

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, October 23, 2010  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

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CALL TO ORDER. At 12:04pm, the Council Meeting was called to order by Council Secretary/Treasurer Jerri Lynn Barlese as acting chairperson.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese (by phone), Ernie Barlese (by phone), Jerry Barr, Randi DeSoto, and Jerri Lynn Barlese. Acting Council Chairperson Jerri Lynn Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that others present are: Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; and Professor of Law Colette Routel (by phone).

OLD BUSINESS

Petition For Review Against BLM Record of Decision (ROD), and decisions of U.S. Fish & Wildlife Service and U.S. Army Corps of Engineers, on Ruby Pipeline Project.

Council Chairman Warner Barlese explained that while he had filed the Petition For Review with the Ninth Circuit U.S. Court of Appeals pro se (without legal counsel) as authorized by the Council, based on the representations of two nationally known American Indian federal Indian law experts, the Council had accepted Professor of Law Colette Routel's offer of representing the Tribe pro bono (without charge) and retained her by authority of Council Resolution SL-16-2010 on September 11, 2010.

Professor Colette Routel reviewed her experience practicing and teaching federal Indian law, natural resources law, and environmental law, and explained that what she needed to talk with the Council in Executive Session about the status of the case before the Ninth Circuit, the possibility that another Ruby Pipeline affected Tribe had filed a motion with the Ninth Circuit, and the Federal Energy Regulatory Commission recently denying the Tribe's and others Request For Rehearing following the Commissioners issuing their April 2010 Certificate Order.

MOTION Motion by Council Member Jerry Barr for the Council to go into Executive Session for 30 Minutes to discuss attorney-client confidential communications between the Council and Professor Colette Routel. Council Member Randi DeSoto seconded the Motion. Vote called. VOTE: 4 For, 0 Against, and 0 Abstaining. Acting Chairperson Jerri Lynn Barlese, who did not vote because there was no tie vote, declared the motion had passed at 12:07pm and that the Council would automatically come out of Executive Session at 12:37pm.

(At 12:37pm, the Council automatically came out of Executive Session.)

MOTION Motion by Council Member Jerry Barr to authorize Professor Colette Routel to file a Petition For Review or appeal in the U.S. Court of Appeals for the Washington, D.C. Circuit or other circuit to challenge the decision of the Federal Energy Regulatory Commission in issuing its April 2010 Certificate Order and its recent denial of the Tribe's

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Request For Rehearing of the April 2010 Certificate Order. Council discussed whether a Resolution was needed. Vote called. VOTE: : 4 For, 0 Against, and 0 Abstaining. Acting Chairperson Jerri Lynn Barlese, who did not vote because there was no tie vote, declared the motion had passed.

Council Chairman Warner Barlese and Council Vice-Chairman Ernie Barlese authorized the issuance of Council Stipend checks to Council Secretary/Treasurer Jerri Lynn Barlese and Council Member Jerry Barr for this meeting because neither of the latter can sign their own checks.

ADJOURN

MOTION Motion by Council Vice-Chairman Ernie to adjourn the meeting. Council Member Jerry Barr seconded the Motion. Council Members discussed the telephone number and code needed with the 1:00pm Conference Call. Vote called. VOTE: 4 For, 0 Against, and 0 Abstaining. Acting Chairperson Jerri Lynn Barlese, who did not vote because there was no tie vote, declared the motion had passed and the meeting was adjourned at 12:49pm.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the October 23, 2010 Special 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.

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November 13, 2010  
Date

  
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Jerri Lynn Barlese, Secretary/Treasurer  
Summit Lake Paiute Council