

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, August 28, 2010
Bunk House, Summit Lake Reservation

CALL TO ORDER. At 12:45pm, 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, and Jerri Lynn Barlese. Absent: Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that the following persons were present: Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; Gene Seidlitz, Manager, Winnemucca BLM District Office; Mark Hall, Tribal Coordinator, BLM Winnemucca District Office; and, UNR Assistant Professor of Anthropology Geoffrey M. Smith.

AGENDA CHANGE Motion by Council Secretary/Treasurer Jerri Lynn Barlese to amend the Agenda by having the Government-to-Government Consultation Session with BLM take place first, and then the meeting with Professor Smith. Council Member Jerry Barr seconded the motion. Vote called. 3 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was not tie vote, declared the motion had passed.

UNFINISHED BUSINESS

1. Consultation with BLM Winnemucca District Office

BLM Winnemucca District Office Manager Gene Seidlitz and Tribal Coordinator Mark Hall discussed the BLM's work to discuss with Ruby Pipeline the re-route of the Ruby Pipeline re-route along the south boundary of the Sheldon Antelope Refuge as requested by the Council during the July 18, 2010 consultation along the Ruby Pipeline marked construction route north of the Summit Lake Reservation. Mr. Seidlitz advised that because of unspecified safety reasons, Ruby wanted the re-route to remain along the first proposed re-route proposed by BLM to the Council on July 18, 2010. Council Members discussed that Ruby's decision seemed contrary to Dan Gredvig's comments to the Council on August 25, 2010.

The Council asked Mr. Seidlitz if the mitigation the Council sought if construction remained across the One Mile Spring drainage, as shown in the Ruby proposed MACTEC report. Mr. Seidlitz said no mitigation was discussed with Ruby Pipeline. Council Chairman Warner Barlese advised Mr. Seidlitz that One Mile Spring is not only sacred but was the site of the Tribe's fish hatchery where Lahontan Cutthroat Trout eggs were hatched, and that the Tribe may use One Mile Spring for that purpose again thus the testing of One Mile Spring water quality and quantity is needed.

(At 1:10pm, William Cowan entered the meeting.)

Council discussed with Mr. Seidlitz and Mr. Hall that BLM is not listening to the Council when they express themselves that the construction route should be re-routed if mitigation is not going to be discussed with Ruby Pipeline.

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(At 1:32pm, Council Secretary/Treasurer Jerri Lynn Barlese left the meeting.)

(At 1:33pm, Council Secretary/Treasurer Jerri Lynn Barlese entered the meeting.)

Mark Hall will email the new draft (in Word and PDF formats) of the NAGPRA Plan of Action just for the Ruby Pipeline Project.

(At 2:01pm, James Barlese and Chris Brown entered the meeting.)

A tribal member expressed concern that Summit Lake itself should be tested for water quality given what Ruby Pipeline plans to do.

Mr. Johnny is to email to Mark Hall the Mahogany Creek Subwater Basin map.

BREAK At 2:17pm, it was the consensus of the Council to take a break.

CALL BACK TO ORDER. At 2:32pm, the Council Meeting was called back to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Absent: Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that the following persons were present: Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; Gene Seidlitz, Manager, Winnemucca BLM District Office; Mark Hall, Tribal Coordinator, BLM Winnemucca District Office; and, UNR Assistant Professor of Anthropology Geoffrey M. Smith.

Council discussed with Mr. Seidlitz that because of inclement weather over the last several days, BLM will have to cancel the 5 Mile Flat Site Visit to another day with just Mark Hall and BLM Winnemucca District Office archaeologist Sam Potter. Mr. Hall to talk with Mr. Potter and Mr. Pat Haynal and see if Saturday or Sunday, September 11 or 12, 2010, works for them.

(At 2:37pm, William Cowan, James Barlese and Chris Brown entered the meeting.)

Council agreed that the Site Visit on either September 11 or 12, 2010 will be informational only and that Mr. Seidlitz does not have to be there. Mr. Seidlitz said he should have an answer on the water quality and quantity monitoring testing mitigation soon.

Neither Mr. Seidlitz nor Mr. Hall said they have seen the Bengston Consultants ethnographic study involving Summit Lake.

(At 2:45pm, Mr. Seidlitz and Mr. Hall left the meeting.)

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NEW BUSINESS

1. Meeting Assistant Professor of Anthropology Geoffrey M. Smith, University of Nevada, Reno
Professor Smith advised he was new at the University of Nevada, Reno, and was the Executive Director of UNR's Sundance Archaeological Research Fund. Stone tools are his thing. Professor Smith told the Council that the purpose of his meeting with the Council was to assure the Council they would have an equal voice in any reports he writes, that he will be doing field work near the Summit Lake Reservation. Professor Smith explains his field work is on how people adapted to climate change 8,000 years ago from a wet climate to a dry climate, that his task is to find the earliest traces of people in the Great Basin—in caves and rock shelters. Smith said he carbon dates small samples of charcoal, and that he understands the Tribes' concerns of removing artifacts which is not his interest. Smith said he is willing to use Tribe Monitors but his budget is not the same as Ruby Pipeline. Smith said he has no interest in burials, and unanticipated discovery would cause his project to end immediately. Smith said he is willing to help assist the Council when they need field work when his class schedule allows.

(At 3:17pm, William Cowan left the meeting.)

(At 3:18pm, Council Chairman Warner Barlese and Professor Smith left the meeting.)

(At 3:18pm, William Cowan entered and left the meeting.)

(At 3:23pm, Council Chairman Warner Barlese entered the meeting.)

(At 3:24pm, Chris Brown and James Barlese entered the meeting.)

APPROVAL OF MINUTES

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the May 15, 2010 Regular Meeting and waive the reading of the Minutes. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:25pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the June 19, 2010 Special Meeting, with the correction noted, and waive the reading of the Minutes. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:28pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the June 20, 2010 Special Meeting and waive the reading of the Minutes. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:30pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

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MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the July 17, 2010 Special Meeting with the correction noted and waive the reading of the Minutes. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:36pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of both July 18, 2010 Special Meetings, one at 10 Mile Spring and the other north of the Summit Lake Reservation, and waive the reading of the Minutes. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:38pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

REPORTS

a. Finance Department. Mr. Johnny shared with the Council the fund balances Ms. Winn had given him the day before the Council Meeting.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the proposed changes to the Tribe's Financial Management System Manual as proposed by Environmental Coordinator Ron Johnny and introduced the Resolution titled "Amending the Tribe's Financial Management System Manual," and waive the reading of the Resolution. Council Member Jerry Barr seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 3:52pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-13-2010 was enacted.

b. Environmental Protection Department. Mr. Johnny explained the tribal member created Environmental Inventory, and his Plan for implementing it given the concerns of the Council. William Cowan, Director, Natural Resources Department, submitted a letter he had written regarding the Environmental Inventory created by tribal members.

(At 4:08pm, Council Chairman Warner Barlese left the meeting.)

c. Natural Resources Department. William Cowan, Director, submitted a written report.

(At 4:10pm, Council Chairman Warner Barlese entered the meeting.)

(At 4:37pm, Mr. Johnny left the meeting.)

(At 4:49pm, Mr. Johnny entered the meeting.)

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MOTION Motion by Council Member Jerry Barr to approve and introduced the Resolution titled "Approval of 2011 Tribal Wildlife Grant Proposal To Be Submitted to the U.S. Fish and Wildlife Service," and waive the reading of the Resolution. Council Secretary/Treasurer Jerri Lynn Barlese seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 5:10pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-14-2010 was enacted.

MOTION Motion by Council Member Jerry Barr to approve and introduced the Resolution titled "Authorization of Tribal Consultants And Natural Resources Department Employees to Negotiate with United States Department of the Interior Agencies on Behalf of the Summit Lake Paiute Council To Identify Responsibilities And Prescribe Wild Horse Management For Protection of Natural Resources Within the Summit Lake Watershed And Surrounding Area Which Are Considered the Aboriginal Homeland of the Summit Lake Paiute Tribe," and waive the reading of the Resolution. Council Vice-Chairman Ernie Barlese seconded the Motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 5:10pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-15-2010 was enacted.

Mr. Cowan requested an Executive Session with the Council on a personnel matter. Upon inquiry, Mr. Johnny requested an Executive Session with the Council on a personnel matter.

(At 5:36pm, Council Secretary/Treasurer Jerri Lynn Barlese and James Barlese left the meeting.)

(At 5:37pm, Council Secretary/Treasurer Jerri Lynn Barlese and James Barlese entered the meeting.)

CONSENSUS It was the consensus of the Council that the Natural Resources Department Director was authorized to purchase one or two ELOO outhouses depending on cost of units to satisfy the existing Section 319 Non-Point Source grants as a demonstration project.

CONSENSUS It was the consensus of the Council that the Natural Resources Department Director was authorized to use the balance of Section 319 Non-Point Source grant funds to mitigate pit privies on the Summit Lake Reservation by purchasing a septic tank and necessary materials to serve the Fisheries Trailer.

BREAK It was the consensus of the Council to take a break.

CALL BACK TO ORDER. At 6:13pm, the Council Meeting was called back to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Absent: Randi DeSoto. Council Chairman Warner Barlese

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declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that William Cowan, Director, Natural Resources Department, was present.

EXECUTIVE SESSION It was the unanimous consensus of Council to go into Executive Session for 15 minutes to discuss a personnel matter. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the Council was in Executive Session from 6:43pm to 6:58pm.

(At 6:43pm, Mr. Johnny entered the meeting and was told to leave because the Council was in Executive Session.)

(At 6:58pm, the Council automatically came out of Executive Session.)

(At 6:59pm, William Cowan left the meeting.)

(At 7:00pm, Ron Johnny entered the meeting.)

EXECUTIVE SESSION Motion by Council Member Jerry Barr to go into Executive Session for 15 Minutes with Acting Chief Administrative Employee Ron Johnny on a personnel matter. Council Secretary/Treasurer Jerri Lynn Barlese seconded the Motion. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed by unanimous consensus at 7:01pm and the Council was in Executive Session until 7:16pm.

(At 7:16pm, the Council automatically came out of Executive Session.)

The Council discussed the proposed policy changing the duties of the Acting Chief Administrative Employee, and Directors of the Environmental Protection, Finance and Natural Resources Departments, and made numerous changes by hand writing since no electronic copy was available.

MOTION Motion by Council Member Jerry Barr to introduce the proposed policy changing the duties of the Acting Chief Administrative Employee, and Directors of the Environmental Protection, Finance and Natural Resources Departments with the changes noted. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 3 For, 0 Against and 0 Abstaining. At 7:51pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and the policy, as amended by the Council, was enacted.

ADJOURN

MOTION Motion by Council Vice-Chairman Ernie Barlese to adjourn. Council Member Jerry Barr seconded the Motion. 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 motion had passed and the meeting was adjourned at 7:55pm.

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I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the August 28, 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