

Minutes
Regular Meeting
Summit Lake Paiute Council
Monday, October 17, 2009
Bunk House, Summit Lake Reservation

CALL TO ORDER. At 10:33am, Council Chairman Warner Barlese called the Regular Meeting of the Summit Lake Paiute Council to Order.

(10:35am Council Secretary/Treasurer Jerri Lynn Barlese entered meeting.)

ROLL CALL. At 10:35am, Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese; Ernie Barlese; Lee Townsend, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present, that business could be conducted, and asked that tribal members, Employees and Guests identify themselves. Acting Administrator Ron Johnny advised all present that the Council Meeting was being digitally recorded like an MP3 music file, not on a cassette tape.

TRIBAL MEMBERS PRESENT: Lorraine Watson and William Cowan.

EMPLOYEES PRESENT: William Cowan, Director, Natural Resources Department; Frances Winn, Director, Finance Department; Ron Johnny, Acting Tribe Administrator and Director, Environmental Protection Department (Environmental Coordinator); and, Barbara Nelson, Administrative Coordinator/Finance Assistant.

GUESTS PRESENT: Linda McCauley, U.S. Census; and, Glenda Davis, U.S. Census.

PUBLIC COMMENT. At 10:37am, Chairman Warner Barlese reminded tribal members that the Council provides a Public Comment session during Regular Council Meeting on the Summit Lake Reservation, and asked if any tribal members present wished to make any public comment. No tribal members present spoke.

UNFINISHED BUSINESS

- a. Presentation by U.S. Census Bureau Employees.

At 10:38am, Chairman Warner Barlese introduced Linda McCauley and Glenda Davis to the Council any everyone present, pointing out how important it is that every tribal member be counted during 2010 Census as a member of the Summit Lake Paiute Tribe whether or not they can make it to the Reservation on Count Day.

Linda McCauley and Glenda Davis introduced themselves, handed out Census 2010 materials, explained the confidential nature of the Census process and form, and make a presentation on why it is important that all tribal members and other persons residing and working on the Summit Lake Reservation be counted during the 2010 Census so they are not undercounted.

Ms. McCauley discussed the Partnership Request Form if the Council was interested in helping get their tribal members counted, that Census would provide \$2,999 to allow the Tribe, in exchange for its support in conducting the Census count, to obtain through vendors that accept credit cards various items to encourage tribal members to participate in the Census count. Examples shown were t-shirts, light jackets, coffee mugs, small plastic footballs, etc., all showing a tribal emblem on the item and the

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Census logo on the front of the t-shirt or light jacket. Council members discussed that they liked the idea of a t-shirt, light jacket, and coffee mugs. Council members discussed what Census would not pay for, including the postage to mail such items to tribal members. Council members advised Chairman Warner Barlese and Acting Administrator Ron Johnny to execute the Partnership Request Form and any other necessary forms to support the 2010 Census count and get as many tribal members as possible to not only participate in the Census count but identify themselves as members of the Summit Lake Paiute Tribe.

The Council then discussed its preliminary plans to have a large gathering on the Reservation on the day that Census does the count, and that weather may impact the ability of tribal members to get to the Reservation on count day.

Ms. McCauley advised that she and Ms. Davis would be testing tribal members at the Tribe's Administrative Trailer for the job of Census Enumerators immediately following their presentation.

At 11:20am, Linda McCauley and Glenda Davis ended their presentations.

b. Higher Education-Enrollment Committee Requests.

MOTION. Motion by Council Secretary/Treasurer Jerri Lynn Barlese to introduce and enact proposed Resolution, titled "Higher Education Guidelines Mandated Resolution." The motion was seconded by Council Member Lee Townsend. The Council asked Acting Administrator Ron Johnny to read the proposed Resolution and he did. Following a short discussion that only two tribal members had submitted complete Higher Education Applications, the vote was called. VOTE: 3 For; 0 Against; and 0 Abstained. At 11:50am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the Motion had passed and that Resolution SL-10-2009 was enacted.

c. BIA Notice of Availability of Attorneys Fees and Litigation Support in FY 2010

Acting Administrator Ron Johnny advised the Council that there was a short timeline in which the Tribe could apply for attorneys fees and litigation support for FY 2010 and that the Tribe needed an attorney to assist in the preparation of the application, including stating their hourly rate and the estimate of funding needed for water and non-water issues, and that he had contacted several attorneys and only one responded advising she no longer did the kind of work the Tribe needed.

NEW BUSINESS

a. Reports by James Barlese and Chris Brown, Cultural Resource Monitors (if available)

Chairman Warner Barlese advised the Council that they would need to either move on to the next item or make an Agenda change since neither James Barlese nor Chris Brown were available to attend the Council Meeting. It was the consensus of the Council to change the Agenda and substitute the stated Agenda item for Filling Council Vacancy.

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MOTION. Motion by Council Secretary/Treasurer Jerri Lynn Barlese to go into Executive Session to discuss who, among the applicants, would fill the vacancy on the Summit Lake Paiute Council for fifteen (15) minutes. Motion seconded by Council Vice-Chairman Ernie Barlese. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. At 11:56am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed. Council Members asked all other persons to leave the room and advised the Council would automatically come out of Executive Session at 12:14pm.

(At 11:56am, the digital recording device was turned off.)

(At 12:14pm, the Council automatically came out of Executive Session and the digital recording device was turned back on.)

Council Members advised that tribal member Jerry Barr had been selected to fill the vacancy on the Council and that he would be sworn into office minutes before the next Council Meeting started.

AGENDA CHANGE. It was the consensus of the Council to allow the Director of the Natural Resources Department to give his report first, and the Director of the Finance Department to give her report second to the two of them could leave the Reservation so they could arrive at the Tribe's primary administrative office in Sparks before sundown.

BREAK. At 12:16pm, it was the Consensus of Council to take a ten (10) minute break.

CALL BACK TO ORDER. At 12:26pm, Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Ernie Barlese, Lee Townsend, Warner Barlese and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present, and that business could be conducted. Council Secretary/Treasurer Jerri Lynn Barlese identified Employees and Guests identify themselves.

TRIBAL MEMBERS PRESENT: Lorraine Watson and William Cowan.

EMPLOYEES PRESENT: William Cowan, Director, Natural Resources Department; Frances Winn, Director, Finance Department; Ron Johnny, Acting Tribe Administrator and Director, Environmental Protection Department (Environmental Coordinator); and, Barbara Nelson, Administrative Coordinator/Finance Assistant.

REPORTS

- a. Director, Natural Resource Department. William Cowan gave a verbal and written report.

(At 12:41pm, Acting Administrator Ron Johnny left and entered the meeting.)

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CONSENSUS. It was the Consensus of the Council that the Director of the Natural Resource Department was to communicate with the Bureau of Land Management (BLM) that the Tribe did not oppose the Calico Mountain Complex horse gather by BLM especially since they would be removing public horses who were trespassers on the Reservation and who had damaged and destroyed the BLM-Tribe boundary fence and water springs, and to have BLM participate in the repair and replacement of the boundary fences.

CONSENSUS. It was the Consensus of the Council to authorize Council Chairman Warner Barlese to sign a letter to United States Senator Boxer educating her on the Clean Water Act, Section 106, Grant financial needs of the Tribe to conduct minimal water quality testing of the water tribal members drink on the Reservation.

CONSENSUS. It was the Consensus of the Council to allow the Director of Natural Resources Department to allow one of the Natural Resource Department's employees to administer the Roads Contracts funded by the Regional Office of the Bureau of Indian Affairs and have at least 40 percent of that employee's salary be paid from the Region's contract thereby relieving the Director of these duties.

- b. Director, Finance Department. At 12:53pm, Frances Winn gave a verbal and written report for the Finance Department, including responding to Council questions about the status of the 2001 through 2009 grants with the U.S. Department of Housing and Urban Development (HUD), and Higher Education/Enrollment Committee.

CONSENSUS. It was the Consensus of the Council that the Tribe's Higher Education Guidelines should be amended to allow a tribal employee may be the third member of the Higher Education/Enrollment Committee for the sole purpose of allowing the Committee to achieve a quorum since the Committee has found it difficult to have more than two members to be present at Committee meetings. Alternate Committee Member Lorraine Watson discussed her experience with the Committee thus far.

CONSENSUS. It was the Consensus of the Council that the Tribe's Higher Education/Enrollment Committee is authorized to prepare mailings to all tribal members relative to Committee issues like notice of deadlines to file Higher Education applications without Council permission.

LUNCH BREAK. At 1:17pm, it was the Consensus of the Council to take a one hour lunch break and return at 2:17pm.

CALL BACK TO ORDER. At 2:20pm, Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL. Council Vice-Chairman Ernie Barlese as Acting Council Secretary/Treasurer called roll. Present: Warner Barlese, Lee Townsend, and Ernie Barlese. Absent: Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present, and that business could be conducted.

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EMPLOYEES PRESENT: Ron Johnny, Acting Tribe Administrator and Director, Environmental Protection Department (Environmental Coordinator).

GUESTS PRESENT: BIA Police Lieutenant Stanley Alvarez.

(At 2:22pm, Council Secretary/Treasurer Jerri Lynn Barlese entered the meeting.)

REPORTS (continued)

- c. Acting Administrator/Chief Administrative Employee. Ron Johnny discussed the historic meeting that the White House has organized, only inviting the Chairpersons of each federally recognized Tribe on November 5, 2009, and the NCAI (National Congress of American Indians) programs for November 3-4, 2009 in Washington, D.C., and the document he was working on to allow the Chairman to have a simple means of showing people where the Summit Lake Reservation is located and what the most important issues are facing the Tribe. Mr. Johnny advised the Council this was the first time a President has met with tribal leaders since the 1880s. In response to questions from Council Member Lee Townsend, Mr. Johnny addressed his work on the HUD grants the Tribe has had from 2001 to 2009 in his off, spare, time. Mr. Johnny discussed other issues he had provided written information on to Council Members.
- d. Director, Environmental Protection Department/Environmental Coordinator. Ron Johnny gave an oral report, including reviewing the closeout of the 2005-2008 General Assistance Program (GAP) Grant, and the Work Plan Components of the first year (2009-2010) of the 2009-2012 GAP Grant, asking the Council to decide by their November 19, 2009, Council Meeting whether the Tribe should apply for a 2010-2011 GAP Grant by the December 16, 2009 deadline and that he would draft proposed Work Plan Components for the next year's, September 1 to August 31, GAP Grant. Mr. Johnny advised that Council Secretary/Treasurer Jerri Lynn Barlese and Wildlife Biologist Rachael Brown would be attending the RTOC (Regional Tribal Operations Caucus) and 18th Annual Tribal EPA Conference in Arizona the week of October 19-20, and 20-23, respectively. Mr. Johnny also advised that Emergency Response Coordinator Terry Bohl had submitted a written report.
- e. Council Chairman. Chairman Warner Barlese discussed what he hopes he will accomplish by attending the historic meeting with President Obama on November 5, 2009, in Washington, D.C.
- f. Council Vice-Chairman. No report.
- g. Council Member Lee Townsend discussed the need for him to work with the Acting Administrator on the SORNA (federal law) Compliant Model Tribal Sex Offender Registry Code, and his inability to attend the upcoming training on the Santa Ana Pueblo in New Mexico. Council Vice-Chairman Ernie Barlese and Council Secretary/Treasurer Jerri Lynn

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Barlese advised they may be able to attend the training on the software the U.S. Department of Justice created for Tribes so they could easily register sex offenders.

h. Council Secretary/Treasurer. No report.

MOTION. Motion by Council Secretary/Treasurer Jerri Lynn Barlese to give tribal members notice that during the January 16, 2010 Council Meeting the Council would consider amending Section 3.02.020 of the Tribe's Council Election Code as set forth in the document outlining the change. Council Vice-Chairman Ernie Barlese seconded the Motion. Council Members discussed the proposed change to the Election Code. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. At 3:03pm, Council Chairman Warner Barlese declared the Motion had carried and that the notice of the proposed change to the Election Code will be mailed to each tribal member.

READING AND APPROVAL OF MINUTES OF LAST MEETINGS.

a. September 19, 2009 Minutes.

MOTION. At 3:04pm, Council Secretary/Treasurer Jerri Lynn Barlese made a motion to approve the September 19, 2009 Minutes of the Council's Special Meeting and wave the reading of the Minutes. Council Vice-Chairman Ernie Barlese seconded the Motion. Vote called. VOTE: 3 For; 0 Against; and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the Motion carried and the Minutes were approved.

NEXT AGENDA ITEMS

Council Members discussed what items should be listed in New and Old Business. Council Members agreed on the following topics:

SORNA Compliant Sex Offender Model Tribal Sex Offender Registry Code
Applying for 2010 EPA GAP Grant Application by December 16, 2009 Deadline
Higher Education/Enrollment Committee Requests (if any)
Approval of the Minutes of the October 17, 2009 Council Meeting

ADJOURNMENT.

MOTION. At 3:06pm, Motion by Council Secretary/Treasurer Jerri Lynn Barlese to adjourn the Council Meeting. Motion seconded by Council Member Lee Townsend. Vote called. Vote: 3 For, 0 Against, and 0 Abstained. Chairman Warner Barlese who did not vote on the Motion because there was no tie vote, declared the Motion had carried, that the next meeting of the Council would be Saturday, November 19, 2009, and that the September 19, 2009 Special Meeting of the Summit Lake Paiute Council was adjourned at 3:06pm.

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CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby attest that the Minutes of the October 17, 2009, Council Meeting were approved by the Council during a duly held meeting on November 21, 2009, at which there was a quorum present, and the Council Voted: 3 For, 0 Against and 0 Abstaining, and that Chairman Warner Barlese did not vote because there was no tie vote.

November 21, 2009

Date



Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Paiute Council