

MINUTES
General Membership and Regular Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, October 16, 2010
Bunkhouse, Summit Lake Reservation

CALL TO ORDER. At 8:43m, the Council Meeting was called to order by Council Chairman Warner Barlese as acting chairperson.

ROLL CALL. Council Member Jerry Barr as Acting Council 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. Acting Council Secretary/Treasurer Jerry Barr advised that others present are: Tribe members Page and Alexandria Linton; Rachael Youmans, Wildlife Biologist, Natural Resources Department; and, Environmental Coordinator (Director, Environmental Protection Department) and Acting Chief Administrative Employee, Ron Johnny.

APPOINTMENTS TO HIGHER EDUCATION COMMITTEE

Council Members discussed the names of tribal members that had nominated themselves for combined Higher Education and Enrollment Committee before the Council separated the two Committees, and the tribal member who recently nominated herself for the Higher Education Committee.

(At 8:45am, Council Secretary/Treasurer Jerri Lynn Barlese and Mike Arend entered the meeting.)

(At 8:46am, Frances Winn entered the meeting.)

(At 8:48am, Tansey Smith entered the meeting.)

CONSENSUS It was the consensus of the Council that tribal members Nedra Crane, Melissa Eller and Elizabeth LeLaLuz were the primary members of the Higher education Committee and that tribal member Delgadina Gonzales is the alternate member.

NEW BUSINESS

- a. November 2010 Council Meeting
The Council decided that the November 2010 meeting of the Council would take place on Saturday, November 13, 2010 with a 9:00am start time.
- b. October 28, 2010 Government-to-Government Consultation Session
Council discussed the Thursday, October 28, 2010 Consultation Session the Council would be conducting with: the Federal Energy Regulatory Commission (FERC) through David Swearingen, FERC Project Manager of the Ruby Pipeline Project; and, U.S. Fish & Wildlife Service (FWS) that manages the Sheldon Refuge on the mitigation sought by the Council to Ruby Pipeline's planned use of the road on the Tribe's Indian Reservation Roads (IRR) System and re-route.
- c. November 2010 Training and Finance Meeting
Council discussed the four hour sessions they would be having with the Tribe's Finance Department on November 7 (computer and other training) and November 14 (review 2011 BIA recontract applications).

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d. Exploring Use of Skype for Council Meetings and Government-to-Government Consults

CONSENSUS It was the consensus of the Council that Acting Administrator/CAE Ron Johnny look into the Council using Skype to hold Consultations with federal agencies and departments, and Council Meetings.

e. Land Assignment Transfer

MOTION Motion by Council Vice-Chairman to approve the Lorieta Cowan Land Assignment Transfer to Warner Barlese, Warner's agreement to accept the relinquishment have been noticed to tribal members, and no one has objected. Council Member Jerry Barr seconded the Motion. Discussion by Council on tribal member Lorieta Cowan's desire. Vote called. VOTE: 4 For, 0 Against, and 0 Abstaining. At 9:12am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

(At 9:13am, Alexandria Linton left the meeting.)

REPORTS

a. Council Secretary/Treasurer.

Jerri Lynn Barlese reported that she attended the: September 21, 2010 Finance Department Meeting; September 25, 2010 Nevada U.S. Attorney Consultation with Tribes at the Federal Building in Reno; October 12, 2010 review of the sacred cultural resources items taken from Ruby Pipeline access routes by Pacific Legacy with the permission of BLM and now stored at the Nevada State Museum in Carson City; and, October 15, 2010 meeting with U.S. Fish and Wildlife Service in Reno regarding the IPA. Council Chairman Warner Barlese talked about how well the meeting with U.S. Fish and Wildlife Service went with Bob Williams and Sue Lackey.

CONSENSUS It was the consensus of the Council that Acting Administrator/CAE Ron Johnny schedule a meeting with: the new Fish and Wildlife Service Reno director who replaces Bob Williams who is retiring and ask that Bob Williams attend the meeting; the Sacramento Regional Fish and Wildlife Service Director to discuss the IPA during the May 2011 Council Meeting; and, with the new Nevada U.S. Attorney, Assistant Nevada U.S. Attorney Sue Fahami to come to the Summit Lake Reservation in May 2011 as they offered during the September 25, 2010 meeting.

(At 935am, Mike Arend entered the meeting.)

(At 9:40am, Rachael Youmans left the meeting.)

b. Acting CAE (Chief Administrative Employee) Report.

Ron Johnny gave a written and oral report with supplements.

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MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to introduce and approve the proposed Resolution, "Supporting Immediate Establishment and Implementation of the Nevada Area Office," and waive the reading of the Resolution. Council Member Randi DeSoto seconded the Motion. Discussion: Council discussed the benefits of tribal members who reside in Nevada by the establishment of an HIS Nevada Area Office. Vote called. VOTE: 3 For, 0 Against, 1 Abstaining. At 9:51am, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and Council Resolution SL-18-2010 was enacted.

- c. Environmental Protection Department Report.
Ron Johnny gave a written and oral report with supplements, advising that he would be leaving tomorrow for the October 19-20, 2010 Tribe-Region 9 EPA Regional Tribal Operations Committee (RTOC) Meeting in San Francisco, where he would be one of the Nevada Tribes RTOC Representatives, and the October 21-22, 2010 18th Annual Tribe-EPA Annual Conference, and that the GAP Grant would be paying the costs for Natural Resources Department Resource Technician Kent Bloomer to attend the RTOC and Annual Conference.

(At 10:05am, Rachael Youmans entered the meeting.)

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

CALL BACK TO ORDER At 10:42am, the Council Meeting was called back to order by Council Chairman Warner Barlese as acting chairperson.

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. Council Secretary/Treasurer Jerri Lynn Barlese advised that others present are: Frances Winn Tribal Accountant and Director Finance Department; Tansey Smith, ITCN Tribal-State Liaison; Mike Arend; and, Environmental Coordinator (Director, Environmental Protection Department) and Acting Chief Administrative Employee, Ron Johnny.

Mr. Johnny advised that Tansey Smith, Inter-Tribal Council of Nevada, Inc. (ITCN) Tribal-State Liaison with the Nevada Division of Environmental Protection (NDEP) thanked the Council for allowing her to make her presentation to the Council. Ms. Smith explained the background on the length of time she has worked with ITCN and handed out materials.

(At 10:49am, Page Linton, William Cowan and Rachael Youmans entered the meeting.)

NDEP Protocol with Tribe's Environmental Protection and Natural Resources Departments.

Ms. Smith explained to the Council that she and Mr. Johnny had worked out a proposed Protocol and that Mr. Johnny and the Director of the Natural Resources Department, William Cowan,

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needed to approve it. Ms. Smith explained that among her written materials was the final draft of the Protocol.

(At 11:13am, Page Linton left and entered the meeting.)

Support Letter for ITCN EPA GAP Grant.

Ms. Smith explained that her GAP Project Officer had directed her to get letters of support from each ITCN Tribe. Council Chairman Warner Barlese advised he was aware of the GAP Grant Guidelines requirement for the support letter. Council Chairman Warner Barlese and other Council Members asked Ms. Smith why there was an appearance that her activities did not include any in northwest Nevada, instead she was focusing her attention to projects in southern Nevada and a political nature like the Nevada state-tribal leaders forum, etc. Ms. Smith acknowledged that the attempt to improve relations between Tribes and the Nevada Governor had not been successful but she was hopeful. When asked why she had not commented on the plans of Recology to dump the San Francisco-Oakland Bay Area's trash and garbage, including twenty percent (20%) mined human waste for ninety-nine (99) years by five (5) trains a day within the joint territory of the Summit Lake Tribe, Fort McDermitt Tribe and Winnemucca Indian Colony, or the plans of the City of Eureka, California, and the Truckee-Tahoe Sanitation Agency dumping garbage, including waste activated sludge north of Gerlach and southwest of the Summit Lake Reservation. Ms. Smith said that while she did not comment on those plans she did distribute the NDEP letter and other documents for Mr. Johnny to all of the Tribe's Environmental Managers.

Council Chairman Warner Barlese advised Ms. Smith that the Council would discuss whether to issue a letter of support near the end of the Council Meeting.

AGENDA CHANGE It was the consensus of the Council to make an Agenda change in order of report to allow Ms. Winn to make her report first, and grant her a 10 Minute Executive Session if she needed it.

(AT 11:41am, William Cowan and Rachael Youmans left and entered the meeting.)

(At 11:44am, Tansey Smith left the meeting.)

d. Finance Department Report.
 Ms. Winn gave a written and oral report.

CONSENSUS It was the consensus of the Council that relative to the two copiers that that were used as trade-ins on the purchase of the new color copier, printer and scanner, along with the Tribe's old computers, are to be dealt with as follows: (1) the hard drives of the computers are to be archived; (2) any tribal documents are to be removed from the computer hard drives; (3) for 30 days tribal members are to be given an opportunity to take possession of the copiers and computers; (4) any computers or copiers tribal

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members do not want may be sold on E-Bay; and (5) if any computers and copiers are remaining, they are to be donated.

(11:58am, Page Linton left the meeting.)

MOTION Motion by Council Member Jerry Barr to authorize the Tribal Accountant to purchase a 7 foot X 9 foot Tuff Shed to be construction behind 1708 H Street with the landlord's permission. Council Secretary/Treasurer Jerri Lynn Barlese seconded the Motion. Vote called. VOTE: 4 For, 0 Against, and 0 Abstaining. At 12:07pm, 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 go into Executive Session for ten minutes to discuss Deferred Revenue and recontracting of the Consolidated Tribal Government Program Contract. Motion seconded by Council Member Randi DeSoto. Vote called. VOTE: 4 For, 0 Against, and 0 Abstaining. At 12:09pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

(At 12:19pm, the Council automatically came out of Executive Session.)

- e. Natural Resources Department Report.
William Cowan, Director, gave a written and oral report.

(At 12:22pm, Rachael Youmans entered the meeting.)

(At 12:27pm, Tansey Smith entered the meeting.)

(At 12:42pm, Council Chairman Warner Barlese and Ron Johnny left the meeting.)

Feral Horse Management Plan

Rachael Youmans, Wildlife Biologist, introduced herself to the Council and gave an update on the progress of drafting a Feral Horse Management Plan for the Reservation (Plan). The Plan is almost complete, and she will be asking for approval of it at the November 13, 2010 Council Meeting. Ms. Youmans summarized the outcome of a meeting she recently had with the BLM Winnemucca District Manager, Black Rock Field Office Wild Horse and Burro Specialist, and Public Affairs Specialist. The next step in working with BLM to leverage funding and draft an Action Plan outlining fence repair phases is a boundary fence condition survey. Ms. Youmans and the Black Rock Field Office Wild Horse and Burro Specialist have jointly planned this trip for October 20-22, 2010. After answering questions from the Council and others in attendance, Ms. Youmans asked the Council in what form they would like to receive a copy of the finalized version of the plan prior to the next Council meeting. All members with the exception of Council Chairman Warner Barlese requested hard copies; Council Chairman Warner Barlese requested an electronic copy be emailed to him.

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(At 12:43pm, Mike Arend entered the meeting.)

(At 12:52pm, Mike Arend left the meeting; Council Chairman Warner Barlese, Ron Johnny, Alexandria Linton and Page Linton entered the meeting.)

(At 12:55pm, Gene Seidlitz, Manager, and Mark Hall, Tribal Coordinator, BLM Winnemucca District Office, entered the meeting; and Ron Johnny left the meeting.)

(At 12:57pm, Ron Johnny entered the meeting.)

BREAK At 1:01pm, it was the consensus of the Council to take a ten minute break.

CALL BACK TO ORDER At 1:24pm, the Council Meeting was called back to order by Council Chairman Warner Barlese as acting chairperson.

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. Council Secretary/Treasurer Jerri Lynn Barlese advised that others present are: William Cowan, Director, Natural Resources Department; Tansey Smith, ITCN Tribal-State Liaison; Mike Arand; Gene Seidlitz, Manager, BLM Winnemucca District Office; Mark Hall, Tribal Coordinator, BLM Winnemucca District Office; Harry McQuillan, Acting Manager, BLM Surprise Valley Field Office, Cedarville, California; and, Environmental Coordinator (Director, Environmental Protection Department) and Acting Chief Administrative Employee, Ron Johnny.

UNFINISHED BUSINESS

- a. Government-to-Government Consultation with BLM Nevada.

Draft Resource Management Plan and Environmental Impact Statement.

Gene Seidlitz, Manager, BLM Winnemucca District Office, discussed the history of the current and past Resource Management Plans.

Council Members and tribal members discussed the need of the Resource Management Plan to address Tribe and tribal member needs: allowing public lands to become tribal lands to enlarge the size of the Summit Lake Reservation for socio-economic and other reasons by obtaining Section 36 and other lands north, east, south and west of the Reservation; lessen the impacts on the Summit Lake Reservation by the public using motorized vehicles, especially, all terrain vehicles (ATVs); the negative impacts the allowance of wildlife viewing has on the Tribe's spawning Lahontan cutthroat trout (LCT); the Tribe's transportation plans, including re-routing Tribe Route 1 (Gerlach Road) along the west boundary of the Reservation; etc.

(At 1:25pm, William Cowan and Alexandria Linton entered the meeting.)

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(At 1:29pm, Alexandria Linton left the meeting; Page Linton entered the meeting.)

(At 1:35pm, Alexandria Linton entered the meeting.)

(At 1:36pm, William Cowan left the meeting.)

(At 1:37pm, William Cowan entered the meeting.)

Tribal member expressed his personal comments on Tribe's long term transportation planning needs, land disposal needs, socioeconomic needs of the Tribe, protecting the LCT from unlawful take, etc.

(At 1:47pm, Rachael Youmans and Frances Winn entered the meeting.)

(At 1:58pm, Council Vice-Chairman Ernie Barlese left the meeting.)

(At 2:01pm, Council Vice-Chairman Ernie Barlese entered the meeting; Tansey Smith left the meeting.)

(At 2:03pm, Tansey Smither entered the meeting.)

(At 2:04pm, Frances Winn left the meeting.)

(At 2:21pm, tribal member's personal comments end.)

(At 2:27pm, Mike Arend left the meeting.)

Ruby Pipeline Project.

Council Members complained of the, apparent, attempt by Ruby Pipeline and or its archaeological firms (e.g., EPG or Power Engineers) to deny Tribe the opportunity to have its Tribal Monitors employed, that October 6, 2010 Power Engineers Memorandum to Council Chairman Warner Barlese, copied to Acting Administrator Ron Johnny, setting forth a October 18, 2010 deadline for the Tribe to have its Tribe Monitors apply for employment was never timely mailed and was not emailed by Ruby attorney Jennifer Waddle to the Tribe's Petition For Review Attorney and forwarded to the Tribe until Friday, October 15—the day before this Council Meeting.

(At 2:30pm, Harry McQuillan left the meeting.)

The Council then discussed what response BLM would take in response to its complaint regarding the untimely delivered Power Engineers Memorandum that all Ruby Pipeline archaeological work cease until the Tribe had a fair opportunity to have its Tribe Monitors apply for employment. Gene Seidlitz asked that the Tribe get to him by October 26, 2010 the names of the Tribe's Monitors.

(At 2:44pm, William Cowan entered the meeting.)

(At 3:01pm, Council Member Jerry Barr left the meeting.)

(At 3:11pm, Council Member Jerry Barr and Frances Winn entered the meeting.)

BREAK At 3:11pm, it was the consensus of the Council to take a break.

CALL BACK TO ORDER At 3:29pm, the Council Meeting was called back to order by Council Chairman Warner Barlese as acting chairperson.

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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. Council Secretary/Treasurer Jerri Lynn Barlese advised that others present are: William Cowan, Director, Natural Resources Department; Tansey Smith, ITCN Tribal-State Liaison; Mike Arend; Gene Seidlitz, Manager, BLM Winnemucca District Office; Mark Hall, Tribal Coordinator, BLM Winnemucca District Office; Harry McQuillan, Acting Manager, BLM Surprise Valley Field Office, Cedarville, California; Frances Winn Tribal Accountant and Director of Finance Department; Rachael Youmans, Wildlife Biologist, Natural Resources Department; tribal member Page Linton; tribal member Alexandria Linton; and, Environmental Coordinator (Director, Environmental Protection Department) and Acting Chief Administrative Employee, Ron Johnny.

Paiute Meadows Road

Gene Seidlitz, Manager, and Mark Hall, Tribal Coordinator, BLM Winnemucca District Office, apologized for BLM completing major road construction on the Paiute Meadows re-route, having the Elephant Mountain survey work done by Professor Geoffery Smith, and trying to let another Tribe schedule the field meetings on the Paiute Meadows re-route without the Tribe being notified so that the Tribe could have its environmental and cultural resource monitors present. Acting Administrator Ron Johnny not only showed pictures of the four (4) culverts that were installed on the re-route but explained that when he, Pyramid Lake Cultural Resource Specialist Dean Barlese, Fort McDermitt Council Chairman Billie Bell and Fort McDermitt Council Member Dale Barr attempted to ask questions the answers by Mark Hall, Archaeologist/Tribal Coordinator, and Kathy Ataman, BLM Archaeologist, could not be answered because there was no Data Sharing Agreement. Mr. Johnny said that he asked Mr. Hall that why no Data Sharing Agreement had been presented to the Summit Lake Paiute Council for consideration back in 2007-2008 if all questions asked by Council Members and himself thus possibly holding back information when BLM answered the questions of the Council.

Data Sharing Agreement

Council Chairman Warner Barlese and other Council Members criticized BLM for not bringing a blank Data Sharing Agreement to the Council Meeting Gene Seidlitz first attended so no information could ever have been withheld when BLM answered any questions of the Council during Government-to-Government Consultations.

Gene Seidlitz and Mark Hall agreed to get a Data Sharing Agreement drafted and approved by BLM's attorneys and then get it to the Council as quickly as possible.

Geothermal Leasing

BLM Tribal Coordinator Mark Hall advised that the Tribe would be receiving maps and documents, and an invitation to consult with BLM, on many geothermal lease sites, as BLM has given the Tribe notice of before. Mr. Hall advised that none of the geothermal leasing sites as within 50 miles of the Summit Lake Reservation. Tansey Smith, ITCN Tribe-State Liaison with Nevada Division of Environmental Protection (NDEP) exchanged business cards.

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b. Government-to-Government Consultation with BLM California.

Harry McQuillan, Acting Manager, BLM Surprise Valley Field Office, Cedarville, California, introduced himself and advised he was here to see how a Government-to-Government Consultation was conducted, and that the Field Office Manager would be in place and working in the beginning of November 2010.

Mr. McQuillan advised the Council they would be receiving information on renewable energy and geothermal energy proposed projects in the Surprise Valley Field Office area.

(At 4:04pm, Gene Seidlitz, Harry McQuillan, and Mark Hall left the meeting.)

REPORTS (continued)

e. Natural Resources Department Report (continued)

Rachael Youmans, Wildlife Biologist, gave a written and oral report.

Revised Non-Point Source Management Plan

Ms. Youmans showed the Members of the Council and everyone present a copy of the Notice of Tribal Member Comment Opportunity on the Revised Non-Point Source Management Plan (Revised Plan) that was mailed to all tribal members the week before the Council meeting encouraging them to attend the Council Meeting and learn more about the Revised Plan and express their concerns. Ms. Youmans then explained that the current Nonpoint Source Management Plan was nearly 10 years old and needed to be revised to reflect implemented projects and address updated nonpoint source pollution concerns. She directed them to the handout she had passed out outlining how this Revised Plan differed from the previous plan and summarizing the sources of concern and recommended Best Management Practices that were described in more detail in the Revised Plan. Questions were asked by Council members and those Tribal members in attendance and were answered by Ms. Youmans. Ms. Youmans announced that Council and Tribal members had until November 1, 2010 to comment on the Revised Plan. No Tribal members requested copies of the plan, and all Council members with the exception of Council Chairman Warner Barlese requested hard copies; the Chairman requested an electronic copy be emailed to him. Ms. Youmans explained that at the November 13, 2010 Council Meeting, she would present the Council with a proposed Council Resolution for their consideration to approve the Revised Plan.

(At 4:06pm, William Cowan left and entered the meeting.)

(At 4:26pm, Rachael Youmans left the meeting to get a document.)

(At 4:27pm, Rachael Youmans entered the meeting.)

William Cowan, Director, Natural Resources Department, advised the Council that he needed an Executive Session on the IPA and Natural Resource Department business.

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MOTION Motion by Council Vice-Chairman Ernie Barlese to go into Executive Session for 10 minutes to discuss Mr. Cowan's IPA and Natural Resource Department business operations. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 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, the Council was in Executive Session at 4:30pm and would automatically come out of Executive Session at 4:40pm.

(At 4:40pm, the Council automatically came out of Executive Session.)

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION Motion by Council Secretary Jerri Lynn Barlese to approve the Minutes of the Council's August 25 and 28, 2010 Minutes and September 11, 12 and 13, 2010 Minutes and waive the reading of same. Motion seconded by Council Member Jerry Barr. Vote called. Vote: 4 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 mentioned Minutes were approved.

MOTION Motion by Council Member Jerry Barr to approve the Minutes of the Council's August 7, 2010 Minutes and September 22, 2010 Minutes and waive the reading of same. Motion seconded by Council Member Randi DeSoto. Vote called. Vote: 4 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 mentioned Minutes were approved.

ADJOURN

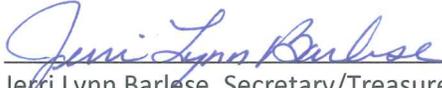
MOTION Motion by Council Member Jerry Barr to adjourn the meeting. Motion seconded by Council Secretary/Treasurer Jerri Lynn Barlese. The Council discussed that it needed more time to consider issuing a letter of support for the ITCN GAP Grant application. Vote called. Vote: 4 For, 0 Against and 0 Abstaining. 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 4:51pm.

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CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the October 16, 2010 General Membership and Regular Meeting of the Summit Lake Paiute Council (Council) were approved by the Council during a duly called meeting of the Council on November 13, 2010, by a vote of 2 For, 0 Against and 0 Abstaining, and that Acting Council Chairman Ernie Barlese did not vote because there was no tie vote.

November 13, 2010
Date



Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council