SUSANVILLE INDIAN RANCHERIA

REGULARLY SCHEDULED MEETING
OF THE
SUSANVILLE INDIAN RANCHERIA
TRIBAL BUSINESS COUNCIL
NOVEMBER 15, 2016
4:00 P.M.

A. **Call to Order.** Meeting called to order by Tribal Chairman, Brandon Guitierez, at 4:03 p.m. A quorum was present.

B. **Roll Call.** Taken by: Arian Hart, Vice-Chairman. Present were: Brandon Guitierez, Tribal Chairman; Arian Hart, Vice-Chairman; Aaron Brazzanovich, Jr., District 1 Councilman; Robert Joseph, District 2 Councilman; Tina Sanchez, Member At-Large; and Marvena Harris, Member At-Large. Absent was Tribal Secretary / Treasurer, Aaron Dixon, Sr.

RECORDER: Christi Choo.

STAFF: Rietta Amador, Anna Pasqua, Alan Dowdy, Sara Hubert, Chandra Jabbs, Roselynn Lwenya, Jim Mackay, Valerie McCormick, Keven Ormiston, and Ilma Willard.

GUESTS: Deana Bovée, Elaine Brazzanovich, Wanda Brown, Lupe Carman, Stacy Dixon, Marvin Harris, Jean La Marr, Pat La Marr, Janet La Marr-Crutcher, Amelia Luna, Laura Urmson-Guitierez, Gretchen Cox, Gary Gladstone, and Campbell Jamieson.

C. **Review and Approval of the Agenda.** By CONSENSUS among the Tribal Business Council that all reports will be FYI due to the amount of action items on the agenda.

MOTION to approve the agenda with changes. (E.18, remove the word "Action" and replace with "Ratification." Add: H.4. Stipends, H.5 Personal Policies and Procedures regarding the Secretary/Treasurer, and H.6 Letters).
Made by: Arian Hart,
2nd by: Aaron Brazzanovich, Jr.
Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

D. Reading of the Minutes of September 2, 2016 for approval.
Discussion was held stating that the Emergency meeting was not called within the SIR By-Laws.

MOTION to approve the September 2, 2016 minutes.
Made by: Robert Joseph,
2nd by: Arian Hart.

MOTION to remove the motion to approve the September 2, 2016 minutes.
Made by: Robert Joseph,
2nd by: Arian Hart.

CONSENSUS to move the September 2, 2016, meeting minutes to Closed session.

Reading of the Minutes of September 16, 2016 for approval.

MOTION to approve the September 16, 2016 minutes.
Made by: Arian Hart,
2nd by: Tina Sanchez.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

Reading of the Enrollment Minutes of September 20, 2016 for approval.

MOTION to approve the September 20, 2016 Enrollment meeting minutes.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

Reading of the Minutes of September 20, 2016 for approval.

MOTION to approve the September 20, 2016 minutes.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

Reading of the Minutes of October 3, 2016 for approval.

MOTION to approve the October 3, 2016 minutes.
Made by: Robert Joseph,
2nd by: Arian Hart.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

Reading of the Minutes of October 4, 2016 for approval.

MOTION to approve the October 4, 2016 minutes.
Made by: Arian Hart,
2nd by: Robert Joseph.

Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

E. Reports.

1. **FISCAL.** This report was for informational purposes only.

2. **California Tribal TANF**. This report was for informational purposes only.

3. **California Indian Manpower Consortium (CIMC).** This report was for information purposes only.

4. **Pow-Wow Committee**: This report was for informational purposes only.

5. **Neighborhood Watch.** This report was for informational purposes only.

6. **Native Elders Circle**. This report was for informational purposes only.

7. **Diamond Mountain Casino and Hotel**. This report was for informational purposes only.

8. **Gaming Commission.** This report was for informational purposes only.

9. **SIRHA.** This report was for informational purposes only.

10. **Public Works Department.** This report was for informational purposes only.

11. **IT Department.** This report was for informational purposes only.

12. **Education Department.** This report was for informational purposes only.

13. **Natural Resources Department.** This report was for informational purposes only.

14. **Human Resources.** This report was for informational purposes only.

15. **Tribal Administrator.** This report was for informational purposes only.

16. **Tribal Secretary/Treasurer.** This report was for informational purposes only.

17. **Tribal Chairman.** This report was for informational purposes only.

F. Unfinished Business.

1. **Election Board Application**. Discussion was held regarding the Election Ordinance, specifically processing Election application(s) for committee members with no further action taken.

G. Action Items.

1. **Higher Education Scholarship.** It was the CONSENSUS to TABLE the Higher Education Scholarship request until the next Tribal Business Council meeting scheduled for December 6, 2016.

   CONSENSUS to TABLE the Higher Education Scholarship request by the tribal member and bring the Higher Education Ordinance to the next Tribal Business Council meeting for discussion on possible changes.

2. **Enrollment List #36/Set Enrollment Meeting Date.** The Enrollment Coordinator requested approval of List #36 and setting of special meeting.

   MOTION to approve Enrollment List #36.
   Made by: Arian Hart.
   2nd by: Robert Joseph.
   Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

   CONSENSUS to set the Enrollment Meeting for List #36 for January 17, 2017, at 3:00 p.m. in the Tribal Modular Conference Room.

3. **Updated NAGPRA Coordinator Position Description.** The Environmental Coordinator stated that the updated position description will include additional responsibilities that have accumulated over the past ten (10) years and increase the starting pay rate to reflect the position changes.

   MOTION to approve the updated position description for the NAGPRA Coordinator.
   Made by: Arian Hart,
   2nd by: Robert Joseph.
   Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

   MOTION to change the salary schedule to match the NAGPRA Coordinator position description.
   Made by: Arian Hart,
   2nd by: Robert Joseph.
   Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

4. **Updated Tribal Historic Preservation Office Position Description**. The Environmental Coordinator stated that this position will include additional responsibilities and increase the starting pay rate to reflect the position changes.

   MOTION to approve the updated position description for the Tribal Historic Preservation Officer.
   Made by: Arian Hart,
   2nd by: Robert Joseph.
   Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

MOTION to change the salary schedule to match the Tribal Historic Preservation Office position description.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

5. **Resolution SU-BC-104-2016 (FY18 EPA GAP Application).** The Grants Writer presented the SIR GAP Application Summary for FY18 and requested approval.

   MOTION to approve the Resolution SU-BC-104-2016 (APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY [EPA], REGION 9 INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM [GAP] FY 2018.
   Made by: Robert Joseph,
   2nd by: Arian Hart.
   Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

6. **Personal Electronic Equipment Policy.** The IT Manager proposed to amend the Policies and Procedures to add the Electronic Equipment Policy.

   MOTION to amend the Policies and Procedures to add the Personal Electronic Equipment Policy.
   Made by: Robert Joseph,
   2nd by: Arian Hart.
   Vote: 3 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, 3 No (Aaron Brazzanovich, Jr., Tina Sanchez, and Marvena Harris), 0 Abstaining. MOTION FAILED.

7. **401 K Fiduciary Service Contract.** The Human Resources Manager presented information from Wilshire Associates Incorporated, regarding contracting for fiduciary services.

   CONSENSUS to TABLE the 401 K. Fiduciary Service Contract until the next scheduled Tribal Business Council meeting in order to have research conducted and to find out more on the company's performance.

8. **DOL Exempt Overtime Rule.** The Human Resources Manager presented the DOL Exempt Overtime Rule, regarding three (3) exempt employees.

   MOTION to increase the pay for the month of December 2016 for three (3) exempt staff to the new DOL overtime salary threshold of $47,476.00 per year. This would increase payroll for the month of December by $1,664.91.
   Made by: Aaron Brazzanovich, Jr.,
   2nd by: Robert Joseph.
   Vote: 6 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

9. **Chief Financial Officer Position Description.** The Human Resources Manager presented the Chief Financial position description and salary schedule.

   MOTION to approve the Chief Financial Officer position description.
   Made by: Arian Hart,
   2nd by: Robert Joseph.
   Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

MOTION to adjust the salary schedule to match the position description of the Chief Financial Officer.
Made by: Arian Hart,
2nd by: Aaron Brazzanovich, Jr.
Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

10. **Land Assignment Committee Member Appointment (1).** The Human Resources Manager, provided documents and information for the selection of one member for the Land Assignment Committee.

    By OPEN BALLOT, Ashley Dyer was approved to be on the Susanville Indian Rancheria Land Assignment Committee.

11. **TLC Washoe Representative (1).** The Human Resources Manager provided documents and information for the selection of one member for the Land Assignment Committee.

    By OPEN BALLOT, Stacy Dixon was approved to be the Tribal Liaison Committee Washoe Representative.

12. **Resolution No. SU-BC-102-2016 (Prevailing Wage Rates of SIRHA).** The Human Resources Manager presented Resolution No. SU-BC-201-2016 TO ADOPT THE TRIBALLY DETERMINED WAGE RATES FOR THE SUSANVILLE INDIAN RANCHERIA HOUSING AUTHORITY.

MOTION to approve Resolution No. SU-BC-102-2016 (RESOLUTION OF THE SUSANVILLE INDIAN RANCHERIA BUSINESS COUNCIL ADOPTING TRIBALLY DETERMINED WAGE RATES FOR THE SUSANVILLE INDIAN RANCHERIA HOUSING AUTHORITY).
Made by: Aaron Brazzanovich, Jr.,
2nd by: Tina Sanchez.
Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

13. **Items of Engagement Prior to Obtaining a Loan from Tribal Funds.** The Tribal Administrator presented "Items required prior to obtaining a loan from tribal funds" for future entities that are requesting a loan from the Tribe.

    MOTION to approve the document "Items required prior to obtaining a loan from tribal funds".
    Made by: Arian Hart,
    2nd by: Aaron Brazzanovich, Jr.
    Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

14. **Letter of Engagement to Provide Finance and Accounting Services.** The Tribal Administrator presented an updated letter of Engagement to provide Finance and Accounting Consulting Services for Susanville Indian Rancheria from Pat Mercier.

MOTION to approve the Letter of Engagement to Provide Finance and Accounting Services for Susanville Indian Rancheria from Pat Mercier, Consulting.
Made by: Tina Sanchez,
2nd by: Marvena Harris.
Vote: 6 Yes (Brandon Guitierez, Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, Tina Sanchez, and Marvena Harris), 0 No, 0 Abstaining.

15. **Ratification of Action Without Meeting (Annual Certification of Enrollment Rolls).** Tribal Chairman Guitierez requested ratification of the Action Without Meeting of the Annual Certification of Enrollment Rolls.

    MOTION to ratify the Ratification of Action Without Meeting to approve the Annual Certification of Enrollment Rolls.
    Made by: Arian Hart,
    2nd by: Aaron Brazzanovich, Jr.
    Vote: 4 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, and Tina Sanchez), 0 No, 2 Abstaining (Aaron Brazzanovich, Jr. and Marvena Harris).

16. **Ratification of Action Without Meeting (November 5, 2016 General Council Agenda).** Tribal Chairman Guitierez requested ratification of Action Without Meeting of the November 5, 2016 General Council Meeting Agenda.

MOTION to approve Ratification of Action Without Meeting to approve the November 5, 2016 General Council Meeting Agenda.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 3 Yes (Brandon Guitierez, Arian Hart, and Robert Joseph) 0 No, 3 Abstaining (Aaron Brazzanovich, Jr., Tina Sanchez, and Marvena Harris).

17. **Ratification of Action Without Meeting (2015 Draft Audit of the Governmental Department of the SIR by Bluebirds CPAs).** Tribal Chairman Guitierez requested Ratification of Action Without Meeting of the 2015 Draft Audit of the Governmental Department of the SIR by Bluebirds CPAs.

    MOTION to approve Ratification of Action Without Meeting to approve the 2015 draft audit of the Governmental Department of the SIR by Bluebirds CPAs.
    Made by: Robert Joseph,
    2nd by: Arian Hart.
    Vote: 4 Yes (Arian Hart, Aaron Brazzanovich, Jr., Robert Joseph, and Tina Sanchez), 0 No, 2 Abstaining (Brandon Guitierez and Marvena Harris).

18. **Ratification of Action Without Meeting (Fourth Loan Modification and Extension Agreement, Along with the Required Tribal Resolution).** Tribal Chairman Guitierez requested Ratification of Action Without Meeting of the Fourth Loan Modification and Extension Agreement, along with the Required Tribal Resolution).

MOTION to approve Ratification of Action Without Meeting to approve the fourth loan modification and extension agreement, along with the required tribal resolution, on the tribe's $300,000 in Certificate of Deposit that is being used for collateral by SIRCO Federal Services, Incorporated. The new term maturity date will be February 17, 2017.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 4 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Marvena Harris), 0 No, 2 Abstaining (Aaron Brazzanovich, Jr. and Tina Sanchez).

19. **Ratification of Action Without Meeting (Updated Diamond Mountain Casino and Hotel Policy Manual)** Tribal Chairman Guitierez requested Ratification of Action Without Meeting of the Updated Diamond Mountain Casino and Hotel Policy Manual.

    MOTION to approve Ratification of Action Without Meeting to approve the Updated Diamond Mountain Casino and Hotel Policy Manual.
    Made by: Arian Hart,
    2nd by: Robert Joseph.
    Vote: 3 Yes (Brandon Guitierez, Arian Hart, and Robert Joseph), 0 No, 3 Abstaining (Aaron Brazzanovich, Jr., Tina Sanchez and Marvena Harris).

20. **Ratification of Action Without Meeting (NEC Christmas Trip – Reno).** Tribal Chairman Guitierez requested Ratification of Action Without Meeting of the transfer from the tax account to the Native Elders Circle travel line item so that 15 elders can attend the Christmas trip in Reno, Nevada, November 26-27, 2016. Aaron Brazzanovich, Jr. will be driving the elders and is included in this request.

MOTION to approve Ratification of Action Without Meeting to approve the transfer of $600 from the tax account to the Native Elders Circle travel line items so that 15 elders can attend the Christmas trip in Reno, Nevada November 26-27, 2016. Aaron Brazzanovich, Jr., will be driving the elders and is included in this request.
Made by: Arian Hart,
2nd by: Robert Joseph.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, Marvena Harris), 0 No, 1 Abstaining (Aaron Brazzanovich, Jr.).

21. **Ratification of Action Without Meeting (Gaming Commission Information Request).** Tribal Chairman Guitierez requested Ratification of Action Without Meeting to give the Gaming Commission the information from the investigation of the Gaming Administrator.

MOTION to approve Ratification of Action Without Meeting to approve to give the Gaming Commission the information from the investigation on the Gaming Administrator.
Made by: Robert Joseph,
2nd by: Arian Hart.
Vote: 5 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, Tina Sanchez, and Marvena Harris) 0 No, 0 Abstaining (Aaron Brazzanovich, Jr.).

22. **Ratification of Action Without Meeting (Service Agreement between the SIR and J.C. Eaglesmith).** Tribal Chairman Guitierez requested Ratification of Action Without Meeting of the Service Agreement between the SIR Education Center and J.C. Eaglesmith for two (2) cultural presentations to the SIR Education and Teen Center on traditional native belief systems and how they offer guidance for behavior. The presentations will be held on November 10th at a cost not to exceed $450.00. The funds will come from the CDE and Teen Center budget.

    MOTION to approve Ratification of Action Without Meeting to approve a Service Agreement between the SIR Education Center and J.C. Eaglesmith for two (2) cultural presentations to the SIR Education and Teen Center on traditional native belief systems and how they offer guidance for behavior. The presentations will be on November 10th at a cost not to exceed $350. The funds will come from the CDE and Teen Center budget.
    Made by: Arian Hart,
    2nd by: Robert Joseph.
    Vote: 4 Yes (Brandon Guitierez, Arian Hart, Robert Joseph, and Tina Sanchez) 0 No, 2 Abstaining (Marvena Harris and Aaron Brazzanovich, Jr.).

23. **Ratification of Action Without Meeting (2017 IHP).** Tribal Chairman Guitierez requested Ratification Without Meeting of the 2017 Indian Plan.

    MOTION to ratify the Action Without meeting to approve the 2017 Indian Housing Plan.
    Made by: Arian Hart,
    2nd by: Robert Joseph.
    Vote: 3 Yes (Brandon Guitierez, Arian Hart, and Robert Joseph) 0 No, 3 Abstaining (Aaron Brazzanovich, Jr., Tina Sanchez, and Marvena Harris).

24. **Special Tribal Business Council Meeting Date for FY 2017 Budget**. Tribal Chairman Guitierez stated that a date needed to be set to start working on the Final FY 2017 Budget based on the draft budget that was presented on October 3, 2016.

    CONSENSUS to hold a Special Tribal Business Council meeting on November 28, 2016 at 12:00 p.m. (noon) at the Tribal Resource Center to go over the 2017 tribal budget. If an additional meeting date is needed, that date will be set at this meeting.

H. Discussion Items.

1. **Amended PAC By-Laws**. The Education Programs Director discussed restructuring the Education Center to include the Teen Center and amendments to the existing Education Center Parent Advisory Committee By-Laws to include the Teen Center. One Parent Advisory Committee will be formed with parents from both the Education Center and Teen Center.

2. **EPA Quality Assurance Project Plan (QAPP)**. The Natural Resources Director discussed having an approved QAPP that will allow the SIR to conduct scientific water quality monitoring on tribal trust land and seek EPA funding in support of these activities.

3. **Native American Advisory Committee Nominations (NAAC).** The Tribal Administrator stated that Caltrans is soliciting nominations from Tribes and Indian organizations to fill eight (8) vacancies of the Native American Advisory Committee (NAAC) effective January 1, 2017.

4. **Stipends**. A discussion was held regarding the Tribal Business Council stipends for council members who were not in attendance at regularly scheduled meetings.

5. **Personal Policies**. District 2 Councilman, questioned the Roles and Responsibilities of the Secretary/Treasurer, regarding the SIR Fiscal Office.

6. **Letters.** A discussion was held in regards to the recent letter sent out by Councilwomen, Harris, Sanchez, and Richards. Councilwoman Harris stated that the Secretary/Treasurer approved their letter for mailing.

** **Quorum was broke at 6:45 p.m.**

Submitted by:

Aaron Dixon, Sr., Secretary/Treasurer

ATTEST:

Brandon Guitierez, Tribal Chairman