

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, June 18, 2011
Summit Lake Primary Administrative Office

CALL TO ORDER. At 8:00 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, Jerri Lynn Barlese and Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT: Frances Winn, Finance Director; Ron Johnny, Environmental Coordinator.

MOTION: Council Vice Chairman Ernie Barlese introduced a motion for an agenda change to go into Executive Session to discuss the Environmental Protection Agency (EPA) General Assistance Program (GAP) Grant. 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.

Chairman Barlese reported that he had received a fax on Tuesday, June 14, 2011 regarding the EPA GAP Grant the importance of which requires an Executive Session. The Executive Session started at 8:05 a.m.

The Executive Session ended at 8:52 a.m.

CONSENSUS: Consensus of Council was to go into another Executive Session to further discuss the GAP grant and to include Ms. Winn in this Session. Vote called. Vote 4 For, 0 Against and 0 Abstaining. The Executive Session began at 9:00 a.m. and concluded at 9:30 a.m.

The Council discussed the GAP grant and the projects on the Work Plan that need to be completed. Council agreed to send Mr. Johnny on administrative leave for two weeks to complete the GAP work plan projects. Council also agreed that Mr. Johnny was relieved from his Acting Chief Administrative Employee (ACAE) duties. Council Secretary/Treasurer Jerri Lynn Barlese and Council Members Randi DeSoto and Jerry Barr volunteered to assume responsibility for the ACAE administrative functions.

CONSENSUS: At 9:35 a.m., it was the consensus of the Council to take a break.

CALL BACK TO ORDER

At 9:43 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, Jerri Lynn Barlese and Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT: William Cowan, Natural Resources Department Director; Frances Winn, Finance Director; and Ron Johnny, Environmental Coordinator.

GUESTS PRESENT: Regina Marotto, Project Coordinator, Indian Health Board of Nevada was present to do a 10-minute presentation on the National Incident Management System (NIMS).

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REPORTS - ACTING CHIEF ADMINISTRATIVE EMPLOYEE

Mr. Johnny provided Council with three written reports. He stated that Mr. Cowan, Natural Resources Department Director would prefer Wednesday, August 17, 2011 as the date to return cultural items taken by Ruby Pipeline contractor, Pacific Legacy. Mr. Johnny requested Council approval for this date. He will coordinate with Mr. Cowan, Nick Valentine, Archaeologist with Fish and Wildlife Service (FWS), and spiritual representatives confirming the date for the repatriation. A representative from the Goshute Tribe has requested to be present as well.

CONSENSUS: Consensus of Council was to conduct the repatriation on August 17, 2011. Mr. Johnny was instructed to notify all interested parties.

Mr. Johnny reported that he has received emails from a vendor who wants to convert old cassette tapes of Council meetings to digital recordings. He would be charging \$26.00 per hour.

CONSENSUS: Consensus of Council was to table this action to a later date.

Mr. Johnny stated that the Higher Education Committee submitted their February 20, 2011 meeting minutes. The Committee's decision was to not fund a Tribal member who was late in getting their application to the office. The Higher Education Committee recommended to fund only one Tribal member. Chairman Barlese stated that it is his belief that the SLPT Council is here to help Tribal members with requests for Higher Education funding regardless of whether the deadlines are met.

MOTION: Council Member Jerry Barr introduced a motion to approve Resolution SL-11-2011, Higher Education Guidelines Mandated Resolution, authorizing funding for one Higher Education applicant. Randi DeSoto 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 10:13 a.m.

Chairman Barlese asked whether Tribal members can appeal a Council decision to disallow Higher Education funding. The Higher Education Guidelines allow members a ten day window to appeal an adverse decision of the Council. Mr. Johnny stated that he will prepare a letter for Chairman Barlese's signature to be sent to the denied individual.

REPORTS - ENVIRONMENTAL COORDINATOR

Mr. Johnny reported that Ruby Pipeline (Ruby) is apparently not going to test One Mile Spring. The Bureau of Land Management (BLM) and the Federal Energy Regulatory Commission (FERC) have not required Ruby to do the testing. Chairman Barlese stated he would call Professor Collette Routel and advise her that SLPT is waiting for Ruby Pipeline to respond to emails from Mr. Johnny regarding dates for testing water at One Mile Spring.

Ms. Regina Marotto then gave a presentation to Council regarding NIMS. She stated that she is assisting Tribe's to become NIMS compliant. Mr. Johnny reported that all but one Council Member has completed the following NIMS courses: 100, 200, 700 and 800. Ms. Marotto discussed Area Command Management and how SLPT can work with other agencies should an emergency occur. SLPT can make it clear to these agencies that SLPT is in charge of activities which occur on their Reservation. Other agencies are only to provide their expertise and experience to assist SLPT to deal with emergencies. Ms. Marotto stated that she will be working with Mr. Johnny to develop SLPT's Emergency Operations Plan. Once finalized, Council will need to adopt the Plan via Resolution. Ms. Marotto can provide a one-day training session for the Council. A tentative date of October 16, 2011 was set for training at the Reservation.

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REPORTS - NATURAL RESOURCES DEPARTMENT

Mr. Cowan discussed Council agenda's in that SLPT Policy mandates that agenda's be posted five days in advance of meetings and that requirement is currently not being met. He raised concern regarding the BLM government-to-government consultations on today's agenda. He stated that inviting guests indiscriminately without proper planning is inappropriate. Mr. Cowan recommended (1) Council be cognizant and manage Council meeting time appropriately, and (2) sufficient ground rules be established with BLM government-to-government consultation.

Mr. Cowan requested that both the Feral Horse Management Plan and the Long Range Transportation Plan be discussed with BLM today. Also, BLM needs to provide further information on topics of discussion (i.e. maps) rather than just bullet points.

Mr. Cowan provided oral and written reports discussing:

- Ruby Pipeline
- Cultural Resource Inventories
- One Mile Spring
- Noxious Weed Program
- Installation of Cattle Guards
- Localized Flooding
- Fish Run/Fish Harvest
- LRTP Public Hearing
- Humboldt County Meeting
- Bureau of Reclamation Meeting re Water Management Grant
- Sno-Tel Project
- BIA Consultation re Fisheries Contract Paying for Roads Between Mahogany and Snow Creeks
- EPA Grants
- Spring Assessment Training Attended by Fish and Wildlife Biologist
- EPA Office of Inspector General Audit
- Water Sampling Event
- Tribal Wildlife Grants
- UNR Contract Regarding the Food Web Study
- UNR Inventory of Old Fish Sampling Equipment at One Mile
- SLPT/BLM Fence Assessment
- Solar Pump Water Facility for Livestock Project
- Sheldon Refuge Study Memorandum of Agreement
- Artifacts to be Repatriated
- Upcoming Meetings

Discussion Topics

Mr. Cowan discussed the Connecting With Nature Event which he hopes to be held sometime in August and asked for Council input on the date for this function. The focus of the event will be the Lake and to showcase some of the fish sampling protocol.

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CONSENSUS: Consensus of Council was to hold the Connecting With Nature Event on August 6-7, 2011. Council Member Barr stated that he will be unable to attend.

The Nevada Department of Wildlife (NDOW) and University of Nevada Reno (UNR) have volunteered to offer large tents which will reduce SLPT's need for numerous smaller tents.

The next item of discussion was the Memorandum of Agreement (MOA) with SLPT/BLM which Mr. Cowan would like to present to BLM today. It cites that all Department of Interior (DOI) agencies have responsibility for Tribal trust responsibilities. We are seeking cooperation from BLM to protect our natural resources from wild horses since SLPT's Feral Wild Horse Plan dictates zero tolerance. Mr. Cowan further outlined the specifics of the draft MOA.

CONSENSUS: Consensus of Council was to provide BLM with the draft MOU at today's meeting.

LUNCH BREAK

CONSENSUS At 12:05 p.m., it was the consensus of the Council to take a lunch break.

CALL BACK TO ORDER

At 1:05 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, Jerri Lynn Barlese and Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT: Frances Winn, Finance Director; William Cowan, Natural Resources Department Director; Ron Johnny, Environmental Coordinator

GUESTS PRESENT: Gene Seidlitz, Manager, BLM Winnemucca District; Mark Hall, BLM Tribal Coordinator, Winnemucca District

CONSULTATION SESSION WITH BLM, WINNEMUCCA DISTRICT OFFICE

Discussion ensued regarding the meeting with SLPT, BLM and Humboldt County regarding roads. The primary objectives of the meeting were to discuss SLPT's toll fee road and to acquire a letter of acknowledgement from Humboldt County and BLM regarding the Long Range Transportation Plan (LRTP).

The Tri-State Calico Wild Horse/Burro Gather was discussed next. Mr. Seidlitz stated the deadline for submitting comments on the gather is July 18, 2011. Chairman Barlese voiced concern that BLM's Environmental Assessment (EA) is not issued in a timely manner and therefore, the Tribe is not able to consult appropriately prior to comment deadline. Mr. Cowan recommended that guidelines be established for SLPT/BLM consultation. Chairman Barlese suggested that BLM "introduce" subjects and consultation to take place at a subsequent meeting.

Mr. Hall stated BLM anticipates conducting the Tri-State Calico gather end of 2011 and beginning of 2012. BLM is planning on removing approximately 1,000 excess horses and 140 wild burros. The project area extends to the Sheldon Refuge boundaries and

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down to the Buffalo Hills area. Approximately 268 of the horses would be gathered and released. Mares released of this 268 would receive birth control treatment that would last 22 months. The males would be made geldings.

Tribal Member Priscilla Harjo entered the meeting.

Ms. Harjo stated that birth control of wild horses has been shown to cause problems for wild horses located in Montana and Wyoming. She asked if BLM had looked into this issue. Mr. Seidlitz stated that BLM and DOI have a research branch. They are researching vaccines and other birth control tools. She also asked if male horses that are being put up for adoption are going to become geldings or sold as stallions. Mr. Seidlitz stated that some of the horses gathered and sent to holding facilities will be altered.

Discussion followed regarding repair of fences due to wild horse activity. Vice-Chairman Barlese asked Mr. Seidlitz to confirm if fences will be repaired. Mr. Seidlitz stated that was a commitment BLM made as part of the SLPT Feral Horse Plan.

Mr. Hall stated that the special recreation permit issued for Burning Man 2011 is going to contain the same provisions that it has previously contained. In 2012 and 2013 BLM will undertake a new EA since Burning Man would like to raise the number of participants to 60,000. In 2011, participants are capped at 50,000. Discussion followed regarding the location of the Burning Man event on the playa.

Mr. Hall stated that in late April SLPT was mailed the preliminary EA for the Black Rock Wilderness Management Plan. The preliminary EA describes how the Black Rock BLM Field Office will be managed to preserve the solitude and to protect the area from the impact of human contact. The EA was mailed in early May 2011. Public meetings were held in Reno, Gerlach, Lovelock and Winnemucca the last week in May soliciting comments. The BLM is now reviewing comments from these public meetings. Mr. Cowan asked BLM what their policy is in regard to installation of climatological instruments using the proposed language suggested for the Blue Lake Wilderness area. Mr. Seidlitz stated that within the Wilderness Act and the draft EA there is a section on research and monitoring and there are exemptions allowed for climatological instruments on a case-by-case basis.

Mr. Cowan mentioned the south boundary fence on the reservation and how BLM can work with SLPT to ensure the fence is appropriately aligned. SLPT can provide BLM with the coordinates of the reservation boundary so that the fence can be aligned correctly. Mr. Cowan stated that the fence is currently approximately 100 feet off the reservation boundary.

CONSENSUS: At 2:30 p.m., it was the consensus of the Council to take a break.

CALL BACK TO ORDER

At 2:43 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, Jerri Lynn Barlese and Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT: Frances Winn, Finance Director; William Cowan, Natural Resources Department Director; Ron Johnny, Environmental Coordinator.

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GUESTS PRESENT: Gene Seidlitz, Manager, BLM Winnemucca District; Mark Hall, BLM Tribal Coordinator, Winnemucca District; Allen Bollschweiler, Manager, BLM Surprise Valley Field Office; Julie Rodman, Tribal Manager, BLM Surprise Valley Field Office; Priscilla Harjo, Tribal Member

The next topic of discussion was the Vegetation Management Plan. SLPT was given a scoping letter discussing the Plan. This Plan would be District-wide. It is to limit the potential threat of wild fire, control noxious weeds, and wildlife restoration and forest health projects. Essentially, the EA is looking at mechanical treatments, BLM-approved herbicide usage, hand removal, prescribed fire and grazing, use of approved biological controls (i.e. insects that eat salt cedar), etc. The EA is proposing treatment of up to 3,000 acres per year. Mr. Johnny stated that restricted use pesticides are illegal in Indian country so the concern is about pesticides drifting onto the Reservation. Mr. Johnny stated the other concern is the use of biological controls especially in any area where they could end up on the Reservation. Mr. Cowan asked that when BLM gets to the point of developing a draft EA, he would like an electronic copy.

Mr. Hall reported that the Black Rock Field Station is slated to open mid-July 2011. The grand public opening with a ribbon cutting ceremony will be held in August 2011. The Station is scheduled to be open approximately mid-April to November each year. Mr. Cowan asked if the Station could be used for short term storage of SLPT equipment and supplies (i.e. GSA leased vehicles) for SLPT-sponsored events with Department of Interior officials. Mr. Seidlitz responded this can be handled on a case-by-case basis.

Mr. Hall reported that the company that proposed drilling temperature gradient holes on McGee Mountain has no funding to conduct the project. He will keep SLPT informed in the event that the company locates funding to conduct the geothermal project.

Mr. Hall gave a Ruby Pipeline update for the BLM Winnemucca District. Ruby is near mile post marker 527; they have 1.4 miles left of Pipeline to finish inside the BLM Winnemucca District. Mr. Cowan asked what elevational monument was used to determine the elevation of the Lake. Mr. Hall responded that BLM determined the elevation of the road. Ruby Pipeline then determined the elevation of the pipeline and surveyed to the Reservation fence. The road's elevation is 35 to 40 feet below the Pipeline. BLM also used NASA imagery from May 22, 2011 and June 7, 2011 to determine the boundaries of the Lake. The Lake is approximately two miles from the Pipeline.

Ms. Harjo asked BLM what would happen should an earthquake occur once the Pipeline is operational. Mr. Hall stated that there are emergency valves throughout the Pipeline which will automatically stop the flow of gas in both directions should there be a drop in pressure.

BLM Winnemucca District concluded their Consultation Session at 3:27 p.m.

CONSULTATION SESSION WITH BLM SURPRISE VALLEY FIELD OFFICE

Mr. Allen Bollschweiler stated that the Surprise Valley Field Office would like to institute a Memorandum of Understanding (MOU) with SLPT for future consultation sessions. He will prepare a draft for Council review.

Mr. Bollschweiler commended Mr. Seidlitz and Mr. Hall who managed to open the High Rock Station in Gerlach.

Chairman Barlese questioned Mr. Bollschweiler about whether monitors are on-site during Ruby Pipeline's construction efforts in the Surprise Valley District. Mr. Bollschweiler stated that there are both cultural and Native American monitors on-site any time construction activity occurs. Chairman Barlese stated that SLPT opposed this and wanted SLPT Tribal monitors. Mr. Bollschweiler stated that it was his understanding that SLPT's concerns regarding monitors was referred to BLM's Solicitors.

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Ruby uncovered the unexpected discovery of a hearth feature, an area where there was a campfire site at some point in time. SLPT made a request that the site be avoided. The Plan of Development (POD) for the Pipeline accounts for items like this and indicates that it should be excavated. Per the request of SLPT that came to Mr. Bollschweiler from Mr. Hall, BLM stipulated that there would be avoidance of the feature. Mr. Johnny stated that the SLPT Council has repeatedly asked that information of this type be sent to them directly and not routed through monitors from other Tribes. Mr. Bollschweiler responded that this type of consultation would be spelled out in the MOU to be negotiated between SLPT and BLM Surprise Valley District with regard to who at SLPT is going to be the point of contact.

Ms. Rodman stated that the hearth is in an area that was already a known site. As part of the Ruby mitigation the site was excavated and 10.5 meters were excavated out. The units would have to be right next to the hearth. They have two sites that were adjacent to the area. Ruby missed this one hearth site. Everything on the surface was collected and will be analyzed. Ruby collected a number of carbon samples for radio carbon dating. They are also going to send off a number of the obsidian flakes for obsidian hydration which will then provide date the site. Ms. Rodman stated, if it is the will of the Council that BLM obtain all of the scientific data out of the site, BLM can contact Ruby and have their archeologist return to fully record all of the information available within this site. Secretary/Treasurer Barlese stated that SLPT would write a letter to BLM with all of the contact information when issues of this type arise.

Mr. Bollschweiler reported that the work for the Barrel Springs Traditional Cultural Property (TCP) designation is in progress. This project was mitigated between Fort Bidwell Tribe and Ruby. BLM is committed to having Barrel Springs listed on the National Register as a TCP.

Mr. Bollschweiler discussed range work that Surprise Valley BLM is conducting at Cross Spring, Rock Spring, Bunch Reservoir and other locations. They are looking at placing a dispersion kit to rework the Pit Reservoir. BLM is also considering replacing one metal gate, one wire gate and two cattle guards on the Wild Canyon road and have two cattle guards, one each at Pilgrim Lake and Stone Corral. Most of this work is in areas where there were already water works of one sort or another. Mr. Bollschweiler provided maps showing the locations of these projects.

Mr. Bollschweiler reported that with regard to Energy Applications, BLM has a request for a permit from Norcal Corporation for a proposed meteorological tower to measure wind velocity. This is the beginning of a two year process. A POD will eventually be issued. Norcal is also considering a similar request for the same type of tower on the Hayes Range.

Other projects the Surprise Valley District is currently involved in include:

- A notice of intent from a one-man operation to conduct exploratory drilling for gold bearing deposits. It's a small operation near Vya and he'll only be drilling one hole.
- Land acquisition of 720 acres from Estill. Most of the acquisition would be in the Black Rock Field Office jurisdiction.
- Gravel pit renewal in Modoc County, California. The Hayes Canyon pit will be renewed for ten years.
- In Washoe County BLM has at least 20 existing permits primarily used by the County Road Department that BLM is considering renewing for ten years. There are 15 pits that may need to be expanded for basic road material. None of these are new pits. They are all gravel pits that have been in existence for years. Chairman Barlese requested that a Tribal monitor be present during BLM's review process.
- BLM's weeds program is ongoing and has been for ten years. Mr. Cowan mentioned SLPT's weed eradication program and would be interested in speaking with BLM regarding their program.

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- Proposing a horse gather to gather 1,276 head and remove 1,094 of them. BLM has identified eleven potential trap sites and five potential holding sites. He provided a map of the gather locations. Surprise Valley District is working together with the Winnemucca District to coordinate both horse gathers.
- BLM used ARRA funds to fell and pile juniper trees which they will aggressively be burning in the winter. The locations of these piles are on the map handout.
- BLM is working with the Nevada Department of Wildlife on wildlife habitat improvement.. This project is in the beginning stages.
- BLM is planning on repairing the Massacre Ranch building and work that site this summer. They may be putting in a pit toilet if they can find an appropriate site.

Chairman Barlese reiterated his comment that Tribal monitors be present on any cultural inventories.

The BLM Surprise Valley consultation ended at 4:45 p.m.

CONSENSUS: At 4:47 p.m., it was the consensus of the Council to take a break.

CALL BACK TO ORDER

At 5:05 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, Jerri Lynn Barlese and Randi DeSoto. Council Chairman Warner Barlese declared a quorum was present and that the Council could conduct business.

STAFF PRESENT: Frances Winn, Finance Director; William Cowan, Natural Resources Department Director; Ron Johnny, Environmental Coordinator.

GUESTS PRESENT: Priscilla Harjo, Tribal Member

REPORTS - NATURAL RESOURCES DEPARTMENT

Mr. Cowan began his report with a discussion of Tribal land assignments. He stated there is a provision that requires maintenance of land assignments relative to noxious weeds. Chairman Barlese stated the Land Assignment Ordinance clarifies that the assigned land is still the property of the Tribe which would mean that the Tribe could do whatever they want with their property. Council Member DeSoto suggested sending Tribal members with land assignments notice about their responsibilities regarding their assignment.

Ms. Harjo asked if SLPT had been treating noxious weeds on individual land assignments. Mr. Cowan stated that noxious weeds were treated on one Tribal member's assignment after getting permission from the member. He advised noxious weed crews that they needed to receive permission from Tribal members with land assignments prior to treating noxious weeds on their land assignments. Ms. Harjo stated she was not contacted. Mr. Cowan stated no noxious weeds were identified in the vicinity of her land assignment.

Mr. Cowan discussed his concerns with the "Interim Policy on the Distribution and Recordings of Council Meetings. He stated that this is important to bring to the Council's attention because it only authorizes the Acting Chief Administrative Employee (ACAE) and the Council Chairman to release recordings of Council meetings. Mr. Cowan stated that the policy, which was enacted in March 2010,

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should be modified so that a backup copy of recordings can be made immediately after meetings. By giving only two individuals control over the recorder and the laptop used to transcribe meetings, it creates a bottleneck for staff that need to draft meeting minutes. For example, the LRTP Public meeting minutes needed to be transcribed, but the equipment was in the ACAE's possession and so the recording was not available to the transcriber since the ACAE had taken the equipment home. After discussion, it was decided that since Mr. Johnny is no longer the ACAE, the three administrative oversight Council members can decide who has access to the key to the fire proof cabinet. Ms. Winn suggested that a draft flow chart be put together on the use of the recorder and be presented to Council for their approval. Council agreed with this proposal and agreed to review it at the next Council meeting

Mr. Cowan discussed a request from an NDOW employee for exemption of the toll fee. NDOW asked if the general public needs to obtain any permits to pass through SLPT when heading up into the Black Rock. Mr. Cowan views heading up into the Black Rock as going up Mahogany Creek which means the toll fee road is accessed. NDOW will also be doing population surveys of cutthroats on Coleman Creek later this Summer. Council Member Jerry Barr offered to be the person for NDOW to contact. Discussion followed regarding whether county, state or federal officials that SLPT conducts business with currently or may conduct business with in the future be granted an exemption. Ms. Harjo stated that it's long overdue for SLPT to develop policies and procedures on the toll fee road. Council Vice Chairman Barlese suggested that the toll fee road be eliminated since only \$300.00 has been collected in three years. Council Member Barr agreed with this suggestion. Additionally, SLPT does not have staff to monitor and enforce the toll fee. No decision was reached by Council on the toll fee.

Mr. Cowan reported he is getting ready to put out job announcements for the Maintenance Workers who will be working on fences. The position description for this project may be modified if these employees are required to have packing stock because they will be working in roadless areas.

Mr. Cowan discussed the Tribal Equipment Rental Policy. He outreached with several Tribes. Pyramid Lake and Fallon require that Tribal members requesting rental must also use Tribal employees to operate the equipment. Mr. Cowan recommended that SLPT follow the rental schedule for in-kind services for EPA grants. The schedule is updated annually. Rental costs on this schedule are:

- Backhoe - \$350/day
- Grader - \$1,500/day
- Skidster - \$350/day

Mr. Cowan requested Council feedback before he goes further in drafting policy. It was agreed that the costs for renting the backhoe, grader and skidster are equipment rental only. There would also be a charge of \$25/hour to hire Tribal staff who are authorized and properly trained to operate the equipment. The policy would incorporate a \$1,000 damage deposit requirement which would be returned if no damage occurred to the equipment. Members would pay the day rate even if the rental is needed for only one hour.

Mr. Cowan concluded his report at 6:24 p.m.

MOTION: Council Vice Chairman Ernie Barlese introduced a motion for an agenda change to add Tribal Member Priscilla Harjo to the agenda. 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.

TRIBAL MEMBER PRISCILLA HARJO

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Ms. Harjo stated she had written a letter to Chairman Barlese in May 2010 and she did not receive a response. She requested Chairman Barlese to explain why he did not respond. Chairman Barlese stated he did review her letter and drafted a response but he debated on replying. He stated that as time went on the reply was put on the back burner. He continued that he felt some of the questions had been dealt with in the past. Ms. Harjo stated that if some of the issues raised in her letter had been addressed, was she informed of the outcome; and, of the items that had not been dealt with, she questioned why Chairman Barlese took it upon himself to simply not respond.

Ms. Harjo stated she is concerned that she does not have direct contact with Chairman Barlese except through writing a letter or attending a Council meeting. She stated that she did not want to talk to Mr. Johnny because he does not run the Tribe and is not a Tribal member. She has specific concerns about Summit Lake. SLPT newsletters don't address her issues. She stated that Chairman Barlese should respond to Tribal member concerns. Council Member Barr stated that all Council Members have other full-time jobs. Additionally, Council meetings are held the third Saturday of each month. Ms. Harjo responded that she understands that position, but Council members are elected to serve on the Council and Tribal members expect to get some kind of services from the Tribe. Tribal members should be given priority when questions and issues are raised.

Chairman Barlese stated that when Tribal members call and want to speak with him, staff is directed to either call Chairman first to get permission to give out his cell phone number or get the name and phone number of the caller so that Chairman Barlese can return the call.

Ms. Harjo asked why she had to ask the Council for permission to be on today's agenda. She requested that there be an agenda item at each meeting for Open Forum where Tribal members could speak freely. Ms. Harjo did acknowledge Council Members DeSoto and Barr and hoped that they would bring a new perspective to the Council. Ms. Harjo stated that she still advocates for SLPT Tribal members but she raised her same issues to the Council two years ago. She questioned whether any services were being provided to the Tribal members and stated that providing services to the members should be the priority.

Ms. Winn stated that Council Member Barr will be spearheading a new Student Services Program for K-12 and described the program for Ms. Harjo.

Ms. Harjo asked for clarification of the Fishing regulations for Tribal members. She stated that she has a colleague that went to Summit Lake for a Council meeting and they were told by staff that next time they visit to bring their fishing gear. Ms. Harjo disputed this because fishing at Summit Lake is for Tribal members only. Her colleague was a non-Native, non-Tribal member so there are some discrepancies out there in the public about fishing rights at Summit Lake.

Ms. Harjo then questioned the Connecting with Nature Event in that non-Tribal members have been invited to participate. Ms. Harjo stated that opening the reservation to non-Members during the fish run should not occur. The Council explained the main focus of the Nature event was to give children a chance to learn about their Reservation. Ms. Harjo stated that the Lahontan Cutthroat Trout is SLPT's most precious resource and should be protected. She stated that SLPT should be looking for funding to have someone on the Reservation full-time.

Discussion followed regarding closing the roads entirely, however, since SLPT works with government agencies, SLPT doesn't want to hamper those relationships.

Ms. Harjo stated she would like to see more opportunities for employment for Tribal members. SLPT currently employs only one Tribal member. Council Member Jerry Barr stated that all employment opportunities are posted for a ten-day Tribal member preference. Ms. Harjo stated that SLPT should be helping Tribal members who need employment but have employment barriers by directing them to

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sources where they may be able to get assistance. Additionally, BLM has been instructed at the national level to be able to provide employment for Native Americans. Employing a Tribal member in the new BLM visitor center could be a possibility. There may also be opportunities for internships with BLM.

Ms. Harjo stated that she had an anonymous letter typed and sent from this office. She said that all staff and Council know how to reach her by phone and should have not sent an unsigned letter. The letter was regarding Summit Lake business that Ms. Harjo had previously discussed with a staff member.

Ms. Harjo asked about the metal recycling event. Mr. Johnny responded it is August 12 and 13, 2011. To participate, a form needs to be signed acknowledging that the Tribal member owns the property. In the case of vehicles and trailers, the title would be required.

Ms. Harjo asked to know who is on the Enrollment Committee. Council Member Randi DeSoto stated that Delgadina Gonzalez, Elizabeth DeLaLuz and William Cowan are the Enrollment Committee. She questioned the total number of members and if the enrollment guidelines have been updated. She stated the reason she's bringing this up is because there is a southern Nevada tribe who, through their enrollment ordinance, is allowing adopted children to become Tribal members with full benefits. Now those individuals are in governing positions and they are not actually Tribal members by blood quantum and ancestry.

Ms. Harjo suggested that the Enrollment Committee and Council need to consider making the enrollment list public. She also suggested that the Enrollment Guidelines be amended to allow a provision for posting public notice of people who are requesting enrollment, prior to such person being approved by Council for enrollment. Ms. Winn stated that her tribe makes their enrollment list public information. Anyone can request a list of Tribal member names. Discussion continued regarding potential situations where non-Tribal members could be enrolled in error.

Ms. Harjo asked who is now the primary administrative contact in the Tribal office now that Mr. Johnny is no longer ACAE. Council Member Jerry Barr told Ms. Harjo she could contact him at any time and provided her with his cell phone number and email. Discussion followed regarding publishing Tribal cell phone numbers on the website.

Ms. Harjo stated she was thankful to be able to come to the meeting and present her thoughts because Council Members are the only ones who can help Tribal members. Chairman Barlese thanked her for coming in and making Council aware of these concerns.

REPORTS - FINANCE DEPARTMENT

Ms. Winn provided Council with a financial spreadsheet regarding the EPA GAP grant's cash balance remaining as of 6/18/11.

Cash in bank as of June 18, 2011:	\$7,342.94
Projected expenditures to July 11, 2011:	<u>\$4,574.11</u>
Cash Balance Remaining:	\$2,768.00

In the projected expenditures, Ms. Winn factored in salary/fringe/tax liability amounts, phone costs, GSA vehicle lease charge, a GSA expense that Ron Johnny incurred when he had a flat tire that required a tow charge of approximately \$300.00.

Mr. Johnny asked how much of GAP expenses are left in indirect cost funds. Ms. Winn stated that all GAP indirect cost funds have been expended. The Council had a GAP work session on June 29, 2011 which used all GAP indirect funds.

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, June 18, 2011
Summit Lake Primary Administrative Office

Council Member Jerry Barr asked about the GSA vehicle being used by Mr. Johnny. This vehicle will need to be returned to GSA by the end of June since there are no GAP funds available to pay for the vehicle beyond June.

Discussion followed regarding the GAP Verizon phone bill which will need to be paid. This bill cannot be paid out of indirect cost because the GAP indirect costs have been expended.

Council Member DeSoto asked for clarification on the October EPA RTOC meeting. Since there are no GAP funds, Council Chairman Barlese confirmed that attendance at RTOC meetings is cancelled.

Ms. Winn stated that she is concerned about Mr. Johnny's reference to hiring an attorney to appeal the EPA GAP issue since there are no funds available to pay for an attorney. Mr. Johnny stated that SLPT may be able to get a pro bono attorney and SLPT would only be required to pay filing fees. Ms. Winn questioned where funds would come from for paying filing fees. Mr. Johnny suggested using Ruby funds; however, Ms. Winn stated that Ruby funds cannot be used for attorney fees.

Mr. Johnny stated that he is owed payment for annual leave beyond the 80 hours which he will be using on his paid administrative leave. Chairman Barlese stated the remainder would be paid in the pay period following the two week paid administrative leave period.

Chairman Barlese discussed Tribal Member Harjo's comment regarding Open Forum being a topic for agendas. He stated that this is only applicable to General Meetings which are held in May and October of each year.

ADJOURNMENT

MOTION: Council Member Jerry Barr introduced a motion to adjourn. 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 and the meeting was adjourned at 8:06 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 June 18, 2011 General Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on September 17, 2011, by a vote of 4 For, 0 Against, and 0 Abstaining, and that Council Chairman Warner Barlese refrained from voting.

September 17 2011
Date

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