

Minutes
Special Meeting
Summit Lake Paiute Council
Saturday, March 21, 2009
Primary Administrative Office, 1708 H Street, Sparks, NV 89431

CALL TO ORDER. At 10:07am, Summit Lake Paiute Council ("Council") Chairman Warner Barlese called the March 21, 2009 Special Meeting of the Council to Order.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Jerri Lynn Barlese, Lorraine Watson, and Ernie Barlese. Absent: Jesse Strout. Chairman Warner Barlese declared a quorum was present and business could be conducted. Employees Present: Ron Johnny, Acting Administrator.

READING OF MINUTES.

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese made a motion to waive the reading of the January 17, 2009 Minutes of the Council's Special Meeting and approve same as prepared. Council Member Ernie Barlese approved same. 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 had passed.

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese made a motion to waive the reading of the February 21, 2009 Minutes of the Council's Special Meeting and approve same as prepared. Council Member Ernie Barlese approved same. Discussion was had on whether Page 5 of the February 21, 2008 Minutes was correct since it mentioned Resolution No. SL-43-2008. 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 had passed.

REPORTS

Council Chairman Report. Council Chairman Warner Barlese advised that the Acting Administrator's Report contained discussion on the same items, and to prevent unnecessary duplication of discussion, he would not be giving a Report. Chairman Barlese also advised Natural Resource Department Director William Cowan was out sick and his report would be submitted in writing.

Vice-Chairperson Report. Council Vice-Chairperson Lorraine Watson gave a written report discussed how important it was for everyone that has a home on the Summit Lake Reservation to be there for Census Day, April 21, 2009, and she discussed the activities of the Friends of the Black Rock Desert since she was a member of their Board of Directors.

Secretary/Treasurer Report. Council Secretary/Treasurer Jerri Lynn Barlese gave a written report and discussed her activities in working with the Director of the Natural Resource Department to prepare a list of tribal members for Fishing Permit issuance purposes, and her work the Tribe's Election Committee to prepare for the May 16, 2009 General Council Elections.

Acting Administrator/CAE Report. Acting Administrator/Chief Administrative Employee Ron Johnny gave a written report and asked the Council for action on the following items:

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- **WildEarth Guardians Request.** Ron Johnny explained that WildEarth Guardians, with offices in Denver, Colorado, and Oakland, California, had filed a petition with the Administrator of the U.S. Environmental Protection Agency ("EPA") towards the end of President Bush's term in office asking that a regional entity be created for the west coast of the U.S. like the one for the east coast of the U.S. to regulate the transport (movement) of ozone pollution. Mr. Johnny explained that WildEarth Guardians set forth in their petition that one of the reasons that the air in the northwest area of Nevada had a smog or haze appearance was because several northern California counties were not sufficiently controlling ozone emissions which was being blown over the mountains to Summit Lake and other places in northwest Nevada. Since the EPA Administrator had not acted on their petition, WildEarth Guardians now wanted to file suit against EPA. To have a Tribe involved in the law suit, WildEarth Guardians was asking whether the Summit Lake Paiute Council would like to join in their law suit.

CONSENSUS OF COUNCIL. It was the consensus of the Council that the Acting Administrator was to get more information from WildEarth Guardians, including what it would cost the Tribe to join in the law suit for attorney fees, liability for court costs if the law suit was not successful, etc., before the Council could make a decision.

- **Replacing Old Outhouse at Tribal Compound.** Ron Johnny reminded everyone of the age and poor condition of the existing outhouse in the Tribal Compound, and proposed that the Council take immediate steps, given the quick need to have a better functioning, new outhouse for use by employees involved in monitoring the contractors and subcontractors of Ruby Pipeline LLC since the ground may still be frozen and the water leading to the flushing toilet in the Tribal Office may not be able to be turned on. Mr. Johnny explained that unlike the existing, old, outhouse, where the paint on the toilet seat was peeling, and there appeared to be no containment of the human waste contaminating Mahogany Creek, the new outhouse as proposed by Tuff Shed would be a modern one with lights inside the outhouse powered by solar energy, and because of the back-to-back construction with walls separately the stalls that were insulated, one person sitting on one side should not be able to hear the normal sounds of another person in the other stall, and that the door knobs to the new outhouse stalls would lock. Mr. Johnny suggested that because the outhouse was needed to monitor Ruby Pipeline LLC activities that the Project Site Overhead funds (Fund Code 20) be used to pay for the outhouse, and that the Tribe's Procurement Policies did not require bids since this was a "time is of the essence purchase".

MOTION. Motion by Council Vice-Chairperson Lorraine Watson to accept and approve the Tuff Shed estimate as a "time is of the essence" purchase. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Council Members discussed that the Council Chairman and Acting Administrator were authorized to replace the old outhouse with the Tuff Shed structure with funding from the Project Site Overhead funds (Fund Code 20), and that the Director of the Natural Resource Department would place the new outhouse. Vote called. VOTE: 2 For, 0 Against, and 1 Abstained. Chairman Warner Barlese who did not vote because there was no tie vote, declared the Motion had passed.

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CONSENSUS OF COUNCIL. The Council decided that once the new outhouse was installed, the Acting Administrator was to ask tribal members if they wanted the old outhouse. If no tribal member has moved the old outhouse by July 31, 2009, the Tribe's employees are to destroy it.

(At 11:10am, Council Member Jesse Strout entered the Council Meeting.)

- **New Copier/Scanner.** Acting Administrator Ron Johnny explained the immediate need brought on by the Ruby Pipeline LLC project for a new copier that had high-speed scanning capability because of the mountain of paper that was building in the office conference room. Mr. Johnny explained that thus far the Tribe had been served with separate boxes containing: 43 pounds, 13 pounds, and 116 pounds of paper, and that more paper would be served on the Tribe. Mr. Johnny explained that he had talked to IKON, the Tribe's current copier company, and that they would take both the Ricoh and Canon copiers in trade for a new MPC 2050 which has color printing and staple functions as well for a cash price of \$5,997 and a minimal quarterly maintenance fee which is a significant savings over the Tribe making large quarterly payments as they had done on the Ricoh and Canon copiers. Mr. Johnny discussed the more frequent maintenance required on the Canon copier, including the recent replacement of a major part on the copier's right side. As for the source of funding to pay for this "time is of the essence" purchase, Mr. Johnny suggested the Council use the Project Site Overhead funds (Fund Code 20).

MOTION. Motion by Council Secretary/Treasurer Jerri Lynn Barlese to accept and approve the IKON estimate for the MPC 2050 copier/scanner for \$5,997 as a "time of the essence" purchase. Motion was seconded by Council Member Ernie Barlese. Vote called. VOTE: 2 For, 2 Against, and 0 Abstained. Because of the tie vote, Chairman Warner Barlese voted For the purchase. Chairman Warner Barlese declared the Motion had passed.

BREAK. It was the consensus of the Council to take a ten minute break.

CALL BACK TO ORDER. At 11:50am, Summit Lake Paiute Council ("Council") Chairman Warner Barlese called the March 21, 2009 Special Meeting of the Council Back to Order.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Jerri Lynn Barlese, Lorraine Watson, and Ernie Barlese. Absent: Jesse Strout. Chairman Warner Barlese declared a quorum was present and business could be conducted. Employees Present: Ron Johnny, Acting Administrator.

REPORTS (continued)

Acting Administrator Report (continued)

- **Ruby Pipeline Project.** Acting Administrator Ron Johnny briefed the Council on the documents recently filed in FERC's (Federal Energy Regulatory Commission's) Ruby Pipeline Docket.

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EXECUTIVE SESSION.

CONSENSUS OF COUNCIL. It was the consensus of the Council to go into Executive Session for three minutes.

(At 12:16pm, the Council automatically came out of Executive Session.)

LUNCH BREAK.

CONSENSUS OF COUNCIL. It was the consensus of the Council to go into recess and take a lunch break and then meet with the Director of the Sheldon Antelope Refuge during the Government-to-Government Consultation prior ending the Council meeting recess.

(From 1:10pm to 2:39pm, the Council conducted Government-to-Government Consultation with the Director of the Sheldon Antelope Refuge.)

CALL BACK TO ORDER. At 2:40pm, Summit Lake Paiute Council ("Council") Chairman Warner Barlese called the March 21, 2009 Special Meeting of the Council Back to Order.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Jerri Lynn Barlese, Lorraine Watson, and Ernie Barlese. Absent: Jesse Strout. Chairman Warner Barlese declared a quorum was present and business could be conducted. Employees Present: Ron Johnny, Acting Administrator.

REPORTS (continued)

Acting Administrator Report (continued)

- Election Committee. Acting Administrator Ron Johnny advised the Council that the only member of the Election Committee, Delagdina Gonzales, had recently sent a letter to Chairman Warner Barlese asking that the Council address the ethical issue she raised in her letter relative to whether she should resign from the Election Committee since she had submitted her Intent to Seek Office on the Council on the last day to do so. Mr. Johnny also advised the Council that the Tribe had received three requests from tribal members Jerry Barr, Utahna Enriquez, and Randi DeSoto to be placed on the Election Committee.

CONSENSUS OF COUNCIL. At 3:13pm, it was the consensus of the Council to place tribal members Jerry Barr, Utahna Enriquez, and Randi DeSoto on the Election Committee and accept the resignation of Delgadina Enriquez from the Election Committee, and thank Delgadina for her service to the Tribe.

(At 3:15pm, Council Chairman Warner Barlese advised that Council Secretary/Treasurer Jerri Lynn Barlese wished to speak to Acting Administrator away from the Council Meeting; and, Council Secretary/Treasurer Jerri Lynn Barlese and Acting Administrator Ron Johnny left the Council Meeting.)

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Director, Finance Department Report. Tribal Accountant (and Director, Finance Report) Frances Winn gave her report.

(At 3:30pm, Council Secretary/Treasurer Jerri Lynn Barlese and Acting Administrator Ron Johnny entered the Council Meeting.)

EXECUTIVE SESSION.

CONSENSUS OF COUNCIL. At 3:31pm, it was the consensus of the Council to go into Executive Session for twenty (20) minutes.

(At 3:51pm, the Council automatically came out of Executive Session.)

REPORTS (continued)

Acting Administrator Report (continued)

- Approving Administrative Assistant Job Description for temporary employment purposes.

MOTION. Council Vice-Chairperson Lorraine Watson made a motion to approve the Administrative Assistant Job Description. Motion seconded by Council Secretary/Treasurer Jerri Lynn Barlese. 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.

(At 3:53pm, Council Chairman stepped out of and returned to the Council Meeting.)

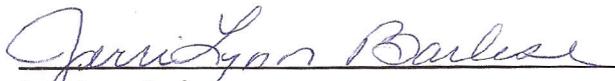
ADJOURNMENT.

MOTION. At 3:55pm, Council Member Jesse Strout made a motion to adjourn the Council's Special Meeting of March 21, 2009. Motion seconded by Council Secretary/Treasurer Jerri Lynn Barlese. 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 and the Council Meeting was adjourned.

CERTIFICATION

I, JERRI LYNN BARLSES, Secretary/Treasurer of the Summit Lake Paiute Council, hereby attest that the Minutes of the March 21, 2009, meeting were approved by the Council during the duly held meeting on April 18, 2009, at which there was a quorum present, and the Council Voting: 4 For, 0 Against and 0 Abstaining, and that Chairman Warner Barlese did not vote because there was no tie vote.

April 18, 2009



Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Paiute Council