office except in accordance with Article IV, Section 3 of the SIR Constitution].)

On September 30, 2016, the results of the investigation were presented to the TBC and a motion was made to find the Tribal Chairman guilty of misconduct and on that basis suspend him. The motion passed on a vote of 4-2, which does not result in a suspension of the Chairman under the Constitution.

If the motion on September 19, relieving the Tribal Chairman of his duties without pay, were interpreted to remain in effect until the TBC voted to reinstate the Tribal Chairman, it would violate Article IV, Section 3 of the Constitution and Article III, Section 1, 9 of the Bylaws, which prescribe the requirements for suspending or removing a TBC member. Relieving the chairman without pay, pending an investigation of charges, might be justified as a pre-suspension protection of the tribal

community, but making that suspension permanent, pending further action by the TBC, would clearly exceed the authority of the TBC under the Constitution, unless the suspension were based a finding by not less than 5 TBC members that the Chairman was guilty of misconduct warranting suspension under the Constitution.

For that reason, in my opinion the only way to interpret the action by the TBC on September 19 that complies with the Constitution is that the action relieving him of his duties without pay was temporary, pending the TBC considering the evidence produced by the investigation of the charges. That decision temporarily relieving the Chairman of his duties terminated, when the motion to suspend the Chairman on September 30 did not receive the required 5 votes in favor.

Consequently, there is still a majority of the Tribal Business Council that refuse to recognize the applicable elements of the Constitution. Several of them remain adamant that their vote on the 19th of September somehow supersedes the guidance found in our Constitution. They believe full heartedly that they must still vote to reinstate me. While my colleagues are entitled to their own way of thinking, none of us are entitled to our own facts. The legal professional that has weighed in on this has presented facts and they are undisputable. Therefore, I have legally resumed my duties as the Chairman and continue to work towards progress for our people.

Let me be clear. I am in no way proud of going to the Casino to get drunk off of alcohol. I have acted weak, and with self loathing. I sincerely regret my actions and what's more, I have ceased any drinking in our Casino or in any bar in town. My priorities have been refocused, because there is still so much to do. I fully intend on finishing my term as your Chairman. I do not expect any of you to be happy or proud of my actions in the public and I am sincerely sorry for showing a poor example by drinking at the bar I pray you can find forgiveness.

However, I must state very plainly that I do not see that conversations I had in confidence - in the privacy of my own home - as a breach of confidentiality. My former significant other and I shared everything with each other. Which is to say that door swung both ways, as we were both classified as confidential workers for the Rancheria. Furthermore, I challenge you to think honestly about the other members of Council, both past and present, and tell me that you think I am the only Council Member that has had these sorts of conversations with a loved one in the privacy of his or her own home.

This whole experience has been one of the hardest and most humiliating experiences of my life. I am almost certain that I will be feeling the effects of this for years to come. However, I will not let any of this deter me from serving the Susanville Indian Rancheria. If you go back and read my campaign letters, you will find that we have either accomplished, or are working on, many of the things I told you we would strive to achieve. I will remain steadfast in my efforts to improve our

government and to obtain more economic success. I have shared these things with you because I want you to finally hear it from me. This way you can make your own informed opinion. I will work for all of you until the last day of my term, or until I am asked to leave by the General Council. I pray, you appreciate my honesty and see that I am sincere in my duties to all of you. Thank you for your time and I continue to hope for your support.

Grants Update

The SIR continues to work diligently seeking grant funding to complete additional activities and begin new programs. This quarter we are focusing on identifying and applying for more grants for health care activities. We have identified an opportunity to support Mental Health services, and will be submitting an application in December.

This upcoming quarter will also support the continuation of the NRD environmental programs. Our NRD program is primarily financed by EPA grant funding, and these applications are due in December, January, and February.

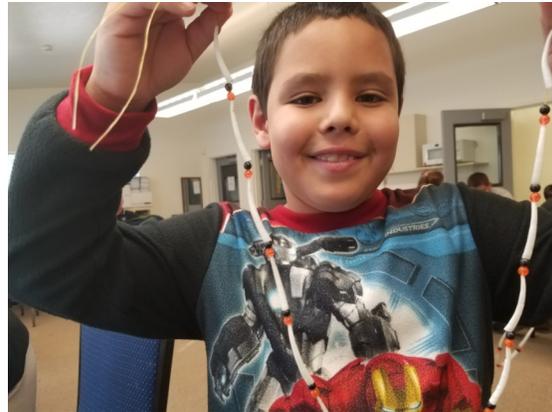
We will also be doing some preliminary planning for the language and education programs as we anticipate the release of these grants to occur in January 2017.

Susanville Indian Rancheria Education Center

SIREC Programs include Academic Year After-school (K thru 8th grade) tutoring program, Child Care Voucher Program, Library, Summer Youth Enrichment programs (K thru 8th Grade) and the Teen Center program.

Education Center Staff:

Anna Pasqua– Director
Trudy Detrick– Admin. Assistant
Eliseo Soto – Tutor
Jeremy Melton– Tutor
Jesus Soto – Tutor
Destinee Gibson – Driver/Tutor
Rafael Pimentel–On-call Driver/Tutor
Kurt Merino– On-call Driver/Tutor



Dates to remember:

- **School Minimum Day October 31st, Center closed**
- **End of first Trimester November 4th.**
- **Veterans Day– November 11th, Center Closed.**
- **School Minimum Days November 14th-18th, Center closed.**
- **School break November 21st-25th, Center closed**

Academic Year After School Program (K thru 8th Grade)

We have 38 children enrolled in our after school program. With a daily average of 33 students. We are still accepting applications. Our Academic Year session began on August 29, 2016. Our program runs from Monday thru Friday from 2:30pm to 4:45pm. Snack is free for students in the program.

What Education Center has been doing:

- **Legends and Lyrics workshops held in August in collaboration with the SIR Tribal Government Liaison Committee.**



SIREC donated a ream of paper to each of our partner Susanville school district schools, McKinley, Meadowview and Diamond View schools at the beginning of the school year.



Susanville Indian Rancheria Education Center

What Education Center has been doing:



- Gordon Crutcher taught students Paiute language through activities.
- Brandy McDaniels taught students about Dentalium shells and students made necklaces.



- Children made appreciation cards for the Elders for the upcoming Elders day.
- SIREC children will be trick-or-treating at Tribal Departments on Friday, October 28, 2016 from 3:30pm to 4:45pm.



We are looking for a Tutor/Driver, please contact our HR department if you are interested

Wanted SIR Tribal Member College Grads!

SIREC is initiating a project called "For the Honor of our Relations", we would like your participation by using your story of success. We plan to place pictures and narratives of our college graduates so youth can be inspired to do well in school. To participate please call us at (530)252-1658

SIR Teen Center:

3:00pm to 6:00pm SIR GYM M thru F

Teen Center Staff:

Maria Castro— Youth Advocate

What has the Teen Center been doing?

- Teen Center is now open for the Academic Year!
- Teen Center is offering Academic Assistance and Leadership Activities, Free Transportation, and Snack for Teen participants.
- Please complete enrollment packet to participate.



Public Works Department

The road continues to be closed starting at the corner of Numa & Spring Ridge Road and continues to Kei-Deh Street. The proposed date to reopen the road will be the second week in November, provided there are no unforeseen issues. We will do our best to keep you informed.

The Maintenance Department has just finished crack sealing on all our roads and parking lots and has completed all stripping in the parking lot at the LIHC and Resource Center/Tribal Office. We are currently getting ready for winter and getting our snow equipment prepared for hopefully a lot of winter storms. As a reminder we always need on-call persons to help during the winter months with snow removal. Please contact the Human Resource office to fill out an application.

Pets

Remember to keep your pets protected and make sure they have plenty of water and shelter. If you live on the Lower Rancheria and you have a problem with dogs call the City of Susanville at 257-2171, for the Upper Rancheria call SIR Public Works at 257-1128.

Considerations

An article in USA Today, that examined chained dogs, determined that dogs that are leashed in yards are more likely to suffer from anxiety problems. They are also more likely to display hostile behavior than those that are untethered. According to the article, dogs that are chained often have a lack of social interaction, which damages the dog's psychological well being. This can lead to an increased desire to chase or bite a person. It is illegal to keep your dog chained for more than 4 hours per day.



Reminder!

If you are using Tribal Land to enjoy your ATV'S, please stay on the main roads, riding off the main roads causes' severe damage and erosion. Please remember no ATV's on the Water Tank Road.

Please help preserve our Tribal Roads and lands.

Susanville Indian Rancheria Public Transportation Program

Notice of Public Information

Implementation of Hours of Service as of May 2, 2016

The Susanville Indian Rancheria Public Transportation Program will introduce new hours of service as a way to help meet the increasing costs of providing service. We are seeking input from the service area communities of Lassen, Tehama, and Shasta Counties on the proposed hours of service.

Hours of Service for Summer & Winter!

Departure Time	<u>Stop Location</u>
7:30 am	Susanville Rancheria Gym
8:05 am	Westwood Comm. Center
8:35 am	Chester Holiday Market
10:05 am	Red Bluff Transit Center
10: 55am	Redding Transit Center (Drop Only)
Lunch	11:00am - 12:00pm (Redding)
12:05pm	Redding Transit Center
1:05 pm	Red Bluff Transit Center
2: 05pm	Redding Transit Center (Drop Only)
3:05 pm	Red Bluff Transit Center
4:35 pm	Chester Holiday Market
5:05 pm	Westwood Comm. Center
5:40 pm	Susanville Rancheria Gym

Contact Information: Susanville Indian Rancheria Public Transportation Program

530-257-1128



Lassen Indian Health Center
Susanville Indian Rancheria
795 Joaquin Street
Susanville, CA 9130
530-257-2542

Lassen Indian Health Center's Chief Operating Officer's Message

Here at Lassen Indian Health Center–Susanville Indian Rancheria, we understand that healthcare is evolving. The advance in medicine and strides in technology are providing local communities access to better healthcare. It is our desire to provide the best care in our region—high quality health care and continuity of health care. We offer the following services at LIHC:

- ◆ Primary health care
- ◆ Dental Care
- ◆ Behavioral Health/AOD Counseling
- ◆ Pharmacy
- ◆ Diabetes/Outreach Program
- ◆ Telehealth (Psychiatry/Pain Management/Endocrinology)
- ◆ Transportation
- ◆ Purchased/Referral Care

The comfort and care of our patients is our major goal. Lassen Indian Health Center desires to provide you with the tools needed to educate and increase your health awareness—with strong outreach and diabetes program. Our website is www.lihc.org--the site is to inform everyone of events and classes held at LIHC. Please be sure to contact us if we can help you in any way.

Respectfully,
Jacqueline J. Bae, PhD, MHA/MPH
CEO/COO



Fast Facts About Breast Cancer and Gender Gap

Each year in the United States, more than 200,000 women get breast cancer and more than 40,000 women die from the disease.

Men also get breast cancer, but it is not very common. Less than 1% of breast cancers occur in men.

Most breast cancers are found in women who are 50 years old or older, but breast cancer can happen to younger women too. About 10% of all new cases of breast cancer in the United States are found in women younger than 45 years of age.

Flu Vaccine Information for 2016-2017 by LIHC



1. The flu vaccine is essential for children.
2. Now is the time to get vaccinated.
3. This year's flu vaccine is only available as a shot.
4. It doesn't matter which form of the vaccine you get.
5. You can't get the flu from the flu vaccine.
6. If you catch the flu and are vaccinated, you will get a milder form of the disease.
7. There should be plenty of vaccine for everyone this year.
8. The influenza vaccine doesn't cause autism.
9. The flu vaccine can be given at the same time as other vaccines.
10. Children with egg allergy can still get the flu vaccine.

Human Resources Department News

Did you know that all of our current job vacancies are posted on our webpage?

Go to sir-nsn.gov/human-resources to check out our available jobs.



What to expect from our webpage:

- Current Open Positions with the Susanville Indian Rancheria
- Current Open Positions with the Lassen Indian Health Center
- Open Positions for our Boards, Commissions or Committee's
- Jobs open with SIRCO & DMSS
- Employment applications for Susanville Indian Rancheria, SIRCO and DMSS
- Boards and Committee's application.



Looking for a job but don't see what you want on our webpage?

If you are looking for a job, stop by the Human Resources Department and fill out an application. We often have positions that need to be filled on an emergency hire basis. These emergency hire positions can result in full time permanent work. Stop by our office and talk to Rietta, Alicia or Val. We are here to assist you with:

- Completing your application – finding the right job for you
- Assistance with creating a resume
- Job skills training

Susanville Indian Rancheria/Lassen Indian Health Center
Human Resources Department – 745 Joaquin Street – Susanville - 530-257-4921

Vendors Wanted



SIR Powwow Fundraiser Craft Fair

November 19th- 20th, 2016

Located at the SIR Joaquin Memorial Gym

845 Joaquin St, Susanville, CA 96130

For more info please call (530) 249-7192

Or Email SIRRECEPTIONIST@FRONTIER.COM



A Bake Sale and Indian Taco Sale will also be held during the event. For more information contact

Anne at (530) 251-5192