

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, January 16, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

CALL TO ORDER. At 9:02am, 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: Reggie Lee Townsend. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny was present.

UNFINISHED BUSINESS

- a. Amending Enrollment Committee Procedures to include Higher Ed Procedures.

MOTION. At 9:06am, Motion by Council Member Jerry Barr to approve the proposed changes to Enrollment Committee Procedures. Motion seconded by Council Vice-Chairman Ernie Barlese. Council Members discussed that the changes to the Enrollment Committee Procedures will provide guidance to the combined Higher Education/Enrollment Committee when acting in their Higher Education capacity since there were no procedures ever adopted for the Higher Education Committee only the Higher Education Guidelines which advise tribal members when they are eligible for Higher Education Contract funds. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

Council Members asked Acting Chief Administrative Employee Ron Johnny to make sure that the next Tribe's Newsletter contains notice that the Council needs tribal members to serve on the combined Higher Education/Enrollment Committee. Mr. Johnny advised the next edition would be mailed to tribal members on Tuesday, January 19, 2010.

- b. Approving Tribal Sex Offender Registry Code for Mailing to Tribal Members.

Council Members discussed the Tribe's rules regarding adoption of amendments to or new codes or ordinances, that there was a 45 day comment period afforded tribal members an opportunity to comment before the Council passed an amendment to new code or ordinance.

Council Members discussed the changes proposed the federal Sex Offender Registry and Notification Act (SORNA) compliant Model Tribal Code that had been provided the Tribe by the U.S. Department of Justice to prevent the State of Nevada from asserting jurisdiction on the Summit Lake Reservation in accordance with the amendments by Congress to the Adam Walsh Child Protection Act, and the changes Council Member Lee Townsend and Acting Chief Administrative Employee Ron Johnny were proposing to make to the Model Code to make it operational and enforceable by the Tribe against persons who were convicted sex offenders who wanted to enter and remain on the Summit Lake Reservation, and the need of the Council to protect minor and female tribal members.

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MOTION. At 9:12am, Council Secretary/Treasurer Jerri Lynn Barlese made a motion to mail tribal members the proposed SORNA federal law compliant Model Tribe Sex Offender Registry Code with notice that the Council is considering approving it at the March 20, 2010, Special Council Meeting. Council Member Jerry Barr seconded the motion. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

c. Updating Tribal Membership Roll.

Acting Chief Administrative Employee Ron Johnny reported that he and Council Secretary/Treasurer Jerri Lynn Barlese had discovered additional names of tribal members who did not have enrollment numbers but there was insufficient time to draft the required Council Resolution but there would be by the next Council Meeting.

CONSENSUS. It was the consensus of the Council that this topic be placed on the Agenda for the February 20, 2010 Special Council Meeting.

d. Adopting Amendments to Council Election Code.

MOTION. At 9:26am, Council Secretary/Treasurer Jerri Lynn Barlese made a motion to adopt the proposed changes to Chapter 3.02, Council Election Code, Section 3.02.202. Motion seconded by Council Member Jerry Barr. Council Members discussed the time tribal members were given to comment on the proposed changes. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. At 9:28am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and the amendments to Section 3.02.020 of the Council Election Code were adopted.

BREAK. At 9:30am, the Council took a 10 minute break.

CALL BACK TO ORDER. At 9:40am, 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: Reggie Lee Townsend. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny was present.

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e. Tribal Member ID/Enrollment Cards.

The Council discussed the four sample tribal enrollment cards prepared by Tribal Data Resources (TDR) in preparation for the Tribe obtaining upgraded enrollment software and the digital signature device and camera that would allow the Tribe to issue hard, PVC, enrollment cards with the photo and signature of tribal members and signature of the Council Chairman.

CONSENSUS. At 9:59am, it was the consensus of the Council that SummitAdultSampleCard2 with the noted changes was accepted.

f. Uniform Patch and Update on rental and purchase information.

CONSENSUS. It was the consensus of the Council that they approved the patch of the redesign of the Tribe's emblem and that each Department of the Tribe develop its own option on whether to use the patch.

(At 10:17am, Council Chairman Warner Barlese left and entered the meeting.)

NEW BUSINESS

AGENDA CHANGE. At 10:18am, it was the consensus of the Council to change the Agenda to move item "b," Discuss Establishing Committee to Propose Changes to Articles of Association, to "a," and conducted first, since the personnel from the U.S. Department of Transportation, Federal Highway Administration, and Nevada Department of Transportation, were not present.

a. Discuss Establishing Committee to Propose Changes to Articles of Association

Council Members discussed the desire of some tribal members to have tribal members vote to change the Articles of Association to lower the blood quantum for membership in the Tribe, and the effort and time it took to have the last Secretarial Election.

(At 10:22am, Council Chairman Warner Barlese left and entered the meeting.)

(At 10:23am, William Cowan, Tribal Member and Director, Natural Resources Department entered the meeting.)

Council Members asked William Cowan to explain the past history of the last attempt to amend the Articles of Association and he did.

(At 10:26am, Council Chairman Warner Barlese left the meeting.)

(At 10:28am, Council Chairman Warner Barlese entered the meeting.)

(At 10:28am, William Cowan left the meeting.)

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Council Members discussed the major issues currently impacting the Council's attention: Ruby (natural gas) Pipeline; Government-to-Government Consultation Policy development by all federal departments and agencies; the Findings and Determinations of the BIA of nearly \$1 million; and the 2008 Audit.

CONSENSUS. It was the consensus of the Council that Council Members were to identify what changes they believe need to be made to the Articles of Association as a first step.

(At 10:35am, William Cowan entered the meeting.)

CHANGE AGENDA. At 10:37am, it was the consensus of the Council to change the Agenda and have William Cowan, Director, Natural Resources Department, deliver his report since the personnel from the U.S. Department of Transportation, Federal Highway Administration, and Nevada Department of Transportation, were not present.

(At 10:40am, Council Chairman Warner Barlese left the meeting.)

(At 10:41am, Council Secretary/Treasurer Jerri Lynn Barlese left and entered the meeting.)

REPORTS.

- a. Director, Natural Resources Department.

At 10:42am, William Cowan, Director, Natural Resources Department, gave a written and verbal report his Department's activities between the last regularly scheduled Special Council Meeting, December 19, 2009 and this date..

(At 10:42am, Council Chairman Warner Barlese entered the meeting.)

(At 10:43am, Ron Johnny left and entered the meeting.)

(At 10:45am, Virginia Degarmo entered and left the meeting.)

BREAK. At 10:55am, the Council took a five minute break.

CALL BACK TO ORDER. At 11:01am, 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: Reggie Lee Townsend. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny, was present. Chairman Warner Barlese asks guests to identify themselves: Brenda Red Wing, Field Operations Team Leader,

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Federal Highway Administration; Dr. Abdelmoez (Del) Abdalla, Program Manager, Federal Highway Administration; and, Sandra Gilbert-Young, Archaeologist, Nevada Department of Transportation.
(11:04am, Ron Johnny left and entered meeting.)

- b. Consultation with U.S. Department of Transportation, Federal Highway Administration (FHA) on Grass Valley and Jungo Road Projects, Environmental Protection and Monitors

After introductions, Brenda Red Wing gave a written and verbal report with comments by Mr. Abdella and Ms. Gilbert-Young.

(11:35am, William Cowan left the meeting.)

(11:36am, William Cowan entered the meeting.)

(12:21pm, Consultation with Federal Highway Administration concluded.)

LUNCH BREAK. At 12:24pm, it was the consensus of the Council to take a lunch break until 2pm.

CALL BACK TO ORDER. At 2:09pm, 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: Reggie Lee Townsend. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny, was present.

REPORTS

- a. Director, Finance Department. A written report was distributed.
- b. Council Members.
 - I. Chairman. Chairman Warner Barlese advised he had already given his report.
 - II. Vice-Chairman. Vice-Chairman Ernie Barlese advised that he had attended the Ruby Pipeline Employment Workshop in Alturas, California, and found the comments no different than that made on the Summit Lake Reservation in September 2008, that those who wanted to be employed had to be union members which left out most, if not all, tribal people. Vice-Chairman Ernie Barlese discussed his talk with Council Member Reggie Lee Townsend and his decision to resign from the Council. Vice-Chairman Ernie Barlese asked Acting Chief Administrative Employee (ACAE) to explain Council Member Reginald Lee Townsend's call to the office advising he wanted to resign, and the ACAE did. Vice-Chairman Ernie Barlese asked the Council how it wanted to handle the resignation.

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MOTION. Motion by Council Secretary/Treasurer Jerri Lynn Barlese to accept the resignation of Council Member Reginald Lee Townsend by phone for health reasons. Council Member Jerry Barr seconded the motion. Discussion was had by Council Members that the Acting Chief Administrative Employee should try and contact Reggie to see if he wanted a letter, and that the ACAE was to mail the Council approved notice of a vacancy on the Council to tribal members with advisement that the Council will fill the vacancy on February 20, 2010. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. At 2:27pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and that the ACAE was to mail the stated notice to tribal members.

III. Secretary/Treasurer. Council Secretary/Treasurer Jerri Lynn Barlese advised that she wanted to attend the EPA Tribe Regional Tribal Operations Caucus sponsored by the Susanville Indian Rancheria, February 2-4, 2010, and explained the sessions she would attend including the Tribal Leaders Round Table meeting.

CONSENSUS It was the consensus of the Council that Council Secretary/Treasurer Jerri Lynn Barlese was authorized to attend the February 2-4, 2010, RTOC.

IV. Council Members. Council Member Jerry Barr advised he had no report, explained the funeral he had attended, the requests of the Tribe's Administration and Finance Departments for his to approve and sign checks which he had done, and that if he could take time off from work, he would like to attend the RTOC.

CONSENSUS It was the consensus of the Council that Council Member Jerry Barr was authorized to attend the February 2-4, 2010, RTOC.

c. Acting Chief Administrative Employee (ACAE). ACAE Ron Johnny gave a written and verbal report which discussed: him attending the January 15, 2010 Inter-Tribal Council of Nevada (ITCN) organized meeting with Wendy L. Helgemo, Counsel to the Senate Select Committee on Indian Affairs and staff to U.S. Senator Harry Reid at ITCN's conference room; the need for two Special Council Meetings to review the three volume FERC (Federal Energy Regulatory Commission) Final Environmental Impact Statement (Final EIS) prior to the February 13, 2010 deadline to comment; and, a request to attend a Continuing Legal Education (CLE) program in Denver, Colorado, sponsored by El Paso Corporation, the parent of Ruby Pipeline LLC, to make sure the segments on tribal consultations with Ruby Pipeline affected Nevada Tribes by EPG (Environmental Planning Group).

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CONSENSUS. It was the consensus of the Council that ACAE Ron Johnny be authorized to use Fund Code 20 funds to attend CLE program in Denver, Colorado, sponsored by El Paso Corporation, in February 2010.

CONSENSUS. It was the consensus of the Council that they would hold two Special Meetings to review and comment on the FERC Final EIS on Saturday and Sunday, January 30 and 31, 2010.

d. Director, Environmental Protection Department.

At 3:29pm, Director, Environmental Protection Department and Environmental Coordinator, Ron Johnny, gave a written and oral report of his Department's activities between the last regularly scheduled Special Council Meeting, December 19, 2009 and this date. Director Johnny advised he has been busy communicating with EPA officials; reading EPA's Federal Register notice on Friday, January 15, 2010 of the availability of the FERC Final EIS (Environmental Impact Statement) on the Ruby Pipeline Project; reading the environmental aspects of the 6,000 to 7,000 page FERC Final Environmental Impact Statement which addressed, among many other things, the environmental issues affecting the Summit Lake Paiute Tribe, Summit Lake Reservation, and the Tribe's Territory; the status of the GAP Grant's Work Plan Components; and, the plan of Recology to bring by rail, five trains a day for 99 years, the trash (dry) and garbage (wet which includes 20% mined human waste) 25 miles west of Winnemucca, Nevada, along Jungo Road to what is called Jungo Road Landfill. Director Johnny asked for permission to attend the February 2-4, 2010, EPA Tribe Regional Tribal Operations Caucus (RTOC) being sponsored by the Susanville Indian Rancheria. Director Johnny discussed the great amount of work his single person department is expected to do, all within the Work Plan Components of the GAP Grant.

CONSENSUS It was the consensus of the Council that Environmental Coordinator Ron Johnny was authorized to attend the February 2-4, 2010, RTOC.

READING AND APPROVAL OF MINUTES OF LAST MEETINGS

MOTION At 3:36pm, Motion by Council Secretary/Treasurer to table the approval of the Minutes of November 21, December 19, and December 20, 2009 until the January 31, 2010 Special Meeting. Council Member Jerry Barr seconded the motion. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. At 3:41pm, Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and that approval of the identified minutes was tabled.

ADJOURN

MOTION At 3:41pm, Motion by Council Secretary/Treasurer adjourn the January 16, 2010 Special Council Meeting. Council Member Jerry Barr seconded the motion. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. At 3:42pm, Council Chairman Warner Barlese, who

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did not vote because there was no tie vote, declared the motion had passed and that the January 16, 2010 Special Meeting was adjourned.

CERTIFICATION

I, JERRILYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the January 16, 2010 Special Meeting of the Summit Lake Paiute Council (Council) were approved by the Council during a duly called meeting of the Council on March 20, 2010, by a vote of 3 For, 0 Against and 0 Abstaining, and that Council Chairman Warner Barlese did not vote because there was no tie vote.

March 20, 2010
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council