

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

CALL TO ORDER. At 9:00am, the Council Meeting was called to order by Council Vice-Chairman Ernie Barlese as Acting Chairman.

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

STAFF PRESENT. Frances Winn, Tribal Accountant (Director, Finance Department); and, Ron Johnny, Environmental Coordinator (Director, Environmental Protection Department) and Acting Administrator/CAE.

COUNCIL MEETING AGENDA CHANGE

MOTION. Council Member Jerry Barr introduced a motion to amend the Council Meeting Agenda making Finance Department reports first. Agenda item B is moved to item A and vice versa. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the Motion was approved at 9:02 a.m.

REPORTS - FINANCE DEPARTMENT

Frances Winn, Tribal Accountant and Director, Finance Department, reviewed the 2011 BIA Recontract applications with the Council.

Consolidated Tribal Government Program (CTGP). CTGP incorporates Aid to Tribal Government (ATG), Indian Child Welfare Act (ICWA), Enrollment and Higher Education. Mr. Johnny asked several questions which were answered by Ms. Winn. Ms. Winn then reviewed the CTGP Budget Justification.

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese made a motion introduce and approve a Resolution titled "Approving the 2011 CTGP Recontract Application, Contract CTH61T655U1," and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and that Resolution SL-26-2010 was enacted at 9:09 a.m.

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese made a motion to introduce and approve a Resolution titled "Approving the Fisheries Management 2011 Recontract Application, Contract CTH61T655U2," and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared motion had passed and that Resolution SL-27-2010 was enacted at 9:11 a.m.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese made a motion to introduce and approve a Resolution titled "Approving the Roads Maintenance 2011 Recontract Application, Contract CTH61T655U3," and waiving the reading of the Resolution. Council Member Randi DeSoto seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and that Resolution SL-28-2010 is enacted at 9:13 a.m.

MOTION. Council Secretary/Treasurer Jerri Lynn made a motion to introduce and approve a Resolution titled "Approving the Range Improvement 2011 Recontract Application, Contract CTH61T655U4," and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-29-2010 was enacted at 9:14 a.m.

MOTION. Council Secretary/Treasurer Jerri Lynn made a motion to introduce and approve a Resolution titled "Approving the Higher Education 2011 Recontract Application, Contract CTH61T655U5," and waiving the reading of the Resolution. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-30-2010 was enacted at 9:16 a.m.

Ms. Winn thanked the Council for their approval of all of her recontract applications.

COUNCIL MEETING AGENDA CHANGE

MOTION. Council Member Jerry Barr made a motion to make another change to the agenda, asking that the Natural Resources Department Report be next on the agenda. Council Member Randi DeSoto seconded the motion. What was vote? The motion was approved at 9:19 a.m. Who declared motion approved?

REPORTS - NATURAL RESOURCES DEPARTMENT (NRD)

Acting Director Kent Bloomer stated the NRD report covers the period of November 13, 2010 to December 18, 2010.

Rachael Youmans, Wildlife Biologist, developed a newsletter that was recently mailed, summarizing NRD accomplishments during the summer and fall of 2010, and welcomed four new tribal members.

The NRD holds coordination meetings each Monday morning to discuss projects to be done during the week. Each Friday, during the period of William Cowan's required "break in service" from the Summit

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
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Lake Paiute Tribe (SLPT), Mr. Bloomer and Ms. Youmans provide Mr. Cowan with a report on what was accomplished during the week to keep him apprised of NRD activities.

Mr. Bloomer discussed the outdated computers: at their last meeting, Council approved that the equipment would first be offered to tribal members, and then be listed on EBay or another store. Mr. Bloomer went through all the computers, removed all data and determined which ones were functional. Seven are functional (five desktops and two laptops). Mr. Bloomer suggested that one day be set aside for tribal members to come in and get a computer if they wished. Council Vice-Chairman and Acting Council Chairman Ernie Barlese asked what would happen if no tribal members wanted them. Council Member Jerry Barr said the decision was to donate or recycle them. Mr. Bloomer stated he wanted to put notice in a tribal member newsletter. Council approved developing a newsletter article and agreed to a 30-day period for members to respond. Members could call and make an appointment. Mr. Bloomer stated that the organization Computers-2-U has a software program called "Kill Disk" which can erase internal data, and Computers-2-U certifies that all data has been erased for a minimal \$5 charge to erase data on monitors, printers and scanners. There is no charge for hard drives. Equipment left after Tribal members pick up their computers, the Council could consider sending to Computers-2-U. Mr. Johnny stated that ATG should be able to pay the fee, assuming it's an allowable cost.

Mr. Bloomer announced that BIA has donated to SLPT, two ATV's in reasonably good condition, and that the Tribe now has six ATVs. In response to a Council Member question about ATV use by Council Members, Mr. Bloomer advised that answering the question was beyond his authority as Acting Director and that the question should be directed to Director of the Natural Resources Department.

The Nevada Department of Agriculture grant, used to conduct the noxious weed training session in May 2010, is closing out at the end of December. The NRD created a comprehensive user guide and training manual which covers pesticide mixing, a log to record pesticide use, treatment areas, GPS operations, photo identification guide, pesticide labels, and material safety data sheets. These can be used by tribal members who wish to treat their land assignments. The grant also provided equipment and supplies: pesticides, GPS units, backpack sprayers, and personal protective equipment. These can be loaned to tribal members free of charge. Protocols will be established for members borrowing equipment and supplies.

Ms. Youmans has sent an amended right-of-way application to BLM identifying the headwaters of Snow Creek as an alternative location for the Sno-Tel project. We are waiting for BLM to respond. NRD is trying to get other Federal agencies to share resources to get the Sno-Tel equipment to the Snow Creek location.

The maintenance workers last day was November 19, 2010. The recent newsletter summarized their accomplishments during their time with SLPT. NRD hopes to rehire these two workers in 2011. There may also be some of the 2010 noxious weed crew returning in 2011. Mr. Johnny stated that Council needs to give approval to rewrite the section of the Personnel Manual which deals with hiring temporary, seasonal employees.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

WHPacific will be providing SLPT an interim report on the long-range transportation plan which the NRD will review. NRD will submit comments to WHPacific who will then develop a draft final plan. They will meet with Council to discuss the plan. A final plan will be developed and will be open for public comment. Mr. Bloomer stated that Council needs to identify an area where, at a future date, a housing development or subdivision could be established.

The U.S. Fish and Wildlife Service (FWS) noxious weed grant began in 2009 and will end in 2011. NRD requested the FWS extend it until December 31, 2012 and that the remaining funds be reprogrammed. FWS approved \$10,000 for NRD to obtain a tribally-owned vehicle such as an 8-passenger 4-wheel drive Suburban or Excursion to transport the noxious weed technicians. The vehicle could also be used for other purposes (i.e. tribal member workshops on the reservation) since policy states that tribal employees and council members can transport tribal members.

Some of the re-budgeted FWS funds may be used to develop another shower facility at the tribal compound for an approximate cost of \$4,000.00.

The Tribal Wildlife Grant (TWG) grant for a food web analysis is still in the initial stages. NRD is working with UNR to select a graduate student to assist with the project.

A few of the EPA non-point source competitive grants have been closed out. Ms. Youman's feral horse management plan is adopted. NRD is working with BLM to share resources to maintain and reconstruct the south boundary fence.

Next month there is a Lahontan Cutthroat Trout interagency meeting and SLPT may be making a presentation at this meeting. He and Ms. Youmans will be discussing this with Mr. Cowan upon his return.

A 319 competitive non-point source pollution grant is due to EPA January 7, 2011. This project will protect One Mile Spring from the bacteria evidenced there. One Mile Spring is not currently open for drinking water purposes. The potential sources of the bacteria are most likely coming from the actual spring which you can't see because of rock formations. Mr. Bloomer reported that Mr. Cowan thinks there may be rodents climbing into the rocks and polluting the water there and so by the time it gets to the One Mile Spring house, the water is already polluted. NRD will be considering other options for combating this non-point source pollution.

The EPA 106 draft work plan is due February 1, 2011 which provides funding July 2011 through June 2012.

Mr. Bloomer advised that he had submitted a proposal for noxious weeds through BIA for \$30,000.00 which is an increase from last year of \$23,000.00.

BREAK At 10:00 a.m., it was the consensus of the Council agreed to take a ten minute break.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

CALL BACK TO ORDER. At 10:10Am, Acting Council Chairman Ernie Barlese called the meeting back to order.

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

STAFF PRESENT. Kent Bloomer, Resource Technician, and Acting Director, Natural Resources Department; and, Ron Johnny, Environmental Coordinator (Director, Environmental Protection Department), and Acting Administrator/CAE.

REPORTS - ACTING CHIEF ADMINISTRATIVE EMPLOYEE

Mr. Johnny gave a written and verbal report, recapping that two motions were approved at the Council meeting December 17, 2010. One motion authorized The Tribe's pro bono attorney to file a new Petition for Review in the Ninth Circuit U.S. Court of Appeals against BLM's December 10, 2010 decision to amend the Record of Decision (ROD), Right-Of-Way (ROW) and adopting a DNA. BLM's decision harms the Tribe and its members. The second motion authorized the Council and the Natural Resources Department Director to negotiate with the Federal Energy Regulatory Commission (FERC) and Ruby Pipeline (Ruby) on the terms of Ruby Pipeline entering the Reservation and taking samples of water from the Tribe's sacred One Mile Spring. Ruby agreed to implement additional measures in the One Mile Spring drainage area such as trench inspections, trench plugs and to not appropriate ground water from the area. Now Ruby has filed a supplement with FERC requesting to use Kundra's well at Five Mile Spring as a source to appropriate ground water for dust control. Council Chairman Warner Barlese will sign a letter to FERC and BLM declaring that Council has agreed to negotiate on the terms of David Swearingen's November 24, 2010 letter. Then Council Chairman Warner Barlese will file an opposition to the Ruby supplement saying that FERC promised certain things to negotiate and now Ruby Pipeline is breaking that promise.

FERC/Ruby needs to propose dates whereby they can meet with Council and Director of the Natural Resources Department to begin negotiations regarding:

- whether Ruby Pipeline can come on the reservation and how they will have access (i.e. met and monitored by at least one tribal employee);
- Ruby paying for spiritual leaders to conduct the appropriate ceremony or ceremonies before Ruby or its contractors take water samples;
- who pays for the Tribe to conduct its own water quantity and quality sampling;
- who pays for Tribe employee time escorting Ruby to the Spring and monitor water sampling; and,
- should Ruby pay for a qualified contractor to conduct the Tribe's water sampling or pay the Tribe to purchase special equipment so that the Tribe can perform that work.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

Mr. Johnny will request FERC identify the names of FERC/Ruby representatives that will be at the negotiation sessions. BLM has declared authority, if Tribe's conditions are unreasonable or if they are untimely, to permit Ruby can proceed as they like. The negotiations will probably take multiple meetings plus preliminary sessions with the Chairman and whoever assists him. The meetings will need to take place on Saturdays.

Mr. Bloomer stated the the Tribe should call EPA and ask what the Tribe should be testing for. Ruby will also need to develop a quality assurance plan. Mr. Johnny said that the Tribe needs to find out what chemicals are in the materials that Ruby is using in the trench plugs and pipe coating.

Acting Council Chairman Ernie Barlese stated that the Council needs to move on this to make sure the negotiations are conducted in a timely manner.

Ruby has funded an agency \$8 million for sage grouse mitigation studies. Mr. Bloomer asked if it would be a conflict of interest for the Tribe to apply for these funds since the Tribe has pending petitions for review in the Ninth and District of Columbia Circuits of the U.S. Court of Appeals. Mr. Johnny said "no," because it's not Ruby who the Tribe would apply for funding to.

(At 10:22 a.m., Jeraldine Abel, Thalia Dick (Jeraldine's sister), Fern Wasson (Jeraldine's niece), Patricia Beedels (Jeraldine's daughter), and Thesa Bert (Brown) Huerta-Raya entered the meeting.)

(At 10:28 a.m., Mr. Bloomer left the meeting.)

(At 10:29 a.m., Council Chairman Warner Barlese, in Washington, D.C., for the Second White House Tribal Leaders Summit, was teleconferenced into the meeting for the enrollment hearings. Council Vice-Chairman Ernie Barlese remained the Acting Council Chairman.)

HEARINGS FOR COMMITTEE RECOMMENDED DENIALS OF ENROLLMENT APPLICATIONS

Mr. Johnny explained the Notice that the Council had authorized be mailed to Ms. Thesa Burt (Brown) Huerta-Raya.

Ms. Huerta-Raya presented a letter dated May 25, 2005 from the Te-Moak Tribe verifying that she was not eligible for membership in the Te-Moak Tribe, and stated that she had mistakenly wrote on her enrollment application that she was enrolled in the Te-Moak Tribe.

Council discussed that the only reason Ms. Huerta-Raya's enrollment application was not recommended for approval by the Enrollment Committee was because she had stated she was a member of the Te-Moak Tribe on the application. Ms. Huerta-Raya stated that the Te-Moak Tribe had previously terminated both her and her mother. Council Chairman Warner Barlese asked if Ms. Huerta-Raya had her birth certificate. Ms. Huerta-Raya stated her father is Bert Burt Brown and that her father has been enrolled in this Tribe all his life. She is requesting enrollment through her father. Council Chairman

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

Warner Barlese asked that Ms. Huerta-Raya's application for enrollment be considered in Executive Session. Mr. Johnny informed Ms. Huerta-Raya that the Council would consider her appeal in Executive Session, that if the Council approves enrollment, a Council Resolution and a letter signed by the Chairman will be forthcoming. If the Council needs any additional information, then Ms. Huerta-Raya may get a letter stating that fact. She was then excused.

Jeraldine (Geraldine) Lynn Abel's appeal was then presented. The Council had previously been provided with a copy of correspondence from the Fort McDermitt Tribe acknowledging that Ms. Abel is not enrolled with McDermitt. The SLPT Enrollment Committee recommended denying Jeraldine's request for enrollment for two reasons. First, because she mistakenly wrote on her application that she is a member of the Fort McDermitt Tribe. Second, she was previously enrolled in error. Ms. Abel stated she was enrolled with the Tribe in 1937, at age 2 or 3. At when she was 2 or 3 years old, the BIA Superintendent visited Summit Lake and told the family that they needed to move to a place where the children could go to school once they became of school age. The family chose to move to Fort McDermitt. Ms. Abel said that her family was always enrolled in this Tribe but the 1940 Census showed that they were enrolled in error. Council Chairman Warner Barlese asked that the Council go into Executive Session to discuss this appeal.

(At 10:56 a.m., Council Chairman Warner Barlese left the meeting.)

Mr. Johnny informed Ms. Abel that the Council would be going into Executive Session where a decision will be made on the appeal. If the Council approves enrollment, a Council Resolution and a letter signed by the Council Chairman will be forthcoming. If the Council needs any additional information, then Ms. Abel may get a letter stating that fact.

REPORTS – ACTING CAE REPORT

(At 11:09 a.m., Mr. Johnny continued with his report.)

12/16/10 Ron was sick so he missed the Higher Education Committee meeting scheduled for that night. However, he stated that only two Committee members showed up which did not constitute a quorum. They planned the meeting for the night of December 17, 2010. Nedra Crane is requesting that she be moved to being an alternate rather than a primary member of the Committee and having Delgadina Gonzales named a primary member.

Ron will be traveling to Washington DC the second week of January with Jerry Barr for the Sex Offender Workshop. The Department of Justice may have a grant writing workshop so he may be staying an extra day. Jerry Barr may meet with House Congressional representatives during this trip to discuss SLPT needs. Warner is working on the Senate Congressional representatives.

Ron is behind on his quarterly reports for the Higher Education contract and the narrative reports for the CTGP contract (ATG, ICWA and Enrollment). These will be done in a few weeks.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

Mr. Johnny handed out to Council a proposed Resolution regarding Higher Education Funding for one tribal member, advising that last semester, the Council approved two members for Higher Education funding, however, as continuing students both need to submit their grades which had been done. Another Tribe member submitted a financial needs assessment form but had no unmet need so, per the Tribe's Higher Education Guidelines, that tribal member was not being recommended for funding. Another member submitted an application but he also did not have unmet need. Also, there was no quorum at the Higher Education Committee meeting December 17, 2010 so they couldn't have an official meeting with minutes. The final tribal member who has completed an application does have unmet need which is \$1,578.00 for the November term. There was also unmet need for the January 2011 term which will be dealt with in 2011.

MOTION. Council Member Jerry Barr made a motion to introduce and approve a Resolution titled "Higher Education Guidelines Mandated Resolution," and waive reading of the Resolution. Council Member Randi DeSoto seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Council Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-39-2010 was enacted at 11:28 a.m.

ENVIRONMENTAL COORDINATOR REPORT

On November 10, 2010, Mr. Johnny met with Council Chairman Warner Barlese; Athena Brown, Superintendent, Western Nevada Agency (WNA), Bureau of Indian Affairs (BIA); Marilyn Bitisillie, WNA BIA Awarding Official; Grant Vaughn, Solicitor, U.S. Department of the Interior (Interior); and, Frances Winn, Tribal Accountant, regarding the Interior Department deferred revenue. It was discovered that indirect cost funding was a major portion of the deferred revenue findings. Ms. Winn sent him a draft memorandum, summarizing the Tribe's position on the deferred revenue findings, to review. Once finalized, the memorandum will be sent to BIA. Mr. Johnny will get the review done by December 19, 2010. BIA and Mr. Vaughn will then prepare a settlement agreement. When the settlement agreement is finalized, with the dollar figures identified, it will be presented to Council and Council will consider giving Council Chairman Warner Barlese authority to sign the final settlement. Mr. Johnny stated that it appears the final deferred will be somewhere between \$103,000 and \$110,000. BIA will then help the Tribe resolve the remaining amount.

Council gave Mr. Johnny permission on December 2, 2010 by an FM radio station about the Tribe's experience with the Ruby Pipeline Project. The radio talk show host really only wanted to talk about whether Indian tribes would be willing to store nuclear waste; Ruby Pipeline was not discussed.

On November 30, 2010, Mr. Johnny went up to the area where Ruby was working. He asked for a decision from Council on how to treat environmental issues that Gene Seidlitz, BLM, talked to Council about on December 11, 2010. Mr. Johnny also reported that the Fort McDermitt Tribe authorized sand

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

bags be put around the Prayer (rock) Stacks; the work started on December 7, 2010 and was finished on December 8, 2010.

On November 15, 2010, new U.S. Attorney Tom Bogden, Assistant Chief US Attorney for Nevada Sue Fahani, and the new Assistant U.S. Attorney who will prosecute federal crime violations, including environmental law violations, in Indian Country visited the tribal office. Council Secretary/Treasurer Jerri Lynn Barlese and Council Members Jerry Barr had previously met them at the Reno Federal Building during the U.S. Department of Justice Consultation Session with western Nevada Tribes. The US Attorney's office wanted to meet Tribe staff and see the office. For an hour, Mr. Johnny showed them pictures of the Reservation and explained why the Tribe wants to protect the environments on and near the Reservation. He showed them pictures of what Ruby is planning to do there.

Mr. Johnny spent the third week of November attending a Department of Energy (DOE) workshop on the Energy Efficiency Block Grant to replace windows and doors at the Tribal compound, pump house, and maintenance shop, and (if money permits) install insulation. No contractors submitted a bid although Ron contacted numerous companies in Winnemucca, Alturas, and Bidwell. On December 15, 2010, Mr. Johnny went to the Reservation and relative to his ACAE position he called Harney Electric and read them the meter reading. In his capacity as Environmental Coordinator, he drove from the Reservation to Denio Junction, met Fast Glass, Winnemucca, and Harold Robison, the metal recycler, Winnemucca, and escorted both to the Reservation because they had never been there before. Fast Glass took measurements of windows and doors to submit a quote to replace same with the \$25,000 DOW EECBG Grant. The metal recycler looked at the open pit dump and tribal compound where junked vehicles and metal are located, and agreed to come to the Reservation in May 2011 to recycle junked vehicles and metal at no cost. Custom Glass in Reno is also now interested in submitting a bid. Mr. Johnny hopes to meet with Custom Glass on the Reservation in January 2011.

On November 12, 2010, he participated in a national conference call with EPA. Tribes cannot use restricted use pesticides in Indian Country. EPA is considering modifying that language but it would apply to other entities and not just tribes. Tribes are objecting to EPA making the change in language as proposed.

Mr. Johnny met with Danny Thayer from the Reno/Sparks Indian Colony who does volunteer fire fighting work for Pyramid Lake and Reno/Sparks and has a position with the Nevada Division of Emergency Management (DEM). Mr. Thayer is helping Mr. Johnny with the NIMS Component of the 2010-2011 GAP Grant by creating a list of all equipment that the Tribe has on the Reservation. If there was ever a fire and BLM needed a grader, backhoe, ATV's or other equipment, they could contact the Natural Resources Department and, if the Department Director agreed, the Tribe could loan the equipment, for a fee.

On December 8, 2010, Ruby Pipeline requested permission to start operations in the area of the Reservation. Council Chairman Warner Barlese signed a letter opposing that because they didn't have an adequate safety plan for injured workers. On Saturday, December 11, 2010, Gene Seidlitz, Director, BLM Winnemucca District Office, told the Tribe that BLM had not approved the Determination of

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

National Environmental Policy Act Applicability (DNA) on Ruby's newest request but in fact it was issued the day before, on Friday, December 10, 2010.

The Tribe's application for the 2011-2012 GAP Grant was due December 15, 2010. He stayed at the office until 1:45 a.m., December 14, 2010, to get it filed.

Relative to his meeting with Harold Robison, the metal recycler, regarding the 2011 Spring Clean Day, Mr. Johnny advised that Mr. Robison is willing to bring his tractor trailer rigs, his settling torch cutters, and a crusher to the Reservation. Council will need to approve a location where members can bring their old cars and junk for recycling. Mr. Johnny has taken pictures of every vehicle and the VIN plates on most. He will ask BIA to run the VIN numbers to verify if they are owned by the tribe. The metal recycler is willing to pick up the metal free of charge. May need to have the maintenance workers grade an area where recycling items can be stored. He has not had a response from members for junk that needs to be picked up from their land assignments. There is a form that they need to fill out.

Upcoming Travel:

1/3-6/11 Department of Energy, San Francisco

2/8-10/11 RTOC in Madeira County, California.

4/26-28/11 RTOC

7/26-28/11 RTOC in Moapa

UNFINISHED BUSINESS

Council Member Jerry Barr asked for Council to call or text him if they have anything that they would like him to discuss with the House Congressional representatives during his Washington, D.C., trip.

BREAK At 11:52am, it was the consensus of the Council agreed to take a lunch break until 1:05pm.

CALL TO ORDER. At 1:05 p.m. the Council Meeting was called to order by Council Vice-Chairman Ernie Barlese as Acting Chairperson.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Ernie Barlese, Jerry Barr, Jerri Lynn Barlese and Randi DeSoto. Absent: Warner Barlese.

STAFF PRESENT. Ron Johnny, Environmental Coordinator.

APPROVAL OF PREVIOUS MEETING MINUTES

Mr. Johnny stated that with all that's going on, he's started the overdue minutes but hasn't completed them. He hopes to have them for the January meeting.

EXECUTIVE SESSSION

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

Tribal Accountant Frances Winn had requested an executive session, however, went home ill.

Council Member Jerry Barr stated that he didn't see why there has to be an executive session for the two people requesting enrollment; Mr. Johnny was directed to prepare Resolutions on these enrollment requests and present them at the January 2011 Council Meeting.

Acting Council Chairman Ernie Barlese stated that Council Chairman Warner Barlese spoke to him about introducing a Resolution to hire a cultural representative. Council Chairman Warner Barlese suggested reprogramming ICWA and Enrollment to fund a cultural person to reduce Mr. Johnny's volunteer workload on Ruby Pipeline cultural resource issues. Council Member Jerry Barr stated a cultural resources employee doing Ruby work would have to be paid by Ruby. Mr. Johnny stated 638 contracts exist for whatever the Council wants it to do; that he could email Marilyn Bitisillie, BIA, and obtain a list of functions 638 funding can be used for. Mr. Johnny said that once the Enrollment Committee reviews the remaining two applications, then their task is done and that money could be reprogrammed. Mr. Johnny stated the Enrollment Committee can only use BIA enrollment money for reviewing applications.

Council Member Randi DeSoto asked about funding for child care development. Inter-Tribal Council of Nevada has a program for people who meet certain eligibility requirements.

Mr. Johnny reiterated the need for a Ruby cultural monitor; if the Tribe wins their court cases, then Ruby will have to procedurally start all over again. If that's the case, he has been advised by his GAP project officer that he cannot perform cultural work. If the Tribe loses the court cases, Ruby gets to start work right away. Then someone would need to be up there watching what Ruby is doing because Ft McDermitt is making all the monitoring decisions right now and they're not even consulting with the Tribe. Mr. Johnny still recommended reprogramming ICWA and Enrollment budgets to hire cultural monitors. If that can't be done, then the tribe would have to look for another source of funding to hire monitors.

ADJOURN

MOTION. Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion to adjourn. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, and 0 Abstaining. Acting Council Chairman Ernie Barlese, who did not vote because there was no tie vote, declared the motion had passed and the meeting was adjourned at 1:29 p.m.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, December 18, 2010
Primary Administrative Office, 1708 H Street, Sparks, Nevada

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the December 18, 2010 Special Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on 8/13/11, by a vote of 3 For, 0 Against, and 0 Abstaining, and that Council Chairman Warner Barlese did not vote because there was no tie vote.

August 13 2011
Date

Jerri Lynn Barlese
Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council