

Minutes
Special Meeting
Summit Lake Paiute Council
Saturday, June 20, 2009
Primary Administrative Office, 1708 H Street, Sparks, NV 89431

CALL TO ORDER. At 10:00am, Chairman Warner Barlese called the June 20, 2009 Special Meeting of the Summit Lake Paiute Council to Order.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called Roll. Present: Ernie Barlese, Robyn Burdette, Lee Townsend, Warner Barlese, and Jerri Lynn Barlese. Chairman Warner Barlese declared a quorum was present, that the Council could conduct business, and asked tribal members present to identify themselves for the record.

TRIBAL MEMBERS PRESENT: Nedra Crane, Utahna Enriquez, and Cory Burdette.

READING OF MINUTES.

(At 10:10am, Acting Administrator Ron Johnny entered the meeting.)

CONSENSUS. It was the consensus of the Council to waive the reading of the Minutes of prior Council Meetings until the end of today's meeting. Council Member Robyn Burdette advised she needed the May 18 and June 5, 2009, proposed Minutes.

UNFINISHED BUSINESS.

a. Preparation of SORNA Compliant Model Tribal Sex Offender Registry Code.

The Council discussed whether a court system was needed first, before the SORNA (Sex Offender Registration and Notification Act) compliant Model Tribal Sex Offender Code is enacted. The majority believed it was not, especially since the Tribe had tried to get federal funding for both a Tribal Court and 25 C.F.R. Court of Indian Offenses, and unless the Tribe acted timely the State of Nevada would be able to assume jurisdiction on the Summit Lake Reservation.

Council Member Lee Townsend volunteered to review the SORNA compliant Model Tribal Code and adapt it for the Summit Lake Paiute Tribe's use, and estimated he would need two months and would have it done by the August 15 Council Meeting so it could be mailed out to tribal members.

b. Tribal Member ID Cards.

The Council decided that by the July 18, 2009, Council Meeting a decision would be made.

(11:45am, Council Members Jerri Lynn Barlese and Lee Townsend left the meeting.)

(11:47am, Council Members Jerri Lynn Barlese and Lee Townsend entered the meeting.)

LUNCH BREAK At 11:47am, it was the consensus of the Council to take a lunch break until 12:40pm.

CALL TO ORDER. At 12:40pm, Chairman Warner Barlese called the Special Meeting of the Summit Lake Paiute Council Back to Order.

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

Tribal Member ID Cards (continued).

Chairman Warner Barlese expressed concern over the cost of the Progeny company's costs for its various programs, ProgenyEnrollment (the basic program which is what the Tribe had and which crashed), ProgenyPlus, and ProgenyES. Acting Administrator Ron Johnny advised that when he contacted Progeny that they had quoted him a price of \$8,000 for a system to replace what the Tribe had originally purchased.

- c. Resolution for Bank Purposes.
- d. Resolution for BIA Purposes.

The Council discussed how these two Resolutions were taken care of during the May 18, 2009, Council Meeting where Council Members Robyn Burdette and Lee Townsend advised they did not want to be check signers, and the effects of the two not being check signers.

Council Member Robyn Burdette explained the type of financial reports she would like to see the Tribal Accountant (Director, Finance Department) deliver at Council Meetings.

Council Member Robyn Burdette asked that she be provided with a new copy of all of the Tribe's policies and procedures as quickly as possible.

(1:00pm, Dean Barlese and Keenan Reed entered the meeting.)

- e. Enrollment Committee appointments.

The Council tabled the discussion on selecting members of the Enrollment Committee until the next Council Meeting.

(1:08pm to 1:09pm, Acting Administrator Ron Johnny left and returned to the meeting.)

Council Members requested by the July 18, 2009 Special Council Meeting copies of Resolution SL-06-2002 that adopted the Enrollment Committee Procedures and a copy of the 2002 Enrollment Committee Procedures that should be attached to the Enrollment Contract with BIA.

Acting Administrator Ron Johnny then read the names of the tribal members who requested to serve on the Enrollment Committee.

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f. Burning Man

Council Members discussed the need for the Council to meet with the Board of Directors of Burning Man/Black Rock City LLC and the problems of getting the meeting set for today, and the inability of their Board to meet with the Council today.

(1:22pm, Council Secretary/Treasurer Jerri Lynn Barlese left the meeting.)

(1:23pm, Council Secretary/Treasurer Jerri Lynn Barlese entered the meeting.)

Council Members discussed the Tribe's efforts to secure solar power panels on the Reservation to cut down on the Tribe's electricity use and that because Harney Electric did not offer the kind of contributions Sierra Pacific Power (now NV Energy) offered that the cost was prohibitive.

CONSENSUS. It was the consensus of the Council that Chairman Warner Barlese should meet with Burning Man/Black Rock City LLC in San Francisco at the end of a business day while Ron Johnny was attending the EPA Regional Tribal Operations Caucus in his capacity as Environmental Coordinator, July 27-31, 2009. Council Members asked that Chairman Warner Barlese comment on the need of Burning Man participants to respect the Tribe and not just drop off their waste (e.g., inoperable bicycles, etc.) on the Reservation after the event ended and they were on their way home.

Northern Paiute Dean Barlese suggested that Chairman Warner Barlese try to get the Burning Man/Black Rock City LLC Board to support not only opposing the purchase of natural gas from the Ruby Pipeline Project but see if Burning Man could get the City of San Francisco to issue a Resolution, like they did in opposition to the power plant planned for Gerlach, Nevada, to boycott the purchase of natural gas from the pipeline.

BREAK. At 1:46pm, it was the consensus of the Council to take a 15-minute Break until 2:06pm.

CALL TO ORDER. At 2:06pm, Chairman Warner Barlese called the Special Meeting of the Summit Lake Paiute Council Back to Order.

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

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

REPORTS

- a. Chairman. Council Chairman Warner Barlese discussed his interaction with the Cultural Resource Monitors, James Barlese and Chris Brown, who were hired by Pacific Legacy.

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(At 2:08pm, Council Member Robyn Burdette entered the meeting.)

Chairman Warner Barlese also asked the Council whether it was still appropriate to charge \$25.00 per night for the use of each of the cabins. Acting Administrator Johnny discussed the concerns he and the Tribal Accountant had, his concern about the deteriorating condition of the cabins, and their request that no money be charged.

MOTION. Motion by Council Member Lee Townsend to reduce the \$25 per night fee for the use of a cabin, to \$10 per night for non-members and \$5 per night for members. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. VOTE: 4 For; 0 Against; and 0 Abstained. At 2:30pm, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed.

CONSENSUS. It was the consensus of the Council that if Ruby Pipeline personnel wanted to use lodging facilities like the Bunk House on the Reservation for an extended period of time that the Council would not charge what motels were charging them but would charge a maximum of \$38 per night. Vote called. VOTE: 2 For; 1 Against; and 1 Abstaining. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the consensus of the Council had passed.

b. Vice-Chairman. Council Vice-Chairman Ernie Barlese discussed his interaction with the Cultural Resource Monitors, the extra hours the Monitors were putting in finalizing their written reports and GPS device entries and their desire for additional compensation.

The Council then discussed rumors it had been hearing that Pacific Legacy had an archaeologist employee who was using his personal GPS device to record locations of cultural resources and taking pictures with his own camera. The Council approved Chairman Warner Barlese and Acting Administrator Ron Johnny talking to Greg White, Pacific Legacy, about the rumors.

(At 3:06pm, Vice-Chairman Ernie Barlese left the meeting.)

(At 3:08pm, Virginia Degarmo entered the meeting.)

(At 3:08pm, Vice-Chairman Ernie Barlese entered the meeting.)

c. Secretary/Treasurer. Council Secretary/Treasurer Jerri Lynn Barlese reported that on May 24 she attended a meeting of the Friends of the Black Rock High Rock Desert.

BREAK. At 3:14pm, it was the consensus of the Council to take a 16-minute Break until 3:30pm.

CALL TO ORDER. At 3:30pm, Chairman Warner Barlese called the Special Meeting of the Summit Lake Paiute Council Back to Order.

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VOTE. A vote was called on whether the original birth certificates in an enrollment file, no matter who purchased them, should always be kept in the file and only mail a copy back. VOTE: 2 For; 2 Against; and 0 Abstaining. Because it was a tie vote, Chairman Warner Barlese said he would vote "For" and that the vote carried. Council Member Robyn Burdette said it was important that enrollment files always retain the original documents used to enroll a person in case the enrollment decision was ever challenged.

(At 5:25pm, Tribal Member Cory Burdette left the meeting.)

Acting Administrator Ron Johnny asked the Council what it wanted to do with the issue of tribal member Craig Deke Garfield never paying for the gasoline he purchased on May 25, 2008 given the fact that late charges and interest made the original \$47.40 purchase now close to \$1,000.

VOTE. A vote was called on whether the Tribal Accountant should write off Deke Garfield's debt. VOTE: 3 For; 0 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the vote had carried.

Acting Administrator Ron Johnny asked the Council what it wanted to do with the issue of Council Member Robyn Burdette's electricity bill, that her electricity had been turned off because of non-payment of the bill. Council Member Robyn Burdette said she could pay her electric bill by Thursday, June 25, 2009, if the late fees were waived.

VOTE. A vote was called on the Tribe waiving the electricity bill late fees (\$5 per month) owed by Council Member Robyn Burdette if she paid the monthly amount due of \$21 plus the Administrative Fee of \$8. VOTE: 3 For; 0 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the vote had carried.

g. Director, Natural Resource Department

William Cowan, who was not present, submitted a written report.

(At 5:53pm, Tribal Member Corey Burdette left the meeting.)

(At 5:56pm, Tribal Member Corey Burdette entered the meeting.)

VOTE. A vote was called on allowing the Tribe, through the Natural Resource Department Director, to use an out-of-state well driller, if need be, to drill water wells. Discussion was had on Nevada law, NRS 41.430, declaring that the State of Nevada lacked jurisdiction in Indian Country absent consent of the governing body of the Tribe and how the Council had never given the State, let alone the State Water Engineer, jurisdiction on the Summit Lake Reservation. VOTE: 3

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For; 0 Against; and 0 Abstaining. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the vote had carried.

h. Director, Finance Department

Frances Winn gave a written and oral report.

(At 6:02pm, Acting Administrator Ron Johnny left the meeting.)

(At 6:03pm, Acting Administrator Ron Johnny entered the meeting.)

VOTE. A vote was called on changing the format of the financial reports for the Council Meetings on the third Saturday of each month to display starting balance, expenditures and remaining balance. VOTE: 3 For; 0 Against; and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the vote had carried.

Ms. Winn discussed her meeting need for a meeting with auditors and Council after the 2008 audit was done.

i. Environmental Coordinator

Environmental Coordinator Ron Johnny gave an oral report.

MOTION. Motion by Council Member Robyn Burdette to take the Soldier Meadows Title off the web site. Motion seconded by Vice-Chairman Ernie Barlese. VOTE: 3 For; 0 Against; and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had carried and that the Environmental Coordinator was to take the title off of the web site.

READING OF MINUTES

CONSENSUS. It was the consensus of the Council to consider approving all of the Minutes prepared for this meeting during the July 18, 2009 Special Council Meeting.

ADJOURNMENT

MOTION. Motion by Council Member Robyn Burdette to adjourn the meeting. Council Secretary/Treasurer Jerri Lynn Barlese 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 carried and that the June 20, 2009 Special Meeting of the Council was adjourned at 6:47pm.

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CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby attest that the Minutes of the June 20, 2009, meeting were approved by the Council during a duly held meeting on August 29, 2009, at which there was a quorum present, with the Council Voting: 3 For, 2 Against and 0 Abstaining, and that Chairman Warner Barlese did vote because there was a tie vote.

August 29, 2009

Date


Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Paiute Council