

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday November 15, 2008

Primary Administrative Office of Summit Lake Paiute Tribe, 1708 H Street, Sparks, Nevada

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CALL TO ORDER: At 10:30am, Chairman Warner Barlese called the Special Meeting of the Summit Lake Paiute Council to Order.

ROLL CALL. Secretary/Treasurer Jerri Lynn Barlese Called the roll, Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; and, Council Member Ernie Barlese. Absent: Council Member Jesse Strout. Chairman Warner Barlese declared a quorum was present and that the Council could conduct business. Chairman Warner Barlese asked that guests and employees state for the record who was present.

EMPLOYEES PRESENT. Acting Administrator/Chief Administrative Employee and Environmental Coordinator, Ron Johnny; and, Administrative Assistant/Assistant Bookkeeper, Brenda Trongon.

AGENDA CHANGE.

CONSENSUS OF COUNCIL. It was the consensus of the Council that the Agenda for today's meeting would be changed. First, postpone scheduled Executive Session until later in the meeting. Second, allow Finance Officer to give her report upon her arrival after Noon. Third, to accept and review of Natural Resources submitted written report as the Director is at the Summit Lake Reservation completing his project removing the old irrigation diversion.

READING/VOTE OF APPROVAL MINUTES OF LAST MEETING.

CONSENSUS OF COUNCIL. Vice-Chairperson Lorraine Watson requested the Council wave the reading of Minutes of the Council's October 18, 2008 Regular Meeting. Secretary/Treasurer Jerri Lynn Barlese agreed. There was discussion to remove the name of a tribal member from the proposed Minutes that was not at the meeting. Council agreed not to read the Minutes.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the October 18, 2008 Regular Meeting of the Summit Lake Paiute Council. With discussed modification. Seconded by Vice-Chairperson Lorraine Watson. VOTE: 3 For, 0 Against, 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, advised the motion passed.

REPORTS.

COUNCIL CHAIRMAN. Chairman Warner Barlese reported that he attended a conference on land acquisitions in San Antonio, Texas. Chairman Barlese stated, the material was all very new and he requested, from the conference sponsors, to have the conference material emailed to him at which time he will share presentation material with other members. Chairman Warner Barlese said tribes need more informational conferences similar to the one he attended. The information provided is greatly needed by tribes in the efforts to increase their land base.

At this time the discussion of the Inter-Tribal Council of Nevada's 43<sup>rd</sup> Annual Conference. Vice-Chairperson Lorraine Watson has contacted ITCN and has made arrangement to attend the conference free of charge. During the conference the

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monthly Executive Board Meeting will be held 9am on 11/17/08. Secretary/Treasurer Jerri Lynn Barlese will be the Tribal Representative she is authorized to vote on any issues pertaining to the Inter-Tribal Council Executive Board Meeting. Vice-Chairperson Lorraine Watson will be the alternative Summit Lake Paiute Tribe representative should Secretary/Treasurer Jerri Lynn Barlese not be able to attend.

Vice-Chairperson Lorraine Watson inquired about Tribal officers having a meeting to discuss the budge management and committees. Monies available to committees for stipend payments. CAE Ron Johnny informed the Council from currently existing budgets there is no money to cover costs of committees.

SECRETARY/TREASURER

Secretary/Treasurer Jerri Lynn Barlese attended the meeting with BIA with Marilyn Bittsillie in regards to finance. There were concerns regarding accuracy and formats of finance system in place. How Tribe processes procurement and management manual. Amendments need to be put in manual, up dating with current resolutions.

Election preparation was discussed. Council would like to send out advertisement for Election Committee by end of November or beginning of December. Possibly in Tribal newsletter or a special mailing to members.

Would also like to check into the possibility of BIA being present at up coming elections in May 2009. Also will need to review Election dates, preparation of ballots, absentee ballots and proper handling of election material according to Tribal codes. Ron Johnny and Secretary/Treasurer Jerri Lynn Barlese will review and sent up dates according to Tribal codes.

Enrollment issues were also discussed. There have been a number of requests for enrollment cards. Once we get the proper format we can technically issue those cards but Tribe still needs to contact BIA for the proper enrollment numbers to be used as the individuals identity number.

ACTING ADMINISTRATOR/CHIEF ADMINISTRATIVE EMPLOYEE.

At 11:47am, Ron Johnny, Acting Administrator/CAE, gave a verbal report with handouts.

- DORA DE ANDERSON ENDOWMENT FUND. Ron Johnny explained that Dora Dee Anderson was, apparently, a Native woman, maybe even a Northern Paiute, married to a non-Native, Roger Anderson, both of whom lived in Oregon. A living trust was created by the husband before his death, The Roger Anderson Trust ("Trust"), the Dora De Anderson Endowment Fund ("Fund") was established to provide scholarships to qualifying Northern Paiute youth and to fund the North Central Nevada Museum Society ("Museum"), Winnemucca, display of Northern Paiute cultural items. When Mr. Roger Anderson died his Will named a trustee who is lives in Oregon. The trustee has given the Community Foundation of Western Nevada ("Foundation"), Reno, \$250,000 of the \$1,000,000.00 but has not communicated about the remaining \$750,000. The Foundation and Museum would like the Tribe to join in a request for an accounting of the remaining \$750,000. The Foundation found a lawyer in Oregon to demand accounting and release of the funds, and the cost is \$15,000.

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MOTION. Motion by Vice-Chairperson Lorraine Watson to introduce and enact the Resolution titled "Protecting the Education Opportunities of the Summit Lake and other Humboldt County Northern Paiute Youth and the Roger Anderson Living Trust's Dora De Anderson Endowment Fund." Motion seconded by Member Ernie Barlese. Resolution was read. Vote called. VOTE: 3 For, 0 Against, 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, gave notice that the motion had passed and the Resolution SL-42-2008 was enacted.

LUNCH BREAK. At 12:17pm, it was the consensus of the Council to break for lunch.

CALL TO ORDER. At 1:04pm, Chairman Warner Barlese called the meeting back to order. Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; and Member Ernie Barlese; absent Member Jesse Strout.

GUEST PRESENT: Renee Sotelo-Barlese

EMPLOYEES PRESENT: Acting Chief Administrative Employee and Environmental Coordinator, Ron Johnny; and, Administrative Assistant/Assistant Bookkeeper, Brenda Trongon.

REPORTS (continued)

ACTING ADMINISTRATOR/CHIEF ADMINISTRATIVE EMPLOYEE (continued)

- 2007 AUDIT COMPLETED. Ron Johnny reported that the 2007 Audit is done and copies were given to Council Members.
- 2008 and 2009 INDIRECT COST RATE PROPOSALS. Ron Johnny reported that he, with the great assistance from Tribal Accountant Frances Winn, are working with the Tribe's auditors, Joseph Eve, on finalizing the Indirect Cost Rate Proposals for 2008 & 2009. Ron explained that because the Tribe is not generating questioned audit expenses that the 2008 Indirect Cost Rate will be lower than the 57.54% for 2007, probably in the 44% range.

At 1:14am Tribal Accountant Frances Winn arrived in meeting.

ENVIRONMENTAL COORDINATOR REPORT

Ron Johnny, Environmental Coordinator, gave a verbal report.

- OCTOBER 27, 2008 MEETING WITH FERC STAFF. Ron Johnny, as Environmental Coordinator, gave a recap of the meeting he and Chairman Warner Barlese had with staff of the Federal Energy Regulatory Commission (FERC), Dave Swearengin, FERC's Ruby Pipeline Project Director, and Laurie Boros, FERC Archaeologist, and others on October 27, 2008, at the Tribe's office.
- RUBY PIPELINE UPDATE. Ron Johnny explained everything he has been doing to defeat the "preferred route" for the Ruby (natural gas) Pipeline Project.
- NOTICE FROM EPA ON 2007 END OF YEAR GRANT REPORT FOR GAP GRANT. Ron Johnny provided Council members with copies of the 2007 End of Year Grant Report on

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the GAP Grant from EPA and the separate letter from Jean Gamache, Manager, Tribal Program Office, EPA Region 9, dated September 30, 2008, advising Chairman Warner Barlese that he “will find that there has been outstanding progress and completion of tasks by the environmental department in the past year. . . .” Letter at 1.

- **CHARGING VEHICLES AN ANNUAL FEE FOR ENTERING RESERVATION.** Ron Johnny advised that he had completed drafting the proposed Resolution several Council Members had asked be drafted in September 2008, following Council Members observing numerous ATV (all terrain vehicles) driving fast past the tribal compound with loud exhaust systems.

MOTION. Secretary/Treasurer Jerri Lynn Barlese made a motion to introduce and enact a Resolution titled “Imposing a Motor Vehicle Permit Requirement for All Vehicles, Government and Private Vehicle, Entering the Exterior Boundaries of the Summit Lake Reservation and Using Summit Lake Reservation Roads.” Motion seconded by Vice-Chairperson Lorraine Watson. The proposed Resolution was read. Council discussed financial concerns in administering the annual fee and what would happen to a non-Tribal Member vehicle without a sticker on reservation roads. Vote was called. VOTE: 2 For; 0 Against; and 1 Abstaining. Because the Tribal Chairman only votes in the case of a tie, and there being no tie vote, Council Chairman Warner Barlese did not vote. Council Chairman Warner Barlese announced the Motion had passed and that Resolution SL-43-2008 was enacted.

**TRIBAL ACCOUNTANT**

Frances Winn, Tribal Accountant, gave a verbal report.

- **CORRECTING PAST 269 FINANCIAL REPORTS.** Frances Winn advised she was currently compiling BIA SF 269 Financial Reports and other paperwork. The Peer Review Group is tentatively set to arrive during the second week in December, 2008.
- **BIA REGIONAL TRANSPORTATION FUNDING.** Frances explained that the Tribe was unaware of the existence of this source of grant funding until recently. In reviewing previous years financial records there is no accurate accounting of where funding were expended. That she has been reviewing the grant and recorded expenditures. Final grant funds should be tallied in December, 2008. Lumis & Associates had been requested by tribe to do a road-data inventory with money from this grant. No signed contract with Lumis & Associates to do work. Lumis had a draft of inventory in 2006 but a signed contract to continue work. Currently the Tribe does not owe Lumis & Associates any fees nor is there an unpaid balance.
- **IRS PAYROLL TAX PAYMENTS.** Frances explained the problems the Tribe is having with this topic and that she needs more time to figure this out.
- **INVENTORY OF TRIBE’S ASSETS NEEDED.** Frances Winn advised that the Finance computer notes the value of tribal assets and other property and calculates depreciation of those assets but that information is missing on the original price of the assets.

BREAK. At 2:55pm Chairman Warner Barlese called for a 10 minute break. It was the consensus of the Summit Lake Paiute Council to take a 10 minute break.

CALL TO ORDER. At 3:05pm, Chairman Warner Barlese called meeting to order.

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ROLL CALL Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Council Chairman Warner Barlese, Vice-Chair Lorraine Watson, Secretary/Treasurer Jerri Lynn Barlese; Member Ernie Barlese. Absent: Member Jesse Strout.

EMPLOYEES PRESENT: Acting Chief Administrative Employee/CAE Ron Johnny; Administrative Assistant/Assistant Bookkeeper Brenda Trongon; and, Finance Administrator Frances Winn.

REPORTS (continued)

TRIBAL ACCOUNTANT

- INVENTORY OF TRIBAL ASSESTS. Frances Winn advised that Finance, Council and Administration will need to meet and brainstorm on tribal assets and the value of those assets. Both the BIA and tribal insurance will need this information. Also information will be needed for the 2008 Audit which should be complete by May 2009.
- INTENSIVE FINANCIAL TRAINING IN DECEMBER 2008. Frances Winn explained that she would like to have an intensive financial training with Council in December 2008 and inform Council where Tribe is financially and what the coming year will be expecting.
- STATUS OF HUD GRANTS. Frances Winn reported on the status on HUD Grants for 2001 through 2008. She completed the 272 financial reports. Frances noted that while 20% of HUD grant had been established for administration costs more than that was spent. The grants have expended Administration costs the remainder of the grant was to be used on various projects. Finance will need further review of expenditures to know exactly what the status is.

ACTING ADMINISTRATOR/CAE (continued)

- NOTICE FROM DMV MOTOR CARRIER DIVISION. Ron Johnny advised the Council that in the past, the Nevada Department of Taxation had contacted the Tribe about its failure to file quarterly reports on sales of gasoline to non-Indians at the Reservation, and how he resolved the requirement of filing the reports by getting the Nevada Department of Taxation to waive the Tribe's requirement of filing the quarterly forms. Ron explained that now the Nevada DMV Motor Carrier Division was contacting the Tribe about its failure to file reports on its purchase of gasoline and diesel and that it would not waive the requirement of filing those reports. Ron advised the Council that he was informed that the Tribe might be charged a late fee for not filing the forms timely.

ADMINISTRATIVE ASSISTANT/ASSISTANT BOOKKEEPER

Brenda Trongon advised she is currently working with Finance to prepare for the BIA Peer Review Group visit, working on past years files, alphabetizing and combining duplicate files in Finance, verifying checks in files with checks recorded in Finance computer. Over 1200 items in 2004 alone. Brenda also reported that she had re-typed the Tribe's Utility Regulations so it has an electronic copy that can be modified by the Council when the need arises. Brenda advised that she is currently working on the Personnel Manual. Brenda also advised she has hand delivered some of the Draw Downs to BIA in Carson City. Along with other paperwork needing immediate attention or needing of original documents to be turned in.

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**NATURAL RESOURCE DEPARTMENT DIRECTOR.**

Chairman Warner Barlese advised the Council that the Natural Resource Department Director, William Cowan, was not present at meeting, that William is at the Summit Lake Reservation assisting the Otis Bay Consulting firm with removing a defunct irrigation control structure on Mahogany Creek. Chairman Warner Barlese advised that William did, however, submit a written report.

Tribal Natural Resource Department Director and Environmental Coordinator have met with Jim Kudnra of Soldier Meadows Ranch to discuss terms and conditions to construct a fence to protect Summit Lake shorelines. A proposed agreement is presented to Summit Lake Paiute Council for approval or input. Agreement was read at meeting with no changes to agreement. A vote was taken to accept the contract and present it to Mr. Kudnra. VOTE: 3 For, 0 Against, 0 Abstained. Chairman Warner Barlese said with consensus of Council agreement is accepted as is and will be presented to Mr. Kudnra.

EXECUTIVE SESSION. At 4:45pm, it was the consensus of the Council to go into Executive Session for fifteen (15) minutes.

At 5:00pm, the Council automatically came out of Executive Session.

BREAK. At 5:00pm, it was the consensus of the Council to take a break.

CALL BACK TO ORDER and ROLL CALL. At 5:10pm, Chairman Warner Barlese called the Regular Meeting of the Summit lake Paiute Council Back to Order. Secretary/Treasurer Jeri Lynn Barlese conducted a Roll Call of Council Members present. Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; Council Member Ernie Barlese; and absent Council Member Jesse Strout. Chairman Warner Barlese advised a quorum was present and business could be conducted.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None.

Vice-Chairperson Lorraine Watson asked question, if solicitation of Council members to be on different committees. Council discussed issue and there are no ethical rules about a Council member representing themselves on a Non-Native committee.

ADJOURNMENT.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to adjourn the November 15, 2008 Special Meeting of the Summit Lake Paiute Council. Motion seconded by Council Member Ernie Barlese. Council discussed when the next Council Meeting would be. Chairman Warner Barlese announced the next meeting of the Council would be 8:00am, December 20, 2008 at the Primary Administrative/Forwarding Agent Office at 1708 H Street, in Sparks, Nevada. Vote Called. VOTE: 3 For, 0 Against, 0 Abstaining. Because the Council Chairman only votes in the case of a tie, and there being no tie vote on the Motion, Council

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Chairman Warner Barlese did not vote. Chairman Warner Barlese gave notice that the Motion had passed and that the November 15, 2008 Special Meeting of the Summit Lake Paiute Council was adjourned.

CERTIFICATION

I, JERRI LYNN BARLSES, Secretary/Treasurer of the Summit Lake Paiute Council, hereby attest that the Minutes of the November 15, 2008, meeting were approved by the Council during the duly held meeting on December 20, 2008, at which there was a quorum present, and the Council Voting: 2 For, 1 Against and 0 Abstaining, and that Chairman Warner Barlese did not vote because there was no tie vote.

December 20, 2008



\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerri Lynn Barlese  
Secretary/Treasurer  
Summit Lake Paiute Council