

Minutes
Special Meeting
Summit Lake Paiute Council
Saturday, August 29, 2009
Primary Administrative Office, 1708 H Street, Sparks, Nevada

CALL TO ORDER: At 10:14am, Council Chairman Warner Barlese called the meeting to order.

ROLL CALL: Council Secretary/Treasurer Jerri Lynn Barlese called Roll. Present: Ernie Barlese, Warner Barlese, Robyn Burdette, Lee Townsend, Jerri Lynn Barlese. Absent: None. Chairman Warner Barlese declared a quorum was present, the Council could conduct business, and asked other present to identify themselves for the record.

TRIBAL MEMBERS PRESENT: Lorieta Cowan, Connie Summers, Christine Harjo, and Utahna Enriquez.

GUESTS PRESENT: Scott Burdette, and Terressa Baker.

EMPLOYES PRESENT: Ron Johnny, Acting Administrator and Environmental Coordinator.

READING MINUTES OF LAST MEETINGS.

Tribal member Christine Harjo asked if Council Meetings were being recorded. General discussion followed about old cassette recording device having broken and that the Tribe had looked for a replacement but was not able to find one. In response to questions, Council Chairman Warner Barlese advised the Council would look into the cost of a recording system and report at the next meeting.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to waive the readings of the Minutes of May 16, May 18, June 6, June 20, and June 24, 2009 Council Meetings and approve as prepared. Motion died for the lack of a second.

Council Member Robyn Burdette asked about why the Minutes of April 17 through May 10, 2009 Special Meetings of the Council were not before the Council for approval. Council Members advised that those Minutes had been approved on July 18, 2009, during the morning session when Council Member Robyn Burdette was absent from the meeting.

Tribal Member Christine Harjo asked that all Minutes of Council Meetings the Council was going to approve be read so tribal members could hear what was acted on by the Council.

Discussion was then had whether the Minutes of Council Meetings could be read out loud, for approval purposes by the Council, without a motion on the floor, in accordance with Roberts Rules of Order, to approve them.

Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the Minutes of the Council's May 16, 2009 Regular Meeting and he did.

MOTION At 10:37am, Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the May 16, 2009 Regular Meeting of the Council with the corrections on pages 2 and 4. Motion seconded by Council Vice-Chairman Ernie Barlese. Vote called: VOTE: 3 For; 0 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the

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motion had passed and that the Minutes of the May 16, 2009 Council Meeting were approved.

Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the Minutes of the Council's May 18, 2009 Special Meeting and he did. During the reading, it was the consensus of the Council that "Robbie Burdette" named on page 4 should be "Robbie Summers."

VOTE Vote on whether to approve the Minutes of the May 18, 2009 Special Meeting of the Council with the changes identified.

Council Member Lee Townsend discussed his plan to resign to end any concern over a brother and sister being on the Council.

Council Members discussed check signing policies. Council Member Robyn Burdette was of the opinion that there was a conflict of interest for the Council Chairman, Council Vice-Chairman, and Council Secretary/Treasurer to sign checks, even if in accordance with Tribe policies, because they were brothers and sister. Several Council Members discussed why they had to be check signers since Council Member Robyn Burdette had refused to be a check signer. Council Member Lee Townsend advised that he did not volunteer to be a check signer because he lived in Oregon and it would be impossible for the checks to get to him, and that if he resigned from office then the Council could select someone from the Reno-Sparks area that would be available to sign checks.

Vote called on approving May 18, 2009 Council Meeting Minutes. VOTE: 2 For; 1 Against; and 1 Abstaining. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the vote had passed and that the Minutes of the May 18, 2009 Council Meeting, with the corrections noted, were approved.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the June 6, 2009 Special Meeting of the Council. Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the Minutes of the Council's June 6, 2009 Special Meeting and he did. Motion seconded by Council Vice-Chairman Ernie Barlese. Vote called: VOTE: 2 For; 0 Against; and 2 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and that the Minutes of the June 6, 2009 Council Meeting were approved.

BREAK At 11:32am, it was the consensus of the Council to take a Break until 11:42am.

CALL BACK TO ORDER: At 11:42am, Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL: Council Secretary/Treasurer Jerri Lynn Barlese called Roll. Present: Ernie Barlese, Warner Barlese, Jerri Lynn Barlese. Absent: Robyn Burdette and Lee Townsend. Chairman Warner Barlese

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declared a quorum was present, the Council could conduct business, and asked other present to identify themselves for the record.

TRIBAL MEMBERS PRESENT: Christine Harjo, and Utahna Enriquez.

GUESTS PRESENT: None.

EMPLOYEES PRESENT: Ron Johnny, Acting Administrator and Environmental Coordinator.

(At 11:43am, Council Member Robyn Burdette entered the meeting.)

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the June 20, 2009 Special Meeting of the Council.

(At 11:45am, tribal member Lorieta Cowan, and Terressa Baker, entered the meeting.)

(At 11:46am, tribal member Connie Summers, and Council Member Lee Townsend entered the meeting.)

Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the Minutes of the Council's June 20, 2009 Special Meeting and he did.

Discussion was had on whether only three or four Council Members had voted on the motion to charge tribal members for using the cabins in the Tribal Compound on the Reservation, who would pay the bill for electricity use if tribal members were not charged, and whether tribal members should be charged \$5 per night for use of a cabin.

(At 12:38pm, Higher Education-Enrollment Committee Members Randi DeSoto, Cory Burdette, and Nedra Crane, and tribal member Jerry Barr, entered the meeting.)

Discussion continued on whether tribal members should be charged \$5 per night for use of a cabin. Acting Administrator Ron Johnny should Council Member Lee Townsend the hand written notes of the Council decision on whether tribal members should be charged \$5 per night for the use of a cabin.

Motion seconded by Council Vice-Chairman Ernie Barlese. Vote called: VOTE: 2 For; 2 Against; and 0 Abstained. Chairman Warner Barlese, who did vote For because there was a tie vote, declared the motion had passed and that the Minutes of the June 20, 2009 Council Meeting were approved as prepared.

LUNCH BREAK At 12:40pm, it was the consensus of the Council to take a Lunch Break until 1:45pm.

CALL BACK TO ORDER: At 1:49pm, Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL: Council Member Robyn Burdette as Acting Council Secretary/Treasurer called Roll. Present: Ernie Barlese, Warner Barlese, Jerri Lynn Barlese, Lee Townsend and Robyn Burdette. Absent: Jerri Lynn

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Barlese. Chairman Warner Barlese declared a quorum was present, the Council could conduct business, and asked other present to identify themselves for the record.

TRIBAL MEMBERS PRESENT: Jerry Barr, Utahna Enriquez, Nedra Crane, Connie Summers, Lorieta Cowan, and Cory Burdette.

GUESTS PRESENT: Scott Burdette and Terresse Baker.

EMPLOYEES PRESENT: Ron Johnny, Acting Administrator and Environmental Coordinator.

(At 1:52pm, tribal member Randi DeSoto entered the meeting.)

Council Member Robyn Burdette asked that the Minutes of the Council June 24, 2009, Special Meeting be read aloud, and the Council discussed whether a motion to approve the Minutes had to be made before the proposed Minutes could be read since the proposed Minutes were not properly before the Council without a motion.

(At 1:55pm, Council Secretary/Treasurer Jerri Lynn Barlese entered the meeting.)

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the Council's June 24, 2009 Special Meeting. Motion seconded by Council Vice-Chairman Ernie Barlese.

Tribal member Christine Harjo asked why she wasn't put on the Agenda after the June 24, 2009 Meeting since she attended the June 24, 2009 Meeting with the Interior Department's attorney and Bureau of Indian Affairs officials, and asked to be placed on the Agenda to discuss the Findings and Determinations.

Council Secretary/Treasurer Jerri Lynn Barlese suggested that tribal members who were present at a Council Meeting and wanted to speak should be given the chance to speak then and there rather than waiting for the next Council Meeting.

Chairman Warner Barlese discussed the order of business contained in the Tribe's Articles of Association, the Tribe's Constitution, and how the Council needed to abide by it. Council Members then discussed the Articles of Association.

Council Members and tribal members discussed the need to record Council Meetings so there would be a verbatim recording of what all persons had said. Council Member Robyn Burdette opposed a verbatim transcript of discussions in the Council Meeting Minutes because that could lead to thousands of pages of Minutes. Chairman Warner Barlese advised the Tribe would look into replacing the cassette recorder that had broken years ago.

Vote called on the Motion to approve the Minutes of the Council's June 24, 2009, Special Council Meeting. VOTE: 2 For; 1 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote,

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declared the motion had passed and that the Minutes of the June 24, 2009 Council Meeting were approved as prepared.

UNFINISHED BUSINESS

- a. 2003, 2004-2005 and 2006 Findings and Determinations of BIA of nearly \$1 Million.
 - i. Discussion of decision of U.S. Attorney not to prosecute past Council Members.

Tribal member Christine Harjo said she wanted an open forum.

CONSENSUS It was the consensus of the Council to add an Open Forum for tribal members to speak to the Agenda.

Chairman Warner Barlese advised that during the June 24, 2009, Special Council Meeting that Interior Department Solicitor Grant Vaughn had advised the Council that the criminal investigator for the U.S. Department of Interior's Office of Inspector General had advised the criminal investigator had made the decision not to prosecute past Council Members. Chairman Warner Barlese said that, in fact, the United States Attorney had made the decision not to prosecute former Council Members, preferring that the matter be handled administratively like the Council was currently doing by appealing the Findings and Determinations to the Civilian Board of Contract Appeals in Washington, D.C., before Judge Kullenberg, and working with the BIA to determine, in the next 120 days, exactly how much of the nearly \$1 million dollars had not been spent properly in accordance with the BIA's contract funds in 2003, 2004-2005 and early 2006.

- ii. Discussion on whether Tribe will pay debt created by past Council Members.
- iii. Discussion of what tribal consequences do past Council Members deserve.
Tribal members have recommended: Council sue past Council Members for all monies owed; banishment from Reservation and from holding office; and, disenrollment.

OPEN FORUM

Tribal member Jerry Barr said that the former Council Members should be required to pay back the funds if they are found guilty; wondered whether a Council Members who made a bad business decision for good reasons should be held accountable; and, that he opposes banishing former Council Members.

Chairman Warner Barlese advised there will be no prosecution, as he said earlier, and re-advised what the current Council has been doing to reduce the amount of the Findings and Determinations.

Council Member Robyn Burdette said she was one of the former Council Members in question, along with Lorraine Watson, Grayson Huitt and Robert Sam. Council Member Robyn Burdette said "maybe I was wrong."

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Tribal member Christine Harjo said the former Council Members were in the wrong because they were told by BIA not to do it.

Council Member Robyn Burdette said she has only talked to former Council Member Grayson Huitt, and talked to the criminal investigator, that she is not hiding anything and did not embezzle from the Tribe, and that that she tried to discuss what happened during the October 2006 Council Meeting.

Tribal member and former Council Member Lorraine Watson spoke about how she has tried to defend herself from many allegations of wrong doing.

Tribal members Lorieta Cowan and Christine Harjo said, at the same time, that they wanted to know what happened. Council Member Robyn Burdette said she already explained it previously and would not do so again.

Tribal member Christine Harjo demanded to know what happened.

Council Member Robyn Burdette said she was not disputing it was right.

Tribal members discussed among themselves whether what was done to create the Findings and Determinations was right or wrong.

Council Member Robyn Burdette said she thinks this forum of wrong, and began asking questions about Ruby Pipeline.

Tribal member Christine Harjo said she did not want the Council to get off the topic; and that she wanted each tribal member, going around in a circle, including Council Members, to say what they want done.

Tribal member Lorieta Cowan said she wanted each former Council Member to pay back the money; if they were prosecuted it is ok; hates to see blood from a turnip; and, that Robyn should had never been able to run for office.

Tribal member William Cowan recused himself from speaking.

Tribal member Lorraine Watson said the Tribe needs to find out what funds are missing, that we are all in this together; yes, we have debt; we need to get the financials straightened out; make a current deal to buy the Soldier Meadows Ranch; and, pointing fingers does not do any good.

Tribal member Christine Harjo said that she feels that she did not put the Tribe in this position; that the Council should pursue prosecution; Tribe should not be liable; look at prosecuting the former Council Members in state court since the Winnemucca office is not on tribal land; that the honorable thing for current Council Members who were the former Council Members to do is to give back that they are being paid as stipends; BIA should have done a better job; make BIA accountable; ask for

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forgiveness of debt since it is not the tribal members fault, that the former Council Member should be responsible.

Tribal member Connie Summers said she agrees with tribal member Jerry Barr; if the Council thought they were doing right she opposes banishment; make BIA accountable with former Council Members.

Tribal member Nedra Crane said she agrees with no banishment but the Tribe should not liable; and, the Tribe should go forward not backward.

Tribal member Randi DeSoto said she agrees with most everyone; if the former Council Members thought they were doing right but they did wrong they should be responsible.

Tribal member Utahna Enriquez said the Council should find a way to pay it back.

Chairman Warner Barlese asked tribal members to explain how the Bill for Collection, when it comes, could be paid: sell land, sell or lease water; sell fish, what?

Tribal member Jerry Barr said look for criminal negligence, if none, we, the Tribe, have to pay it back; look into Robyn's idea to pay it back—let her explain; he believes tribal members are at fault for not asking questions or keeping advised of what the Council was doing.

Council Member Lee Townsend asked: when did the Tribe last make money? Find a way to make money; lease land; don't spend money on people to spray weeds.

Council Member Robyn Burdette said she feels this forum is wrong; thinks the information is being sensationalized and is wrong; she wants to know what happened in Audits; she remembered they switched from one accounting software to another and wonders whether that caused a problem; knows the auditors weren't competent; wants to know what is "deferred revenue"; she knows how to make money; the strengths of the Tribe are customs and traditions; why did Ruby happen; the Tribe's Business Plan had cultural and education outreach; Business Plan had tourism plan; thinks employees should pay rent and other expenses to work on the Reservation; thinks low interest loans are possible; that a Business Plan is needed; that financials should be open to the public; she and other former Council Members went to a lot of economic summits; she told Tribe's attorneys about lack of tribal member input; and does not think this Council is listening.

Council Chairman Warner Barlese said Robyn doesn't know how the bad shape the Tribe was in when he first came into office; five years of Audits were not done; the expense to get those delinquent audits done was expensive, and auditors know their job; why wasn't audits done in 2002, 2003, 2004, and 2005?; bad accounting software is a poor excuse for not getting audits done; explained about the 120 day period the Civilian Board of Contract Appeals had given the Tribe to look for each check that was paid in each year and in each contract, and that the supporting documents will show whether the contract funds used to make the payments were proper; believes this is the right forum—thinks it real good to hear from tribal members; discussed the history of the Council trying to get tribal members to

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comment on the Findings and Determinations in the past: newsletters and letters with the Findings and Determinations document attached; believes that BIA is partially responsible, BIA didn't do their job; discussed wild rumors he and others have faced; explained how tribal employees working with the BIA's Peer review Group were looking for records to reduce the Findings and Determinations amounts and that another six months is likely needed before the Council could answer tribal member questions about what happened.

Council Member Lee Townsend criticized the policy of the Council of getting Council Member signatures (showing the Agenda for the August 29, 2009 Council Meeting).

Council Member Robyn Burdette said she thinks this Agenda process was wrong; she has options for repayment but it requires a clean audit, saying the 2007 Audit was not clean.

Council Vice-Chairman Ernie Barlese wondered whether the debt will affect the ability of the Tribe to get grants in the future; he has talked to tribal members and others about the debt; he opposes selling Reservation land to pay the debt of former Council Members; he thinks the Council should look into leasing land and selling fish.

In response to question about what is "deferred revenue," Tribal Accountant Frances Winn explained that every Tribe has "deferred revenue," and advised that you have "deferred revenue" when, for example, you drawn down or obtain funds to pay for something and then find another source of funds to pay for that, that the funds drawn down (the cash sitting in the Tribe's bank) is "deferred revenue." Ms. Winn then explained that the Tribe currently has "deferred revenue" but that should not be confused with what the BIA declared in the Findings and Determinations. Ms. Winn explained that recent discoveries show that "deferred revenue" started in 2003 and increased in 2004, 2005, and 2006. Ms. Winn stated that the accounting software was also likely carrying forward the earlier years "deferred revenue" into the current year.

Tribal member Jerry Barr thinks Warner is passing away criticism when he should be accepting some of the blame.

Tribal member Christine Harjo asked: why is "deferred revenue" still increasing? In response, Ms. Winn advised that the answer is confusing. It could be that the Findings are being repeated every year; that she is not blaming anyone just trying to find the problem and resolve it, and discussed how the 120 day plan accepted by the Court should discover what the problem is.

(4:00pm) Tribal member Jerry Barr offered to help Ms. Winn look through the Tribe's records to find out what the problem was.

Tribal member Christine Harjo said she wants to hear from Council Members Jerri Lynn Barlese and Ernie Barlese.

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Council Secretary/Treasurer Jerri Lynn Barlese said she opposes selling Reservation land to pay the debt; she believed an investigation was still going on; and that it was likely the Tribe would have to enter into a payment plan and make payments on the debt.

Chairman Warner Barlese advised everyone of the work the Council was currently doing with the BIA, Interior Department Solicitor, and the Judge; that the Tribe and Solicitor have to report to the Judge every 90 days on how the progress of the Tribe's 120 day, now likely 100 days, plan is working; that the Judge could grant the Tribe more time if the Tribe shows progress in reducing the debt.

Council Vice-Chairman Ernie Barlese mentioned he had anonymous letters from people purporting to be tribal members. Tribal member Christine Harjo asked that the letters be read out loud. Scott Burdette objected to reading the letters. Council Vice-Chairman Ernie Barlese said that other than the previous way he said to resolve the debt he can't think of any other ways.

Council Member Robyn Burdette said that one final theory that has not been discussed – protect land.

Council Vice-Chairman Ernie Barlese suggested the Tribe seek donations from richer Tribes.

(4:21pm) Council Member Lee Townsend said he was submitting his resignation to break up this brother and sister thing.

BREAK At 4:22pm, it was the consensus of the Council to take a 12 minute break.

CALL BACK TO ORDER: At 4:34pm, Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL: Council Secretary/Treasurer Jerri Lynn Barlese called Roll. Present: Ernie Barlese, Warner Barlese, Jerri Lynn Barlese, Lee Townsend and Robyn Burdette. Chairman Warner Barlese declared a quorum was present, the Council could conduct business.

Tribal Accountant Frances Winn went over her plan to comply with the Court order, quoting court order, that BIA has approved plan with a September 1 start up time and the hiring of temporary employees with accounting experience for 120 days. Ms. Winn recommends that Jennie Burns, who previously worked for the Tribe, be temporarily appointed for 30 days.

Council Member Robyn Burdette said she wants to see a copy of the Job Description Ms. Burns would be hired under and her resume.

Tribal member Christine Harjo wants internal Council business done later and let the Public Forum start. Council Members discussed how the Public Forum has been going for some time.

Chairman Warner Barlese said he was going to close the topic unless someone else has other ideas. Tribal member Christine Harjo said she wants Tribe to mail letter to all tribal members seeking

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their ideas. Council Members discussed the several letters that were already sent to tribal members and the lack of a response from them.

OPEN FORUM (continued)

Tribal member Christine Harjo said letter should be sent to tribal members with a deadline to get other options. Ms. Harjo said she wants detail of what is owed. Chairman Warner Barlese said he would talk with BIA and see if he could get the details. Ms. Harjo said she still feels individuals are responsible for their own actions—members should not be responsible, that members get no benefits, no water, no sewage, no housing, no clinic, other than hunting and fishing. Ms. Harjo said something is wrong if the deferred revenue is increasing.

Tribal member Christine Harjo wants to know the names of all enrolled tribal members; how did Garfields get enrolled; Reno-Sparks Indian Colony posts applications for those seeking tribal membership; Colony members can test a person's eligibility to be a member.

Council Secretary/Treasurer Jerri Lynn Barlese wondered how 10 persons were made members in 2002 by Council Resolutions and not the proper way.

Tribal member Christine Harjo said names of tribal members should not be confidential.

Tribal member Jerry Barr said he does not want his identity as a tribal member known under any circumstance.

Council Member Robyn Burdette said she wants tribal member names posted for election purposes.

Tribal members Christine Harjo and Jerry Barr discussed whether the Council can disenroll, banish or take a land assignment. Ms. Harjo talked about the wrong done her sister in being disenrolled, and how it still bothers her. Council Member Robyn Burdette said it was a question of dual enrollment. Council Member Robyn Burdette said she believes the Tribe should allow dual enrollment and supports changing the Articles.

Tribal member Christine Harjo discussed her belief that it is the tribe's responsibility to provide infrastructure to tribal members. Tribal member Jerry Barr disagreed and discussed whether Tribe should provide everything for tribal members or whether tribal members should be self-sufficient.

Tribal member Christine Harjo said the Council Stipend of \$450 per meeting is outrageous, that no Council Members were qualified or had the qualifications for that amount; suggests mileage and per diem be paid; wants Council to follow ethics policy; program dollars should not pay for stipends and change policy if they are; if Findings and Determinations continue this Council is no better than the last; Council Stipend should be equitable from where you come from.

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Tribal member Nedra Crane said an El Paso Corporation attorney had written a letter about how much money the Tribe had received from Ruby Pipeline. Acting Administrator Ron Johnny asked that he be provided with a copy of the letter because the representations allegedly in the letter were not true.

Tribal member Jerry Barr said the Council Stipend is too high.

(At 5:23pm, Tribal members Jerry Barr, Nedra Crane, and Utahna Enriquez left the meeting.)

(At 5:24pm, Tribal member Lorraine Watson left the meeting.)

(At 5:25pm, Tribal member Lorraine Watson entered and left the meeting.)

(At 5:25pm, Council Chairman Warner Barlese left the meeting.)

REPORTS

a. BIA Contracts: Fisheries, Range and Roads, Higher Education and Consolidated.

i. Director, Natural Resources Department.

(At 5:27pm, Council Chairman Warner Barlese entered the meeting).

As William Cowan, Director, Natural Resources Department, started to give his report, Council Member Lee Townsend wanted to know what "maintenance" as in "Maintenance Worker" meant. Mr. Cowan explained.

(At 5:34pm, tribal member Connie Summers left the meeting.)

Mr. Cowan discussed with Council Member Robyn Burdette the current grant from the EPA from Section 106 of the Clean Water Act, the status of the Tribe's TAS (Treatment As State) application, and that the Tribe's QAPP was recently approved.

(At 5:49pm, tribal member Connie Summers entered the meeting.)

Mr. Cowan discussed with Council Member Robyn Burdette the fencing projects that were funding by EPA.

(At 6:01pm, tribal member Connie Summers left the meeting.)

(At 6:02pm, Council Vice-Chairman Ernie Barlese left the meeting.)

Council Members then discussed the BIA Range Contract and the decision of a past Council to prohibit cattle grazing on the Reservation.

(At 6:03pm, tribal member Connie Summers entered the meeting.)

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Mr. Cowan discussed water quality of Summit Lake with Council Member Robyn Burdette, that a person could now see 10 feet from the surface not six feet; that there were less minnows; and the Lahontan Cutthroat Trout were now spawning below the Fish Trap.

(At 6:22pm, tribal member Connie Summers left the meeting.)

(6:31pm) The Council discussed proposed Council Resolution SL-09-2009, which would approved an application for a Tribal Wildlife Grant from U.S. Fish and Wildlife Service.

(At 6:39pm, Council Member Robyn Burdette left the meeting.)

(At 6:40pm, Council Member Robyn Burdette entered the meeting.)

MOTION Motion by Council Member Robyn Burdette to approve and enact Resolution SL-09-2009, Approving the Application for a Tribal Wildlife Grant.” Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Chairman Warner Barlese asked Natural Resource Director William Cowan to read the Resolution and he did.

(At 6:44pm, Acting Administrator Ron Johnny left and entered the meeting.)

Vote called. VOTE: 2 For; 1 Against; and 1 Abstained. Chairman Warner Barlese declared the motion had passed and that Resolution SL-09-2009 was enacted.

(At 6:45pm, Natural Resource Director William Cowan was excused from the meeting.)

ii. Acting Administrator.

Acting Administrator Ron Johnny advised that he had done as asked by the Council and drafted a Job Description for a Part-Time Indian Child Welfare Act (ICWA) Case Worker to deal with the growing backlog of state ICWA notices. Council Member Robyn Burdette said she wanted to delay approving the Job Description until she saw the budget. Council Members discussed how the Tribal Accountant at the July 18, 2009, Council Meeting had handed each Council Member a budget for each contract, grant and other source of funding for the Tribe, including the ICWA Component of the BIA’s Consolidated Tribal Government Program Contract.

(6:49pm)

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Part-Time Indian Child Welfare Act Case Worker for publication in accordance with the Tribe’s Personnel Manual. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. VOTE: 3 For; 0 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was not tie vote, advised the motion had passed and that the Job Description was approved.

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(6:55pm) Acting Administrator Ron Johnny advised the Council that he had done as they asked and drafted an independent contractor's contract for the Emergency Response Coordinator position but that after reviewing how every other Tribe in the area, Pyramid Lake and the Reno-Sparks Colony, handled the position he recommended that the position be hired as an employee so they Tribe did not create tax problems for itself by creating an employee position from an independent contractor by trying to control the work of the independent contractor, and that he had drafted a Full-Time Job Description for the position, primarily, to allow the Tribe to respond to the Ruby Pipeline Fire Prevent Plan contained in Appendix G of the Federal Energy Regulatory Commission's Draft Environmental Impact Statement on Ruby Pipeline and for other Ruby purposes paid from the Cost Recovery funds the Tribe received from Ruby Pipeline for the Acting Administrator salary line-item, and that he suggested the Council authorize Chairman Warner Barlese appoint Terry Bohl after approving the Job Description so a response to the Ruby Fire Prevention Plan could be written since BIA, apparently, would not do so even though Washoe County severely criticized Ruby's Fire Prevention Plan. Council Member Robyn Burdette said she could only agree to appoint Terry Bohl because he would do the analysis of the Fire Prevention Plan.

CONSENSUS It was the consensus of the Council that Terry Bohl be appointed by the Council Chairman for not longer than 90 days at \$25.38 per hour.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve the Full-Time Job Description of Emergency Response Coordinator. Council Member Robyn Burdette seconded the motion. Vote called. VOTE: 4 For; 0 Against; and 0 Abstained. Chairman Warner Barlese, who did not vote, because there was no tie vote, declared the motion had passed, the Emergency Response Coordinator Job Description was approved, and that he would appoint Terry Bohl as soon as was possible.

(7:09pm)

Acting Administrator Ron Johnny briefly explained the need for proposed Council Resolution SL-08-2009, that ITCN (Inter-Tribal Council of Nevada) and IHBN (Indian Health Board of Nevada) had provided for the creation of ITERC (Inter-Tribal Emergency Response Commission) through which federal emergency management funding would flow to Nevada tribes through the State of Nevada, and that it was essential that at least eleven (11) Nevada Tribes nominate persons to IOTERC so that ITERC could conduct its officer elections, scheduled for the evening of September 2, 2009. Mr. Johnny explained because of the backgrounds ITERC was looking for, he recommended in the proposed Resolution that the Emergency Response Coordinator be the primary and the Environmental Coordinator be the alternate to ITERC.

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to approve and enact Resolution SL-08-2009, "Making Appointments to the Inter-Tribal Emergency Response Commission (ITERC)." Council Member Lee Townsend seconded the motion. Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the proposed Resolution and he did. Vote called. VOTE: 3 For; 1 Against; and 0 Abstained. Chairman Warner Barlese, who did not vote, because there

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Saturday, August 29, 2009
Primary Administrative Office, 1708 H Street, Sparks, Nevada

The Council decided that the next meeting of the Council would start at 8:00am, September 19, 2009, Council Meeting, and discussed the items that should be on the September 19, 2009, Council Meeting Agenda:

Higher Education-Enrollment Committee Recommends to Council

Attorneys Fees and Litigation Support from BIA

Christine Harjo

(At 7:34pm, Scott Burdette and tribal member Connie Summers entered the meeting.)

Text of EPA GAP funded Signs

Council Stipends

(At 7:35pm, Scott Burdette left the meeting.)

(7:36pm)

ADJOURN

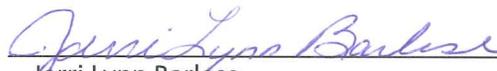
Motion by Council Member Robyn Burdette to adjourn. Motion seconded by Council Secretary/Treasurer Jerri Lynn Barlese. Vote called. VOTE: 3 For; 1 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared that the next meeting of the Council would be in Sparks and start at 8:00am, Saturday, September 19, 2009, and that the motion had passed and the August 29, 2009 Special Meeting of the Summit Lake Paiute Council was adjourned at 7:37pm.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby attest that the Minutes of the August 29, 2009, meeting were approved by the Council during a duly held meeting on September 19, 2009, at which there was a quorum present, and the Council Voting: 3 For, 0 Against and 0 Abstaining, and that Chairman Warner Barlese did not vote because there was no tie vote.

September 19, 2009

Date



Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Paiute Council