

MINUTES  
Regular Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, February 16, 2008  
Conference Room, Farm Advisors Board Building, 202 W. 4th Street, Alturas, California

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CALL TO ORDER AND ROLL CALL

At 10:30am, Acting Chairperson Jerri Lynn Barlese called the meeting to order noting that there was a quorum of three Council members present and that in accordance with the Tribe's Articles of Association business could be conducted by the Council. Secretary/Treasurer Lorraine Watson called roll. Present: Council members Ernie Barlese, Warner Barlese, Jerri Lynn Barlese, and Lorraine Watson.

GUESTS AND EMPLOYEES PRESENT. Guests present: Tribal members Audrey and Steve Frank. Employees present: Ron Johnny, Chief Administrative Employee and Environmental Coordinator.

ELECTION OF TRIBAL MEMBER TO FILL OF VACANCY ON COUNCIL

Acting Chairperson Barlese advised the Council that in response to the Council's advisement to tribal members that there was a vacancy on the Council that three tribal members had submitted written notice of their interest to fill the vacant position: Chanell Barlese, S. Cory Burdette, and Jesse Strout.

EXECUTIVE SESSION

MOTION. At 10:33am, Acting Chairperson Barlese made a motion to go into Executive Session for eighty (80) minutes so the Council could vote to fill the seat on the Council vacated by resignation on January 19, 2008. Council member Warner Barlese seconded the motion. A vote was called, and the motion passed with a vote of 3 For, 0 Against, and 0 Abstaining. Acting Chairperson Barlese did not vote because there was no tie vote.

At 10:34am, Acting Chairperson Barlese asked all persons to leave the Council meeting, and the Council went into Executive Session.

ANNOUNCEMENTS OF NEW (FIFTH) MEMBER OF THE SUMMIT LAKE PAIUTE COUNCIL

At 11:53am, the Council automatically came out of Executive Session.

Acting Chairperson Jerri Lynn Barlese announced that Jess Strout, Lakeview, Oregon, was selected to fill the unexpired term of the Council member who resigned on January 19, 2008, and he will take the Oath of Office at the next Council meeting, March 1, 2008.

APPROVAL OF MINUTES OF PREVIOUS COUNCIL MEETING(S)

It was the consensus of the Council that the review and approval of the Minutes of Council Meetings not yet approved be tabled until the 10:00am, February 24, 2008, work session in Winnemucca, Nevada.

LUNCH BREAK. The Council took a Lunch Break at 12 Noon.

CALL TO ORDER

At 1:00pm, Acting Chairperson Barlese called the meeting back to order.

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GUESTS AND EMPLOYEES PRESENT. Guests present: Tribal members Audrey and Steve Frank, and Grayson Huitt. Employees present: Ron Johnny, Chief Administrative Employee and Environmental Coordinator.

REPORTS

TRIBAL CHAIRMAN. Acting Tribal Chairperson gave an oral report regarding her and staff (Bookkeeper Roberta Burton, Natural Resource Director William Cowan and CAE/Environmental Coordinator Ron Johnny) meeting with officials of the Bureau of Indian Affairs on February 12, 2008 regarding the Tribe's re-contract applications.

SECRETARY/TREASURER. Secretary Treasurer Secretary/Treasurer Lorraine Watson gave an oral report on the Indian Child Welfare Act (ICWA) activities of the Tribe.

CHIEF ADMINISTRATIVE EMPLOYEE (CAE). CAE Ron Johnny gave an oral report supplemented with various Council Resolutions he wished the Council to consider.

Update on 2002-2007 Indirect Cost Rate (ICR) Proposal Negotiations. Ron, as CAE, and Roberta Burton (Bookkeeper), with the assistance of Alan Post (Joseph Eve, CPAs), are working to answer all the questions being asked by Elaine Chan, National Business Center (NBC), Sacramento. Ron believes it is possible, despite the lack of response by the Tribe before he was appointed CAE on September 10, 2007, that NBC may give the Tribe IDCs for the years 2002 through 2007.

BLM's proposal to plant LCT in Poll Creek. CAE Johnny advised the Council that the Tribe had received written notice from the Bureau of Land Management (BLM), Winnemucca Office, that they were in the processing of approving the introduction of non-Summit Lake Lahontan cutthroat trout to Poll Creek which is east and north of Summit Lake and west of Fort McDermitt.

Amending the Tribe's Office Procedures Policy

MOTION. Council member Warner Barlese introduced a proposed Resolution titled "Amending the Summit Lake Paiute Tribe Office Procedures" and made a motion to approve the amendment of the Tribe's Office Procedures policy and enact the Resolution. Secretary/Treasurer Lorraine Watson seconded the motion. CAE Ron Johnny was asked to read the Resolution out loud and explain the various changes to the Tribe's Office Procedures policy, and he did so. Council discussed the Resolution and proposed changes to the Office Procedure policy and then the vote was called. Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting

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Chairperson Barlese announced the motion passed and Resolution No. SL-09-2008 was enacted.

Adopting Policy Regulating Use of Council Members Rubber Signature Stamps

MOTION. Council member Warner Barlese introduced a proposed Resolution titled "Adopting a Policy Regulating Use of Rubber Signature Stamps Bearing the Signatures of Members of the Summit Lake Paiute Council" and made a motion to approve the adoption of the policy and enact the Resolution. Secretary/Treasurer Lorraine Watson seconded the motion. CAE Ron Johnny was asked to read the Resolution out loud and explain the various provisions of the proposed policy, including the stiff penalties for violating the policy, and he did so. Council discussed the Resolution and proposed policy and then the vote was called. Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the motion passed and Resolution No. SL-10-2008 was enacted.

Amending the Summit Lake Paiute Tribe Organizational Chart

MOTION. Council member Warner Barlese introduced a proposed Resolution titled "Changing the Summit Lake Paiute Tribe Organizational Chart to Create an Environmental Protection Department" and made a motion to approve the adoption of the amended Tribe Organizational Chart and enact the Resolution. Secretary/Treasurer Lorraine Watson seconded the motion. Council member Warner Barlese explained that the reasons for the need to change the organization chart was that with the hiring of an Environmental Coordinator (EC) to administer the EPA's GAP Grant program, EPA would no longer pay for the time of the Director of the Natural Resources Department (NRD), including to supervise the EC but that the EC has been functionally well since his hire on September 10, 2007, and, according to Greg Phillips, EPA's GAP Grant Project Officer, the CE was doing an excellent job. Ron Johnny, as Chief Administrative Employee (CAE), was asked to read the Resolution out loud and answer any questions of the proposed change to the Tribe's Organizational Chart. Council discussed the Resolution and proposed changed to the Tribe's Organizational Chart and then the vote was called. Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the motion passed and Resolution No. SL-11-2008 was enacted.

At 1:30pm, Tribal member and Director of Natural Resource Department, William Cowan, came into the meeting.

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At 1:55pm, Tribal member Richard Barlese came into the meeting.

Changing the Location of the Tribe's Primary Administrative Office

MOTION. Secretary/Treasurer Lorraine Watson introduced a proposed Resolution titled "Changing the Summit Lake Paiute Tribe's Primary Administrative Office Location and for Other Purposes" and made a motion to enact the Resolution. Council member Warner Barlese seconded the motion. Council members then discussed the need to move the Tribe's Primary Administrative Office for several reasons, including those mentioned in the Resolution. CAE Ron Johnny was asked to read the Resolution out loud. Council discussed the Resolution and discussed the greater number of tribal members the move would serve. Several tribal members disagreed with moving the office location. Council then discussed the small number of tribal members living within 50 miles of Winnemucca versus the larger number of members living within 50 miles of Reno and Carson City and the larger number of tribal members who live along Highway 395 between Lakeview, Oregon, and Carson City, Nevada, and a vote was called. Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the motion passed and Resolution No. SL-12-2008 was enacted.

At 2:00pm, a letter to the Summit Lake Paiute Council from tribal member Christine Harjo was hand delivered to Acting Chairperson Jerri Lynn Barlese. It was the consensus of the Council that the letter would be addressed at the end of the meeting if time permitted.

DIRECTOR, NATURAL RESOURCE DEPARTMENT. William Cowan, Director, Natural Resource Department, gave an oral and written report.

Accomplishments (January 18 – February 15, 2008):

- Prepared 11 reports including 6 quarterly reports (Fisheries, Range, Roads, 106, 319 Compound, 319 Watershed) submitted to BIA and EPA; 3 annual reports (Fisheries, Range, and Roads) submitted to BIA; and 2 monthly (December, 2007 and January, 2008) 638 progress reports submitted to BIA
- Coordinated negotiation and signing of Natural Resource Department office lease
- Amended work plans and budget for 319 grants to include costs for consultant to prepare competitive 319 grant proposal for FY2008, fence construction, well drilling, installation of pump and electrical panel, and extension to complete grants to end December 31, 2009.
- Discussed potential internships with Chris Warner of Great Basin Institute on February 6.
- Submitted proposed work plan for FY-2008-2009 106 grant (water quality monitoring and analysis services) on February 8.

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- Participated in conference call on February 11 with Natural Resource Conservation Service, US Fish and Wildlife Service, and Nevada Department of Wildlife (NDOW) to discuss opportunities for private landowner incentive grant assistance to the Tribe
- Participated in meeting with BIA on February 12 to discuss FY-2008 re-contract applications and Fisheries FY-2007 budget modification request
- Provided orientation of new Resource Technician, Kent Bloomer, on February 14

Upcoming Meetings

- LNFH woodworking coordination meeting (February 21)
- PLPT Water Quality Coordination meeting (February 28)
- NDOW Wildlife Action Plan workshop (March 6-7)
- GAP workshop (March 11-13)

Discussion Points

- LCT Management Oversight Group Charter
- Strategy to manage 2008 LCT spawn run
- 2008 LCT Harvest Limits
- GSA vehicle use and leases
- Roads Maintenance Contract
- Job announcement
- Organizational Structure
- Natural Resource Department working session March 1 or 2?

MOTION. Council member Warner Barlese made a motion to set the 2008 Lahontan cutthroat trout harvest limits at five (5) for each adult tribal member, and two (2) for each minor tribal member. Secretary/Treasurer Lorraine Watson seconded the motion. Council discussed the harvest limits of last year (six (6) per adult and three (3) per child tribal member) and whether the harvest limits should be kept at the same or lower limits, and concern over small (younger) LCT getting into the spawn run. Tribal members present were in agreement with the motion to reduce the harvest limits. Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the motion passed and Resolution No. SL-02-2008 was enacted.

ENVIRONMENTAL COORDINATOR, NATURAL RESOURCE DEPARTMENT. Environmental Coordinator, Ron Johnny gave an oral report.

Accomplishments (January 18 – February 15, 2008):

- The National Clearinghouse did not accurately list that the Tribe had submitted, timely, its 2004, 2005 or 2006 audits. That incorrect listing (that audits were missing) was corrected: Ron supplies the GAP Project Officer with a copy of each Year's audit as they are completed in the GAP quarterly and annual reports.

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- The attendance of tribal members at the January 12, 2008, Tribal Environmental Inventory and Plan (TEI&P) Workshop (Workshop), at the Elks Club in Alturas, California, was the best ever, and it is expected that tomorrow's Workshop on Sunday, February 17, 2008, will be just as successful.
- Tribal members had identified more than twenty (20) environmental issues for the Summit Lake Indian Reservation and feasible solutions which were ranked, and that information will be released by February 22, 2008, in an Environmental News Briefs (newsletter) publication.

Upcoming Meetings and Trainings. Because it is a mandatory condition of the GAP Grant, Environmental Coordinator Ron Johnny will be attending the following trainings and meetings:

- February 20-21, 2008: Great Basin Environmental Conference, Sparks, Nevada.
- March 11-13, 2008: GAP On-Line Training, San Francisco, California.
- April 22-24, 2008: RTOC, San Francisco, California.

#### OPEN FORUM

It was the consensus of the Council to afford tribal members present an opportunity to comment on anything they wanted to talk about. Tribal member Audrey Frank requested the Minutes of the December 16, 2007, Meeting. Council members advised that as soon as the Minutes were approved, they would be available to tribal members. Tribal member Grayson Huitt objected to what was generally said in the Minutes of the December 15, 2007 Council Meeting. Council members advised that there was no Council meeting on December 15, 2007, but that a statement of what transpired was issued since a quorum was not present to conduct business.

#### EXECUTIVE SESSION FOR PERSONNEL MATTERS AND AN ICWA CASE

MOTION. Acting Tribal Chairperson Jerri Lynn Barlese made a motion for the Council to go into Executive Session to discuss personnel matters and an Indian Child Welfare Act (ICWA) Case pending before the Courts for ninety (90) minutes. Secretary/Treasurer Lorraine Watson seconded the motion. Vote was called. VOTE: Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the motion passed and asked everyone but William Cowan, Director, Natural Resource Department, and Ron Johnny as Chief Administrative Employee, to leave.

At 3:19pm, tribal members Audrey and Steve Frank and Grayson Huitt left the meeting.

At 4:50pm, the Council automatically came out of Executive Session.

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VOTE TO APPROVE JOB ANNOUCEMENT/DESCRPTION. Acting Tribal Chairperson Jerri Lynn Barlese called for a vote for the Council to approve the Maintenance Worker Job Announcement/Description with corrections. VOTE: Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the Council approved the Maintenance Worker Job Announcement/Description.

VOTE TO RESCIND RESOLUTION SL-08-2008. Acting Tribal Chairperson Jerri Lynn Barlese called for a vote for the Council to approve rescinding Resolution SL-08-2008. VOTE: Vote: 3 For, 0 Against, and 0 Abstained. Acting Chairperson Barlese did not vote because there was no tie vote. Acting Chairperson Barlese announced the Council approved rescinding Resolution SL-08-2008.

LETTER FROM CHRISTINE HARJO. Secretary/Treasurer Lorraine Watson read the letter sent to the Council by tribal member Christine Harjo. It was the consensus of the Council that a response to Christine Harjo's letter would be placed in the next issues of the tribal newsletter.

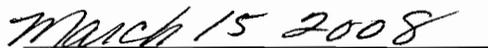
ADJOURNMENT

MOTION. At 5:15pm, Secretary/Treasurer Lorraine Watson made a motion to adjourn the February 16, 2008 Regular Council Meeting. Council member Ernie Barlese seconded the motion. No discussion followed and a vote was called. VOTE: 2 for; 0 against; 0 abstaining. Because the Tribal Chairman only votes in the case of a tie, and there being no tie vote on the Motion, Acting Tribal Chairman Jerri Lynn Barlese did not vote. Acting Chairperson Barlese announced the motion passed and the meeting was adjourned.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the February 16, 2008 Regular Meeting of the Summit Lake Paiute Council were approved, as amended if any amendments were made, during a duly called meeting of the Summit Lake Paiute Council on March 15, 2008 by a vote of the 3 For, 0 Against, and 0 Abstaining, and that Tribal Chairman Warner Barlese did not vote because there was no tie vote.

  
Jerri Lynn Barlese, Secretary/Treasurer  
Summit Lake Paiute Council

  
Date