

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

CALL TO ORDER. At 8:06 a.m., the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, Randi DeSoto and Jerri Lynn Barlese. Chairman Warner Barlese advised that a quorum was present and the Council could conduct business.

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

#### REPORTS - FINANCE DEPARTMENT

Frances Winn, Tribal Accountant and Director, Finance Department, provided a packet and flash drives to the Council which contained the April 2011 financial reports.

Frances then discussed the Environmental Protection Agency (EPA) Office of Inspector General (OIG) forensic audit. Summit Lake Paiute Tribe (SLPT) was notified on Tuesday, March 29, 2011 that EPA OIG would be conducting a forensic audit on SLPT's EPA grants. The audit covered the period September 1, 2005 to the end of 2010. Two auditors from the OIG conducted a thorough audit which focused on time management practices and time reporting. They audited SLPT's payroll records and reviewed SLPT's entire financial software system to verify that paper supporting documents were flowing accurately through to the software system. This audit was not a random audit; it was a selected audit. It was a very serious audit that could impact all of SLPT's EPA grants. The emphasis of the audit was time charging practices. The auditors also interviewed all Department Directors. They dissected all of the financial processes. The findings will be submitted to SLPT after their audit is complete. The EPA audit was held Monday, Tuesday and Wednesday, April 4-6, 2011.

Council Chairman Warner Barlese stated that EPA OIG notified him of the forensic audit on Wednesday, March 30, 2011. He attempted to get the audit date postponed to give SLPT more time to prepare. EPA did not change their schedule and began the audit on Monday, April 4, 2011. Ms. Winn stated that the auditors told her that they do not give organizations advance notice. This is to prevent organizations from "cooking their books" or restructuring documents. If an agency is conducting a selective audit, the intent is not to give the organization advance notice. The agency conducts selective audits because they feel that there are practices at the organization that are not right. Council Chairman Warner Barlese stated EPA will send a follow-up letter on the outcome of the audit. Ms. Winn stated that the notification will be given to the SLPT Council through the Council Chairman. She stated that EPA provided a pamphlet describing fraud, waste and abuse of EPA funds.

Ms. Winn stated that we have received a letter of warning from the Department of Housing and Urban Development (HUD) regarding the Summit Lake Paiute Tribe (SLPT) being overdue on the 2010 Annual Performance Report (APR). Ron Johnny, Environmental Coordinator (Director, Environmental Protection Department) and Acting Administrator/CAE, stated that he has not had time to complete the APR for HUD. Ms. Winn stated that HUD requires reports be submitted each quarter. She works on

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

these HUD reports on weekends because there is no provision in the HUD grants for wages. She stated that at some point, the Council has to decide what to do with the HUD grants because HUD has already stated that SLPT cannot continue having non-activity on the HUD grants.

Council Chairman Warner Barlese stated that HUD representative Crystal Quinn wants to meet with the Council to present options for using HUD funds. Ms. Quinn is Grants Management Specialist with HUD's Southwest Office of Native American Programs. SLPT has active HUD grants for each year starting in 2001. Ms. Winn stated she would provide the Council with HUD revenue and expenditure reports on the Council flash drives. The Council can then schedule a conference call with Ms. Quinn.

Ms. Winn discussed the upcoming annual audit which will be conducted by Egghart and Associates the week of May 2, 2011. She reported that the Finance Department has been busy conducting last minute review of all financial documents in preparation for this audit. The auditors will want to have an exit interview with the Council at the conclusion of the audit. Once the annual audit is completed, the Finance staff will begin working on the Indirect Cost Proposal. Ms. Winn stated she would like to meet with the Council in June to discuss the Indirect Cost Proposal.

The Finance Department report concluded at 8:26 a.m.

#### REPORTS - ACTING ADMINISTRATOR/ACTING CHIEF ADMINISTRATIVE EMPLOYEE

Ron Johnny, Acting Administrator and Acting Chief Administrative Employee presented a proposed resolution, Higher Education Guidelines Mandated Resolution. Mr. Johnny stated that he tried to get the Higher Education Committee to meet. SLPT currently has \$3,376.00 in Higher Education funding. This amount doesn't meet even half of the unmet need for the two eligible students who have applied. One applicant is currently taking 15 credit hours; the other is taking 12 credit hours. Mr. Johnny proposed dividing the total credit hours for both applicants (27) by the \$3,376.00 available, which would enable the students to receive \$125.03 per credit hour. Both applicants have requested that any funds approved for their continuing education be sent directly to the college.

Council Member Jerry Barr asked if SLPT can approach the Bureau of Indian Affairs (BIA) for additional Higher Education funding. Ms. Winn stated that SLPT must expend all current Higher Education funds before requesting additional funding from BIA.

Council Secretary/Treasurer Jerri Lynn Barlese stated that the Higher Education Committee must be involved and make funding recommendations to the Council. Council Chairman Warner Barlese instructed Ms. Barlese to set a date for the Higher Education Committee to meet and inform them of the date to ensure a meeting is held. Ms. Barlese will contact Higher Education Committee Chairperson Elizabeth DeLaLuz.

**CONSENSUS:** It was consensus of the Council to table Higher Education funding recommendations until the Higher Education Committee reports to the Council.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

Council Chairman Barlese requested Secretary/Treasurer Jerri Lynn Barlese to discuss with the Higher Education Committee the importance of using all current Higher Education funds, otherwise the Council will make a decision at the next Council meeting.

Mr. Johnny next discussed a quote from Fast Signs for flags. The purpose of obtaining flags is to present them to the Smithsonian Native American Museum, BIA National Headquarters, and Fish and Wildlife Service (FWS) in Sacramento. Flags would also be displayed at the SLPT Compound on the Reservation and at the Tribal office. Fast Signs has quoted \$399.75 each for double-sided exterior flags, \$399.75 for double-sided interior flags, and \$181.25 for one-sided interior flags.

Ms. Winn stated that this would be an allowable cost. William Cowan, Natural Resources Department Director noted the digitized logo on the flag contained an image of a Lahontan cutthroat trout which may be copyrighted.

Council Member Jerry Barr asked that Ms. Winn provide a list of BIA-allowable items under the Consolidated Tribal Government Contract. She was instructed to send it via email to the Council along with the information regarding the HUD grants, and to provide hard copies for the Council.

CONSENSUS: It was consensus of the Council for one exterior flag to go to the SLPT compound on the Reservation and five interior flags to go to the Smithsonian, Federal agencies, and the SLPT Primary Administrative Office.

Mr. Johnny discussed a letter from Athena Brown, BIA Superintendent, Western Nevada Agency with regard to SLPT's request for BIA to investigate a crime of trespass by Ruby Pipeline. The BIA is stating that SLPT needs to identify which statute is applicable to SLPT's request. The Council is advised to continue with the trespass inquiry, request BIA to send police to investigate the criminal trespass charges or Mr. Johnny can contact the United States Attorney for Nevada, Dan Bogden, to investigate criminal trespass charges. He would advise Mr. Bogden that SLPT has contacted the BIA but have had no action from BIA.

Council Chairman Warner Barlese stated that we should prosecute Ruby Pipeline for the criminal trespass charges.

CONSENSUS: It was consensus of the Council to arrange a consultation with Dan Bogden, US Attorney for the State of Nevada. Council Chairman Warner Barlese was authorized to write a letter to Mr. Bogden for a potential consultation at Summit Lake Reservation at the May 21<sup>st</sup> General Meeting.

Discussion followed regarding the desired resolution of the criminal trespass charges with regard to what dollar amount Ruby Pipeline should be assessed for trespassing. Mr. Johnny stated that there is evidence of tire tracks of three vehicles on the Reservation road fee area and two visible markers across from the Tribal compound. Council Member Jerry Barr proposed a \$1,000 per marker fee plus the \$100 per vehicle road access charge times three vehicles.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

CONSENSUS: Consensus of Council was to charge \$2,300, which is \$1,000 per marker violation and \$100 per vehicle road fee violation. Chairman Barlese was instructed to list the breakdown in his correspondence to Ruby Pipeline.

Mr. Johnny then discussed his conversation with Assistant U.S. Attorney Wong regarding the Parker case being heard before court in Sacramento, California. Mr. Parker and his son are charged with looting Native American artifacts and are entering into a plea agreement with the U.S. Attorney. Chairman Barlese suggested each Council member write a statement the week of April 18th reminding the court that the Parker's violation is important to SLPT and should not be tolerated. The sentencing hearing for the Parker's is scheduled for June 20, 2011.

Mr. Johnny then discussed Harney Electric elections for their Board of Directors. SLPT can designate a representative for Harney Electric's annual cooperative meeting for utility rate projections. SLPT has been a member of the cooperative since 1992.

CONSENSUS: Consensus of Council was to have Council Member Randi DeSoto sign the Harney Electric nomination form.

Mr. Johnny reported that the Inter-Tribal Council of Nevada (ITCN) has requested SLPT identify Tribal member child count for ITCN's Child Care Food Program. Children who are eligible for the Food Program must reside in Nevada. The Program would fund child care services while the parent is either at work or enrolled in school. Mr. Mike Tinsley from ITCN is requesting to speak with the Council at the May 21, 2011 General Meeting.

CONSENSUS: Consensus of Council was for Chairman Barlese to sign ITCN's form and designate a count of ten eligible SLPT Tribal members who could be enrolled in the Child Care Food Program. Chairman Barlese's signature on ITCN's form would state that no individuals have (1) violated any federally-funded programs; (2) no fraud or embezzlement has been committed and therefore no individuals have been placed on the Federal Excluded Parties System list; and (3) that no SLPT individuals are on the National Disqualified List.

Mr. Johnny stated that Professor Collette Routel has been battling the Bureau of Land Management (BLM) regarding confidential documents that are in the BLM's possession. The Council can learn about these documents but only if they sign a confidentiality agreement. The confidential documents will be listed in Exhibit A to this agreement. Mr. Johnny stressed that Council cannot discuss what they learn about these confidential documents with any other person otherwise they will be in contempt of court.

#### REPORTS - ENVIRONMENTAL COORDINATOR REPORT

Ron Johnny, Environmental Coordinator (Director, Environmental Protection Department) reported that he has created a "cheat sheet" of his Environmental Protection Agency (EPA) General Assistance Program (GAP) work plan. Mr. Johnny recently attended training at EPA's Region 9 office. It dealt with EPA rules regarding recordkeeping which dictate that activities must be recorded in six minute increments. Mr. Johnny stated that he learned from the EPA Forensic auditors that his method of

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

recordkeeping may be inadequate. He said he believes that it is. So he has now purchased a Day Timer to comply with these rules.

Mr. Johnny is now working on amending SLPT's Property Management System Procedure Manual to correct typographical and grammatical errors. He has created an electronic version of the manual. Mr. Johnny presented proposed resolution entitled, Amending the Tribe's Property Management System Manual. He advised the Council to appoint someone as Tribal Property Management Officer. Frances Winn stated that financial records regarding property purchases is taken from the financial management system software and information contained in audits and is not based on notes from staff or conjecture.

MOTION: Council Vice-Chairman made a motion to introduce and approve Resolution SL-08-2011, Amending the Tribe's Property Management System Manual, and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 1 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the Motion was approved at 9:43 a.m.

Mr. Johnny stated that he is working with his EPA GAP Project Officer to develop a property disposition plan. A former GAP Project Officer had approved Mr. Johnny purchasing a laptop computer. The desktop computer he was using at that time was then converted into our incoming/outgoing fax machine. We now have a centralized fax system in the Finance Department so the old fax equipment can be disposed of. Property purchased in excess of \$5,000 must be kept for the duration of its useful life. Mr. Johnny asked Council for input regarding the proposed property disposition plan. Ms. Winn stated that she would be willing to serve as SLPT's Tribal Property Management Officer.

MOTION: Council Secretary/Treasurer Jerri Lynn Ernie Barlese introduced a motion to designate Frances Winn, Tribal Accountant (Director, Finance Department) as SLPT's Tribal Property Management Officer. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the Motion was approved at 9:47 a.m.

Mr. Johnny announced that his current EPA GAP grant expires on August 31, 2011. EPA has notified GAP-funded tribes that due to recent congressional changes, GAP funding is being cut.

Mr. Johnny described upcoming training that he will be attending which includes:

- April 26-28, 2011 Regional Tribal Operations Committee (RTOC), EPA Region 9, San Francisco
- Nevada Environmental Coordinator's meeting (prior to July RTOC)
- July 26-28, 2011 RTOC at EPA Region 9, San Francisco

Mr. Johnny stated that EPA would like the SLPT Council to participate in RTOC. Funding has been included in the 2010 GAP grant for Council to attend the RTOC scheduled to be held at the Pala Indian Reservation in southern California. Mr. Johnny requested that Council consider approving his traveling

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

in a vehicle versus air travel to facilitate any Tribal members that may need enrollment cards issued. Mr. Johnny was instructed to contact Tribal members near the Pala area to issue enrollment cards.

REPORTS - ACTING ADMINISTRATOR/ACTING CHIEF ADMINISTRATIVE EMPLOYEE  
REPORT (Continued)

Mr. Johnny reported that he received a call from Julie Rodman, Bureau of Land Management (BLM) Surprise District, who stated that the SLPT Council must go through BLM safety training with regard to Ruby Pipeline site visits. BLM Surprise Valley Office Manager, Alan Bollschweiler, cancelled the Council's proposed April 17, 2011 Ruby Pipeline site visit. Mr. Johnny will reschedule the next Ruby site visit with BLM. Council agreed to keep the planned site visit on their own, scheduled for April 17, 2011.

BREAK

At 9:57 a.m., it was the consensus of the Council to take a ten minute break.

CALL BACK TO ORDER

At 10:11 a.m., Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL

Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, Randi DeSoto and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT. Frances Winn, Tribal Accountant (Director, Finance Department); William Cowan, Natural Resources Department Director; and Barbara Nelson, Administrative Coordinator/Finance Assistant.

REPORTS - NATURAL RESOURCES DEPARTMENT

William Cowan, Natural Resources Department (NRD) Director presented an oral and written report.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

Discussion Topics

Council Chairman Warner Barlese requested the NRD identify surface waters within 30 miles of the Reservation that may be affected by the Ruby Pipeline. Kent Bloomer, Resource Technician, developed a GIS analysis which Mr. Cowan provided as a handout for the Council. The analysis described 26 water bodies (springs, seeps, washes and streams). He stated that testing of each site will cost approximately \$800, which, for 26 sites would cost a minimum of \$26,000. After discussion, the Council agreed that four potential sites should definitely be considered for testing. Council Chairman Warner Barlese mentioned that other states have proven that wells near natural gas pipelines have had gas leaks which led to incidences of cancer. Thus it is imperative that water quality studies of at least the four identified locations take place prior to the Ruby Pipeline becoming active. The NRD will notify Council when and where actual testing will occur.

The NRD will be conducting the Connecting with Nature event on May 14-15, 2011. Free transportation will be provided from Sparks, Cedarville and Denio for Tribal members and Council members interested in participating. Tribal members were sent a newsletter advising that May 2<sup>nd</sup> is the deadline to RSVP if they plan to attend and if transportation and accommodations are needed. Mr. Cowan requested that Council participate by outreaching with Tribal members to get their participation. Rachael Youmans, Fish and Wildlife Biologist, is spearheading the event.

The NRD requested \$30,125 from BIA for noxious weed funding. NRD was notified that \$9,938.50 was initially awarded but additional funding may be awarded dependent upon the 2011 Federal budget. The Statement of Work for the noxious weed program was modified since the funding level has changed. Mr. Cowan will notify Council if additional funding is made available to SLPT.

Mr. Cowan attended a training session regarding Indian Fiduciary Trust Principles. It focused on estate planning, probate issues, Individual Indian Monies accounts and allotment ownership. At this training, Mr. Cowan met representatives of the Stewards of Indigenous Resources Endowment (SIRE). SIRE is a non-profit professional corporation which can provide Tribal members with free estate-planning services. Attorneys with SIRE can visit on-site. Mr. Cowan suggested Council visit the SIRE website to get more information. It would benefit the Council and Tribal members to have SIRE visit the Tribal office.

The NRD has revised the Statement of Work for the BIA-funded noxious weed program. Mr. Cowan presented a proposed resolution, "Approval of 2011 Bureau of Indian Affairs Range Noxious Weed Funding". This Resolution states that Council approves the revised Statement of Work, authorizes the NRD to request subsequent funding, if made available, and approves extension of the grant. SLPT also has a TWG noxious weed program.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese made a motion to approve the revised Statement of Work and to introduce and approve Resolution SL-09-2011, Approval of 2011 Bureau of Indian Affairs Range Noxious Weed Funding, and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and that Resolution SL-09-2011 was enacted at 11:20 a.m.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

Mr. Cowan requested the Council's participation in the Connecting With Nature Event by outreaching to their families regarding attending. Frances Winn has offered to help with cooking. The event is funded by a FWS grant of \$6,700. Mr. Cowan has contacted the BLM and the Nevada Department of Wildlife (NDOW) for loan of tents. Council agreed to hold a strategy meeting regarding the event with the NRD on Saturday, May 7, 2011. William stressed that Council time at this meeting is volunteer time. Since there is a cost share element to the grant, this meeting will be documented as in-kind contribution.

Frances Winn suggested holding Finance training following the May 7<sup>th</sup> strategy meeting.

Mr. Cowan then requested Council Chairman Warner Barlese contact SIRE and extend an invitation to attend an upcoming Council meeting. Chairman Barlese requested that Barbara Nelson, Administrative Coordinator/Finance Assistant draft an article for SLPT's next newsletter inviting Tribal members to meet with SIRE. He also requested that SIRE's information be posted on the website.

Mr. Cowan recommended tabling the proposed resolution requesting either the BIA DOT or a private licensed engineer to perform Preconstruction Engineering services for IRR.

SLPT has been approved to receive two mobile homes being donated by the Federal Emergency Management Agency. A contractor has been hired to transport them from Hope, Arkansas to the Reservation. The contractor has a storage yard and is holding them in Arkansas until SLPT is prepared for their delivery and installation. Mr. Cowan advised Council that they will need to decide where to locate the trailers on the compound. The Maintenance Workers will need to construct concrete pads and connect electricity and septic systems.

Mr. Cowan has drafted a contract, in consultation with University of Nevada-Reno (UNR), for Dr. Sudeep Chandra along with a graduate student to conduct a food web study of Summit Lake. The graduate student will be performing most of the work with supervision by Dr. Chandra. Specifically they will be looking at what affect minnows are having on Lahontan Cutthroat Trout. The contract with UNR will become effective May 1, 2011 through September 30, 2013, or upon completion, whichever comes first. The proposed contract, which will be funded by the TWG for \$146,130, will need to be endorsed by Council. Council Chairman Warner Barlese will need to sign the agreement.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese made a motion authorizing Council Chairman Warner Barlese to approve and sign the Contract for Consultant Services between SLPT and UNR with any potential amendments that may arise from consultation with UNR. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed at 11:56 a.m.

Mr. Cowan discussed email correspondence regarding a Congressional proposal to reduce FWS funding from \$90 million to \$62 million. The Council discussed how FWS and DOI may have discretion to share TWG funding with states to deal with the proposed budget shortfall.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

CONSENSUS: Consensus of Council was for Council Chairman Warner Barlese to sign letters addressed to FWS and DOI to maintain current level of funding for the TWG. The letters will be ready for signature following today's meeting.

#### LUNCH BREAK

At 11:57 a.m., it was the consensus of the Council to take a one hour lunch break.

#### CALL BACK TO ORDER

At 1:02 p.m., Council Chairman Warner Barlese called the meeting back to order.

#### ROLL CALL

Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, Randi DeSoto and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT. Frances Winn, Tribal Accountant (Director, Finance Department); William Cowan, Natural Resources Department Director; and Barbara Nelson, Administrative Coordinator/Finance Assistant.

GUESTS PRESENT. Mr. Anan Raymond, Regional Archaeologist, FWS and Dr. Geoffrey Smith, Assistant Professor, UNR.

Council Chairman Warner Barlese stated that after the first government-to-government consultation with FWS regarding Sheldon-Hart Wildlife Refuge (Sheldon), the SLPT had concerns about how cultural artifacts are handled when found by archaeologists. Mr. Raymond stated that FWS would not issue permits for archaeological activity without consultation with SLPT. It is Mr. Raymond's responsibility to keep SLPT informed and ask for Council input. FWS does not have resources to staff archaeologists at all wildlife refuges. The FWS regional archaeologists are based in Portland, Oregon.

Mr. Raymond continued that FWS has never sponsored an archaeological project such as the one being proposed by UNR. UNR is requesting an Archaeological Resource Protection Act (ARPA) permit from FWS to excavate two rock shelters at Sheldon. The outcome of this work will be to determine the age of human occupation by carbon dating charcoal from fire residues. UNR will restore the excavation site to an impeccable state which is a requirement FWS would apply to the permit, if issued. Any reports issued by UNR as a result of this project would not identify the exact location of the excavation. UNR will also be required to sign confidentiality agreements. UNR proposes to conduct the project this summer. FWS will need at least three weeks to process UNR's request for an ARPA permit. Dr. Smith stated that any artifacts uncovered will be placed in bags and boxes and transported to the UNR museum under his care and supervision. They will then be catalogued and placed in labeled boxes. If funerary objects or other artifacts are found at the excavation site that meet criteria specified in the Native American Graves Protection and Repatriation Act (NAGPRA), work will cease.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

Chairman Barlese stated that Council is concerned about these artifacts since they may be culturally significant to SLPT. When artifacts are taken, it is a lengthy process to have them returned to the Tribe. Mr. Raymond agreed that is a legitimate concern and that if there is a way to make the process easier, he would be open to discussing it. However, ARPA sees artifacts as government property. ARPA regulations dictate that artifacts must be stored in a museum which meets ARPA criteria. Any NAGPRA artifacts must be repatriated to Tribes, however, the challenge is identifying NAGPRA artifacts.

Chairman Barlese stated that Council wants their own cultural monitors on site throughout the field work process. FWS and UNR stated that they are willing to fund these monitors through the field work stage and asked what compensation cultural monitors typically receive. Chairman Barlese responded \$25 to \$50 per hour, but it varies per project.

Chairman Barlese continued that the concern for SLPT is when cultural artifacts are in the possession of non-Tribal individuals. Mr. Raymond stated that FWS would not take physical possession of any artifacts. They will be housed at the UNR museum, which meets ARPA criteria. Mr. Raymond will send the Council ARPA rules for storing cultural objects and stated that if SLPT can demonstrate that they can meet ARPA storage requirements, FWS will return artifacts to the Tribe to put in their curation facility. Some Tribes do have facilities which meet ARPA rules and SLPT may be able to negotiate an agreement with one to store SLPT NAGPRA artifacts.

Chairman Barlese stated that SLPT would like a memorandum of understanding to have cultural objects turned over to SLPT. This agreement would include:

- Provision for Tribal monitors, their compensation and duties
- Dealing with NAGPRA artifacts
- Process for Tribal members to visit the collection at UNR
- A condition for SLPT Council to visit the site prior to excavation
- A provision for SLPT Council to review any reports resulting from the project prior to their publication

The draft memorandum of understanding will be drafted and communicated to Council Chairman Warner Barlese and Mr. Cowan. Target date is May 7, 2011.

Dr. Smith then discussed a prior cave excavation in which he was involved. They obtained centuries-old fossilized feces which he would like to carbon date and determine if it is human or animal. The collection came from a cave at Sheldon. The analysis would be performed at the Desert Research Institute. Council had no objections but asked to be sent any findings.

That concluded the government-to-government consultation with FWS and UNR.

BREAK

At 2:38 p.m., it was the consensus of the Council to take a ten minute break.

CALL BACK TO ORDER

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

At 2:48 p.m., Council Chairman Warner Barlese called the meeting back to order.

ROLL CALL

Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, Randi DeSoto and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT. Frances Winn, Tribal Accountant (Director, Finance Department); William Cowan, Natural Resources Department Director; and Barbara Nelson, Administrative Coordinator/Finance Assistant.

REPORTS - NATURAL RESOURCES DEPARTMENT (Continued)

Discussion Points (Continued)

Mr. Cowan suggested the Council read the draft Long Range Transportation Plan (LRTP) and provide comments at their May 7, 2011 strategy meeting. Council comments would then go back to the consultant who will develop a second draft LRTP. This draft would be presented at a public meeting. A final LRTP will be developed by the consultant. Council will need to introduce and approve a resolution, by June 11, 2011 approving the LRTP. The consultant will then present the Council-approved LRTP to BIA (by June 15, 2011).

CONSENSUS: Consensus of Council was to hold a public meeting at Summit Lake Reservation on Sunday, May 22, 2011. Public notice will be published 15 days prior to this meeting.

Mr. Cowan stated that SLPT has received notice from BLM of a proposed geothermal study at McGee Mountain. Hot springs located near Gridley Lake are used by Tribal members for ceremonial purposes. He advised Council to consult with BLM if there are potential impacts to the hot springs.

CONSENSUS: Consensus of Council was for Council Chairman Warner Barlese to sign correspondence to BLM requesting consultation on the project if there are potential impacts to hot springs used by Tribal members.

MOTION: Council Member Jerry Barr introduced a motion for Council to go into Executive Session at the request of Mr. Cowan. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed at 3:07 p.m.

The NRD Director concluded his report at 3:22 p.m.

REPORTS - ENVIRONMENTAL COORDINATOR REPORT (Continued)

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

Ron Johnny, Environmental Coordinator (Director, Environmental Protection Department) and Acting Administrator/CAE stated that the Inter-Tribal Emergency Response Committee (ITERC) is moving forward on purchasing 800 mhz two-way radios for Tribes. ITERC needs Council approval showing that SLPT understands the radios will be provided at no cost to SLPT. They will be receiving the equipment and training only. Training would cover what topics of conversation are acceptable and unacceptable on the radios. Acquisition of two-way radios would enable SLPT to converse with FWS at Sheldon and with BLM fire fighters. ITERC is writing a grant proposal to purchase the radios and then distribute to Tribes.

Frances Winn stated for the record that she disagrees with Council supporting the proposal regarding the two-way radios because it would be considered pass through funds through ITERC.

Additionally, The Nevada Indian Health Board (IHBN) is currently the fiscal agent of ITERC. ITERC now wants to become an independent entity and is requesting Council support of this concept via resolution.

Mr. Johnny presented a resolution, Authorizing ITERC to Apply for a Grant on Behalf of Tribe and Approving Concept of ITERC Becoming Separate Non-Profit Organization.

MOTION: Council Member Jerry Barr made a motion to introduce and approve Resolution SL-10-2011, Authorizing ITERC to Apply for a Grant on Behalf of Tribe and Approving Concept of ITERC Becoming Separate Non-Profit Organization, and waiving reading of the resolution. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 3 For, 0 Against, and 1 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed at 3:43 p.m.

#### READING OF MINUTES

CONSENSUS: Consensus of Council was to table reading and approval of prior minutes.

#### NEW BUSINESS

Discussion followed regarding raising Council stipends due to rising gas prices. Mr. Johnny stated a second option would be to lower the stipend and then pay mileage, per diem and lodging.

MOTION: Vice-Council Chairman Ernie Barlese introduced a motion to increase Council stipends from \$250 to \$350. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed at 3:54 p.m.

#### SECRETARY/TREASURER REPORT

Council Secretary/Treasurer discussed the Indian Child Welfare Act Case Worker position. She would like to advertise the position in a newsletter for tribal member preference.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, April 16, 2011  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

---

COUNCIL MEMBER REPORT

Council Member Jerry Barr reported that a Department Directors meeting was held on April 7, 2011 to improve coordination between departments. He stated the meeting went well.

Council Member Jerry Barr discussed the 2010 proposal regarding helping school age students with school supplies. He asked that a document be drafted to begin offering this service.

ADJOURNMENT

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion to adjourn. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and the meeting was adjourned at 3:58 p.m.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the April 16, 2011 Special Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on August 20, 2011, by a vote of 4 For, 0 Against, and 0 Abstaining, and that Council Chairman Warner Barlese did not vote because there was no tie vote.

August 20, 2011  
Date

  
Jerri Lynn Barlese, Secretary/Treasurer  
Summit Lake Paiute Council