

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Sunday, June 20, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

Call to Order. At 8:40am, the Council Meeting was called to order by Council Vice-Chairman Ernie Barlese.

Roll Call. Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Jerry Barr, Randi DeSoto, Ernie Barlese, and Jerri Lynn Barlese. Absent: Warner Barlese. Vice-Chairman Ernie Barlese declared a quorum was present.

(At 9:10am, Council Chairman Warner Barlese entered the meeting.)

Staff Present: Ron Johnny, Environmental Coordinator/Acting Chief Administrative Employee; William Cowan, Director, Natural Resources Department.

Guests Present: James Barlese.

UNFINISHED BUSINESS

Appointments to Combined Higher Education/Enrollment Committee. William Cowan asked what date vacancies occurred on the Combined Higher Education/Enrollment Committee, and when were tribal members notified of the vacancies? He stated the Summit Lake Paiute Tribe (SLPT) official membership list is out-of-date and includes individuals enrolled in other tribes as well as SLPT. William continued that Committee Members and Tribal Council need to be held accountable and fully understand their role and responsibility. And further that when a Committee is created, the Council is supposed to define the role of the Committee. He said this includes issuance of enrollment cards and maintenance of the enrollment list pursuant to SLPT's Enrollment Ordinance, which requires the enrollment list be updated every year. He asked when was the last time the enrollment list was officially approved by Council? Jerri Barlese stated she and Ron Johnny reviewed and updated the list and sent it to BIA.

Mr. Johnny stated the Committee vacancies were announced in a Tribal newsletter, which he believed is still posted on the office bulletin board. He said the system is about to change because Bureau of Indian Affairs (BIA) is going to the same software that SLPT now has, Progeny ES; once BIA gets done writing their new rules, tribes will be providing enrollment list updates via a download from their database. He said the Enrollment Committee has no role with regard to issuing enrollment cards since issuing enrollment cards is not mentioned in the Enrollment Ordinance.

Council Member Jerry Barr stated that he doesn't have experience with the enrollment process, but he would be willing to learn and assist with reviewing enrollment records.

Discussion followed about the notice and hearing process for removing an enrolled tribal member from the Tribe's membership. Mr. Johnny advised the Enrollment Ordinance states: a written complaint must be filed giving information on why a tribal member should be removed; that the Committee investigates the enrollment file of the tribal member named in the complaint, and, the Committee makes a recommendation to Council. Discussion followed regarding holding an educational session with Council and the Committee on the Enrollment Ordinance.

Council then discussed the 2009 Higher Education/Enrollment Committee. These Committees were combined as a cost savings measure. The 2009 Committee included Randi DeSoto, Nedra Crane and Cory Burdette as Primary members. Lorraine Watson served as the Alternate member. Their term expired December 31, 2009. Randi DeSoto reported the 2009 Committee was given a list of enrolled individuals and were told it was up-to-date.

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Mr. Johnny stated that the Tribe currently has about eight pending enrollment applications, some requests up to three years old. Four other individuals have picked up applications but have not yet completed them.

Higher Education. The Higher Education Policy dictates how the Committee responds to requests for higher education funding. Once an application is received, reviewed and deemed complete, the Committee makes a recommendation to Council. Individuals applying for these funds must be committed to continuing education. There is one person interested in getting scholarship funds for the summer but hasn't submitted a complete application. Mr. Johnny will contact the applicant and advise her that she needs to get her complete application in so the Committee can then review it.

Timeframes for submitting requests for higher education funding are July 15 for the Fall term, November 15 for the Winter term, and February 20 for the Spring term. Summer is not considered part of the regular term. Summer term awards are contingent upon funding availability. Summer students submit their requests no later than April 30th. College financial aid officers can write a letter to SLPT when deadlines are unable to be met.

Tribal members elect which Committee they wish to participate in. Council decided to talk to Frances Winn about funds for a separate Higher Education Committee.

Break. At 9:50am, the Council took a 10 minute break.

Call Back to Order. Council Vice-Chairman Ernie Barlese, as Acting Council Chairman, called the meeting back to order at 10am.

Roll Call. Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Jerry Barr, Randi DeSoto, Warner Barlese, Ernie Barlese, and Jerri Lynn Barlese. Vice Chairman Ernie Barlese declared a quorum was present.

Staff Present: William Cowan, Director, Natural Resources Department; Ron Johnny, Acting CAE/Environmental Coordinator; and Frances Winn, Tribal Accountant.

Guests Present: James Barlese.

Tribal Accountant Frances Winn recommended that the Council leave the Combined Higher Education/Enrollment Committee as is, that the Council could separate the two but we only have Higher Education money for awards, not for Committee stipends.

CONSENSUS It was the consensus of the Council to amend our Higher Education grant to allow for a separate Higher Education Committee with paid stipends.

MOTION Motion by Council Member Warner Barlese to accept William Cowan, Elizabeth DeLaLuz, and Delgadina Gonzales, as Primary members on the Enrollment Committee, and to accept Nedra Crane as the Alternate member. Motion seconded by Council Member Jerry Barr. Vote called. Vote: 4 For, 0 Against, 0 Abstentions. Council Vice-Chairman, as Acting Council Chairman, who did not vote because there was no tie vote, declared the motion had carried and welcomed the selected tribal members to the Enrollment Committee.

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MOTION Motion by Council Member Warner Barlese to (1) revise the Higher Education contract to include Committee fees, and (2) abolish the combined Higher Education/Enrollment Committee and making them separate. Motion seconded by Council Member Jerry Barr. Vote called. Vote: 4 For, 0 Against, 0 Abstentions. Council Vice-Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had carried.

Tribal Accountant Frances Winn will be preparing a draft modifying the Higher Education contract to include Committee fees.

Council Members then discussed the requirements of the Enrollment Ordinance: the following order of business shall be observed at each Enrollment Committee meeting:

- Roll call.
- Action and follow-up from previous meeting.
- New enrollment business.
- Next meeting agenda.
- Meeting date, time and location.
- Adjournment.

Committee members must select officers from amongst themselves. The Secretary/Treasurer of the Council shall provide the Enrollment Committee with necessary information to conduct business, and transcribe Enrollment Committee minutes. The Enrollment Committee can utilize executive sessions and there does need to be a quorum.

A letter will be sent to all newly approved Enrollment Committee members.

NEW BUSINESS

Blood Quantum on Enrollment Cards. William Cowan asked why it was necessary to change the optional blood quota on the enrollment cards. Blood quota is confidential information which is retained only as part of the Tribe's enrollment documentation. Each tribe has their own rules that define membership in that tribe. If a person produces an enrollment card to prove they are a recognized tribal member when accessing health care through Indian Health Service (IHS), that's all IHS would need. It is illegal for a clinic to request blood information. If you are a member of a federally-recognized tribe, any federal health clinic cannot deny services to you once you show your enrollment card. William asked to see a copy of documentation from a tribal clinic asking for blood quantum.

Council Vice-Chairman Ernie Barlese stated that he went to the Reno/Sparks Indian Colony clinic and their patient registration paperwork does ask what tribal band or reservation you are from and also asked about blood quantum. They asked to see an enrollment card.

Council Chairman Warner Barlese stated that Council reviewed two or three cards the Tribe used previously before choosing what information would be on the enrollment card.

William stated the Tribe has no way to prove or disprove total blood quantum. It would be considered hearsay. He is challenging the mandatory blood quantum requirement. He will be contacting the Reno/Sparks Tribal Clinic about their patient registration application and report back to the Council. He said his card doesn't state blood quantum

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and he had received unquestioned health care at IHS clinics in the past in California. Council Member Randi DeSoto said she may be able to get a new patient packet so that Council can review it and see what's actually being asked.

The Council discussed that the BIA also requests blood quantum when someone is seeking employment with the BIA. You have to fill out their forms showing that you are one half or more Indian blood, unless an approved waiver is in place.

William questioned why the blood quantum issue was discussed at the May 15, 2010 meeting when it wasn't on the agenda. He would have brought up his concerns then if he had known it was being discussed. The administrative procedures manual and policies were developed in the spirit of keeping tribal members informed and engaged in the government of the Tribe. William stated that Ordinances are reviewed at a higher degree of scrutiny. Before an Ordinance can be modified or passed, there is a requirement that there be a 45 day comment period. The interim policy on issuance of enrollment cards was passed without any notice to tribal members.

The reason for the interim, temporary policy, was that there were complaints about no written procedures in place for the issuance of enrollment cards.

Council Member Jerry Barr commented since blood quantum optional now, that if someone already has a 2010 enrollment card that shows blood quantum, and they want that information to remain private, we shouldn't charge the \$10 replacement card fee. Council agreed and stated the member would have to hand in the card they currently have prior to getting the revised card.

Discussion followed about informing tribal members of the blood quantum change. Jerri Barlese suggested putting it on the tribal website.

MOTION Motion by Council Member Warner Barlese to change the June 20, 2010 meeting agenda to add Amending the Interim Policy, Issuance of 2010 Tribal Enrollment Cards. Motion seconded by Council Member Randi DeSoto. Vote called. Vote: 4 For, 0 Against, 0 Abstentions. Council Vice-Chairman Ernie Barlese, as Acting Council Chairman, who did not vote because there was no tie vote, declared the motion had carried.

Mr. Johnny said he would amend the Interim Policy during the Council's afternoon break and prepare it for the Council's consideration.

Break. At 11:00am, it was the consensus of the Council to take a 10 minute break.

Call Back to Order. Council Vice-Chairman Ernie Barlese, as Acting Council Chairman, called the meeting back to order at 11:10am.

Roll Call. Secretary/Treasurer called roll. Present: Jerry Barr, Randi DeSoto, Warner Barlese, Ernie Barlese, and Jerri Lynn Barlese. Council Vice-Chairman Ernie Barlese, as Acting Council Chairman, declared a quorum was present and the Council could conduct business.

Staff Present: Ron Johnny, Environmental Coordinator/Acting Chief Administrative Employee; William Cowan, Director, Natural Resources Department.

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Guests Present: James Barlese.

REPORTS.

NATURAL RESOURCES DEPARTMENT REPORT.

Noxious Weed Workshop. Nineteen people participated in the workshop including Kent Bloomer who directed the event.

Summit Envirosolutions. On May 19 and 20th, Summit Envirosolutions conducted a cultural resource inventory on the reservation which was a requirement of the proposed fence project. The archeologists discovered what may be a prehistoric site. William said it was interesting to be in the field with the archeologists to see what they view as significant. The archaeologist was pretty excited at the discovery because they believed it to be an obsidian quarry for the region. William has not yet received Summit Envirosolutions report which will determine whether the site is significant enough to be considered a cultural historical property worthy of nomination to the national historic office. There were no other sites of significance. The report is expected any day. The potential quarry is located where the existing fence is. The fence project will change if the site needs to be protected. We'll have to explore alternatives for going around it.

Native American Land Conservancy. On June 3, William attended a Tribal Natural Resources Workshop which was a good overview of federal monies available for tribes. He networked with the Native American Land Conservancy representative for Southern Paiute bands. He connected him to Council Chairman Warner Barlese, Council Member Jerry Barr and Acting CAE Ron Johnny. This Conservancy is a national non-profit organization that could be an ally in the fight for Ruby Pipeline. The Conservancy has a large budget because they're connected to the casino industry. William recommended the Council become more familiar with this Conservancy.

2010 Noxious Weed Crew. On May 19, noxious weed technicians were hired. Treatment started June 1; weather delayed the project. The Department organized three crews which allows treatment during the weekends. About 50 percent of the effort is completed. When it was too wet to treat with herbicides, the crew manually pulled weeds. The herbicide shed is also completed.

Tribal Wildlife Grant. On June 10, William finished a Federal Recovery Permit application to perform the food web study. This Permit is required to allow taking Lahontan cutthroat trout for scientific purposes since they are considered a threatened species.

ARRA Road Repair Grant. William has reviewed documents related to this grant for road projects (\$17,800). The grant is top heavy with reporting and requirements. The Tribe would be subject to strict Davis Bacon regulations for individuals hired under this grant. The Tribe would also have to complete the road grading according to engineering specifications which the Tribe does not have in place, and, the project would have to be completed within 120 days. Thus The Tribe declined the award amount of \$17,800.00

EPA. William is working with a legal advisor for SLPT's Treatment As State (TAS) application, which has to be completed by June 30.

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Water Sampling. On June 6 and June 8 a water quality sampling occurred. The goal was to conduct sampling on the lake, but due to high winds, it was unsafe. There was peak runoff from snow so collection took place in the creek.

Wild Horse Management Plan. On July 10, the tribal member comment period closes. William and Rachael will be coordinating with the Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (FWS) to endorse the Plan. The Tribe needs BLM to step up to their responsibility for managing wild horses. They should be compensating the Tribe for damage caused by the horses.

Upcoming Events.

- June 25, cultural resource inventory. Once accepted, can go out to bid for fence construction.
- June 29, attend a water quality meeting at Pyramid Lake.
- June 30, drop dead date to close out Section 106 Clean Water Act, water quality grant.
- July 1, purchase skidster for ARRA grant.
- July 2, noxious weed crew will be laid off. We will retain several for a few more weeks.
- Maintenance workers are still being recruited.
- Quarterly reports are due July 7, 15 and 30.

Summer Interns. FWS offered to fund two summer interns. Frances and Ron met and decided that they could not provide supervision for interns. The FWS said we could share interns with another tribe or we could totally pass it to another tribe. Ron spoke to John Mosely at Pyramid Lake who said he could keep them busy 90% of the time. FWS is in the process of giving notice to Pyramid Lake about these funds.

Connecting People with the Environment. This nature event has not yet been funded. William will confirm with FWS on the status of this program. Since the initial target date was the end of July, William suggested postponing it until August. Logistically we need a little more time. He thought there was going to be more Council participation in the May 16 noxious weed workshop and there wasn't. He's hesitant about getting involved in another event at the reservation, because we may obligate ourselves and then have poor participation. Word would have to be given to the attendees in advance and they would have to commit to showing up. Mid to late August may work.

Council Chairman Warner Barlese asked what the budget is for the event. William thought it was \$4,500. Council directed that a meeting be held with FWS to clarify the budget and the timeframe for holding the event. It's going to be a publicity event on how FWS interacts with the Native American community. Initially we thought we could get thirty attendees, mostly children.

Discussion followed about Council members arranging to get children involved. Council Member Jerry Barr said he could get four. Council Member Randi DeSoto said she might get five. The kids have to be supervised and be able to take direction. Age group would include five years old and up. Maybe go to a site north of the reservation, talk about wildlife habitat diversity, and give them cameras to photograph nature. Rachael can develop a nature key so they can know what to look for. Target date will be August 13 and 14.

Break. At 12:00pm, it was the consensus of the Council to take a lunch break until 12:40pm.

Call Back to Order. Council Vice-Chairman Ernie Barlese, as Acting Council Chairman, called the meeting back to order at 12:40pm.

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Roll Call. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Jerry Barr, Randi DeSoto, Ernie Barlese, and Jerri Lynn Barlese. Vice Chairman Ernie Barlese, as Acting Council Chairman, declared a quorum was present.

Staff Present: Ron Johnny, Environmental Coordinator/Acting Chief Administrative Employee; Frances Winn, Tribal Accountant; and Tiffany Pack-Baleme, Finance Clerk.

Guests Present: James Barlese.

FINANCE REPORT

Tribal Accountant Frances Winn introduced Tiffany Pack-Baleme.

2010 Audit. The Tribe's 2009 Audit starts June 21, 2010 and will take place in the conference room. Two to three auditors will be present. They will randomly select payroll and A/P transactions for review against the general ledger. Finance training was provided to Council Member Randi DeSoto and Council Secretary/Treasurer Jerri Lynn Barlese on the Tribe's financial processes.

Indirect Costs. Once the 2009 Audit is over, Finance will begin working on the Indirect Cost proposal. The CFO Group will be assisting.

Deferred Revenue. Tribal Accountant Frances Winn needs to submit a pre-final report to BIA and will call to see if she can get approval to move the due date. Council Chairman Warner Barlese suggested a Council meeting with Frances Winn on July 10 since there is a Director's meeting scheduled on that day. Barbara Nelson and Tiffany Pack-Baleme will be manually checking accounts payable documentation for the years in question. A financial consultant will be preparing the financial report once the manual work is done.

Finance Report. Frances pointed out that only two Council members brought their computers so she will not be giving a Finance Report. Finance Department is going green, so all future Finance reports will be given via the computers and no longer on paper documents. Frances projects to have two sets of flash drives so that Council can take the reports home and review them and then Council would bring the flash drive back. She stressed that all computers need to be at each Council meeting so that we can begin the paperless process.

Council Member Jerry Barr asked that the indirect training be held on the same day as computer training. Target date will be July 10 for an all-day training event. Council needs to confirm with Ms. Winn that they will be able to attend. Council Chairman Warner Barlese will establish a time for the training on July 10.

Credit Card. The Council authorized the Tribal Accountant Frances Winn to establish a credit card account. Council Chairman Warner Barlese asked Tribal Accountant Frances Winn if she needed that in writing. Ms. Winn stated "no," as long as it's on record in the Minutes. The Finance Department will begin work necessary to get the credit card.

Segregation of Duties. Ms. Winn stated that we have established segregation of duties in the Finance Department and Finance is continuing to work forward to make things more effective and efficient.

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ACTING CHIEF ADMINISTRATIVE EMPLOYEE REPORT.

Mr. Johnny stated that due to important Ruby Pipeline issues, he was unable to prepare an Acting CAE Report.

ENVIRONMENTAL COORDINATOR'S REPORT.

Financial Management Systems Manual. The GAP grant requires an update of this manual. Mr. Johnny has reviewed the Financial Management Systems Manual and found that some simple changes are necessary, for instance being consistent with using the title of Tribal Accountant rather than Bookkeeper, and distribution of paychecks since we no longer use direct deposit. Mr. Johnny advised he would bring the proposed changes before the Council during its August 2010 Meeting.

Internal Review of Environmental Documents. Mr. Johnny drafted an Interim Policy on the Internal Review of Environmental Documents. The Policy will guide the opening and distribution of documents that pertain to activities that may impact the environments of the Summit Lake Paiute Reservation, Summit Lake Basin and traditional territory near the Reservation.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Interim Policy on the Internal Tribal Review of Environmental Documents Impacting the Environment of the Summit Lake Reservation, Summit Lake Basin and Traditional Territory Near the Reservation. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstentions. Council Vice Chairman Ernie Barlese, as Acting Council Chairman, who did not vote because there was no tie vote, declared the motion had carried and the Interim Policy was adopted.

Environmental Inventory and Plan (TEI&P). The GAP grant also requires an update to the Environmental Inventory. The original Inventory and feasible solutions list was created by tribal members in 2008 at a series of regional meetings. Mr. Johnny requested Council permission to hold three 2010 tribal member meetings to accomplish this, during which participants will rank issues by priority. The GAP grant can only reimburse the Chairman to attend these regional meetings. Council agreed that meetings will be scheduled for Summit Lake, Alturas and Susanville. The dates will be worked out with the Chairman.

Approval of Minutes. Approval of the minutes of the May 15, 2010 meeting was tabled to the July 17, 2010 meeting in Cedarville.

Government to Government Consultation. FWS Sheldon Refuge wants to complete their government to government consultation held May 15, 2010, and then proceed to new business which is the now 25 sacred items in Sheldon's possession, as well as the Sheldon/Ruby Transportation Plan. Council agreed to this meeting. Mr. Johnny will invite Paul Steblein of Sheldon to the July 17, 2010 meeting at the BLM Office in Cedarville. He is going to want Council to approve the Transportation Plan between Sheldon and Ruby. Ron suggested Council should walk the entire Ruby Pipeline path to see for themselves what changes have been made to the route.

Adjourn.

MOTION Motion by Council Member Warner Barlese to adjourn. Motion seconded by Council Member Jerry Barr. Vote called. Vote: 4 For, 0 Against, 0 Abstentions. Council Vice-Chairman Ernie

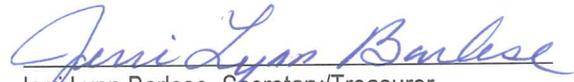
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Barlese, as Acting Council Chairman, declared the motion had passed and that the meeting was adjourned at 1:30pm.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the June 20, 2010 Special Meeting were approved during a duly called meeting of the Council on August 28, 2010, by a vote of 3 For, 0 Against and 0 Abstaining. Council Chairman Warner Barlese did not vote because there was no tie vote.

August 28, 2010
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council