

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Wednesday, August 25, 2010
Bunk House, Summit Lake Reservation

CALL TO ORDER. At 3:53pm, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Member Randi DeSoto as Acting Secretary/Treasurer called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Randi DeSoto. Absent: Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Also present: Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; David Swearingen, Federal Energy Regulatory Commission (FERC), Ruby Pipeline Project Manager; Paul Friedman, FERC, Senior Technical Expert; John Clarke, Esq., Holland & Hart (representing Ruby Pipeline); Dan Gredvig, El Paso Corporation/Ruby Pipeline; and, Craig Young, Far Western Anthropological Firm.

MEETING WITH FEDERAL ENERGY REGULATORY COMMISSION ON NEVADA MEMORANDUM OF AGREEMENT

Council Chairman Warner Barlese told Mr. Friedman that he had the floor to discuss why FERC was conducting the consultation session with the Summit Lake Paiute Council (Council).

Mr. Friedman and Mr. Swearingen explained the purpose of their meeting with the Council, the background on FERC on natural gas projects. Mr. Swearingen apologized for any past differences and advised that when future projects occur the process will be different and will include input from Tribes.

In response to Council Chairman Warner Barlese advising that meaningful consultation only occurs if people with authority are at the table. Mr. Friedman advised that he was the highest ranking person but that he had to check with management before any decisions could be made. In response to Mr. Swearingen advising that FERC had conducted consultation with the Summit Lake Paiute Tribe when he and Laurie Boros, FERC, met with Mr. Johnny at the Tribe's Sparks office, Council Chairman Warner Barlese advised that the Tribe's Constitution (Articles of Association) require a quorum to be present for the Council to conduct business including participating in consultation sessions with federal agencies and no quorum of the Council was present when Mr. Swearingen met with Mr. Johnny.

Mr. Swearingen advised that what FERC has assumed wrongly is that silence of a Tribe means they don't want to be engaged.

The Council and Mr. Johnny discussed the great expense the Ruby Pipeline has cost the Tribe in money and personnel.

(At 4:44pm, Mr. Johnny left the meeting.)

(At 4:46pm, Mr. Johnny entered the meeting.)

(At 5:03pm, Council Secretary/Treasurer Jerri Lynn Barlese entered the meeting.)

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Council discussed with Mr. Friedman and Mr. Swearingen how consultation sessions could be conducted without the request for rehearing the Tribe filed with FERC, following the FERC April 2010 Order being issued. Mr. Swearingen advised that the Commissioners do not always decide a request for rehearing before the project is completed.

(At 5:33pm, Council Member Jerry Barr and Mr. Johnny left the meeting.)

(At 5:36pm, Council Member Jerry Barr and Mr. Johnny entered the meeting.)

BREAK At 5:40pm, it was the consensus of the Council to take a twenty (20) minute break.

CALL BACK TO ORDER. At 5:54pm, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, Randi DeSoto, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Also present: Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; David Swearingen, Federal Energy Regulatory Commission (FERC), Ruby Pipeline Project Manager; Paul Friedman, FERC, Senior Technical Expert; John Clarke, Esq., Holland & Hart (representing Ruby Pipeline); Dan Gredvig, El Paso Corporation/Ruby Pipeline; and, Craig Young, Far Western Anthropological Firm.

Mr. Friedman and Mr. Swearingen fielded questions from the Council, including discussing the Native American Employment Program that appears to have moved from EPG's management to either Far Western and Power Engineers management, and that the Council would decide on August 28, 2010 when the next consultation session with FERC would take place.

Mr. Friedman advised that he and Mr. Swearingen had to leave the meeting at 6:30pm.

(At 6:30pm, David Swearingen, Paul Friedman, John Clarke, Dan Gredvig and, Craig Young left the meeting.)

(At 6:38pm, Council Member Jerry Barr left the meeting.)

Council discussed that the next Council meeting would be on Saturday, August 28, 2010 on the Summit Lake Reservation starting at 10am.

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ADJOURN

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to adjourn. Motion seconded by Council Member Randi DeSoto. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the meeting was adjourned at 6:39pm.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the August 25, 2010 Special Meeting of the Summit Lake Paiute Council (Council) were approved by the Council during a duly called meeting of the Council on October 16, 2010, by a vote of 4 For, 0 Against and 0 Abstaining, and that Council Chairman Warner Barlese did not vote because there was no tie vote.

October 16, 2010
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council