

MINUTES  
Special Meeting  
Summit Lake Paiute Council  
Saturday, September 20, 2008  
Bunk House, Summit Lake Reservation

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CALL TO ORDER and ROLL CALL. Chairman Warner Barlese called the Regular Meeting of the Summit Lake Paiute Council to Order. Secretary/Treasurer Jerri Lynn Barlese conducted a Roll Call of Council Members present. Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; Council Member Ernie Barlese; and, Council Member Jesse Strout. Chairman Warner Barlese advised a quorum was present and business could be conducted. Chairman Warner Barlese then asked guests and employees to identify themselves.

GUESTS PRESENT: James Barlese; Floyd Robertson, El Paso Corporation – Ruby Pipeline; Dan Gredvig, El Paso Corporation – Ruby Pipeline; Kris Dobschuetz, Environmental Planning Group; Ralph DeGarmo; Dana DeGarmo; Connie Summers; Kenny Sam; and, Orie Summers.

TRIBE EMPLOYEES PRESENT: Ron Johnny, Acting Administrator/CAE and Environmental Coordinator (Director, Environmental Protection Department).

CHANGE IN AGENDA. It was the consensus of the Council not to hold the first Executive Session.

APPROVAL OF MINUTES.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to introduce the Minutes of the August 16, 2008, Special Meeting of the Summit Lake Paiute Council. Council Members Ernie Barlese seconded the motion. Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the proposed Minutes and he did; corrections that were needed were noted during the reading.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to approve the Minutes of the August 16, 2008, Special Meeting of the Summit Lake Paiute Council with the noted corrections.

At 11:43am, Tribal member Melvin (Furman) Sam entered the meeting.

Council Member Jesse Strout seconded the motion. Vote called. VOTE: 4 For, 0 Against, and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion to approve the Minutes of the August 16, 2008, Special Council Meeting was approved.

At 11:45am, Secretary/Treasurer Jerri Lynn Barlese welcomed tribal member Furman Sam.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to introduce and approve the Minutes of the August 29, 2008, Special Meeting of the Summit Lake Paiute Council with the corrections noted. Council Members Ernie Barlese seconded the motion. Chairman Warner Barlese asked Acting Administrator Ron Johnny to read the proposed Minutes and he did; corrections that were needed were noted during the reading. Vote called. VOTE: 4 For, 0 Against, and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion to approve the Minutes of the August 29, 2008, Special Council Meeting was approved.

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REPORTS

**CHAIRMAN.** Chairman Warner Barlese advised those present that: the Council had filled the vacant Tribal Accountant position on September 18, 2008, by hiring Acting Tribal Accountant Frances Winn, who was serving her first 30-Day Appointment; that he has been in daily contact with the Tribe's office in Sparks, Nevada, keeping advised on the daily business of the Tribe; dictated letters to the Federal Energy Regulatory Commission and others; and, reviewed financial documents and transactions.

**VICE-CHAIRPERSON.** Vice-Chairperson Lorraine Watson advised those present that she has been busy reviewing Check Requests and other financial documents.

**SECRETARY/TREASURER.** Secretary/Treasurer Jerri Lynn Barlese advised those present that in addition to reviewing financial documents and transactions, she attended the Thursday, September 18, 2008, Second Tribal Consultation Meeting at Fort Bidwell, California, where federal government agency compliance with Executive Order 13175 (requiring government-to-government consultation) was discussed by the ad-hoc group of interested Northern Paiute from several reservations.

**LUNCH BREAK.** At 12:07pm, it was the consensus of the Council to postpone the other Reports until after the El Paso Corporation – Ruby Pipeline Project Team Presentation after lunch, and to break for lunch so that everyone present could enjoy a traditional food, Indian tacos prepared by Ione Crutcher, for lunch.

**CALL BACK TO ORDER and ROLL CALL.** At 1:05pm, Chairman Warner Barlese called the Regular Meeting of the Summit Lake Paiute Council Back to Order. Secretary/Treasurer Jerri Lynn Barlese conducted a Roll Call of Council Members present. Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; Council Member Ernie Barlese; and, Council Member Jesse Strout. Chairman Warner Barlese advised a quorum was present and business could be conducted. Chairman Warner Barlese advised a quorum was present and business could be conducted. Chairman Warner Barlese then asked guests and employees to identify themselves.

**GUESTS PRESENT:** James Barlese; Floyd Robertson, El Paso Corporation – Ruby Pipeline; Dan Gredvig, El Paso Corporation – Ruby Pipeline; Kris Dobschuetz, Environmental Planning Group; Ralph DeGarmo; Dana DeGarmo; Connie Summers; Kenny Sam; Orville Barlese, Dean Barlese, and, Orie Summers.

**TRIBE EMPLOYEES PRESENT:** Ron Johnny, Acting Administrator/CAE and Environmental Coordinator (Director, Environmental Protection Department); and, William Cowan, Director, Natural Resource Department.

**RUBY PIPELINE PROJECT TEAM PRESENTATION.** Floyd Robertson, El Paso Corporation – Ruby Pipeline, Dan Gredvig, El Paso Corporation – Ruby Pipeline, Kris Dobschuetz, Environmental Planning Group, introduced themselves. Mr. Robertson and Mr. Gredvig handed out a booklet and ten page compilation of maps (showing the preferred route of the natural gas pipeline), and took turns making their presentation, advising:

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- 42-inch pipeline in most places.
- Pipeline will start in Wyoming and end in Oregon, interconnecting with an existing natural gas pipeline.
- This is a joint effort of several pipeline companies. El Paso has been building natural gas pipelines since 1927, has built 4,500 miles of pipeline, thus El Paso has experience.
- Safety is the cornerstone of the El Paso Corporation.
- Six construction spreads with 400-500 people working on each spread (Mr. Robertson asked everyone to look at the map on page 5 of the booklet (showing the pipeline route across Wyoming to Oregon).
- 680 mile long project.
- Pipeline will be 36-40 inches below the surface.
- Pipe is all steel; varying thickness depending on ground conditions.
- 440 pounds of pressure per square inch inside pipe so gas can move from Wyoming to Oregon.
- Compressor Stations along pipe route.
- Compressor Station off of the Denio (140) Highway will be an electric powered turbine engine.
- Other Compression Stations will be fueled by natural gas.
- Pipe is too big for household connections.
- Contact information for Ruby Pipeline Project personnel in booklet.
- Present schedule of pipeline construction in booklet.
- Conducting civil surveys into November 2008.
- This winter they will be focusing on the application process to Corps of Army Engineers, U.S. Forest Service, local counties, Federal Energy Regulatory Commission (FERC), Bureau of Land Management; and, right-of-way acquisitions on private land.
- 30-35% (200 miles) of Ruby Pipeline being constructed on private land.
- By next spring, all studies that are needed should be completed.
- By January 2009, they should have finalized FERC application.
- By 1st Quarter 2009, FERC could issue certification and permits.
- By March 2011, pipeline operational
- Denio (140) Highway still an option; considerations: Sheldon Refuge is single use whereas BLM land is multiple use.
- Ruby Pipeline Company does not own the gas it transports through pipe.
- Ruby Pipeline Company is like a trucking company except its uses a pipeline to move gas.
- National Energy Corridor does not serve the customers of the natural gas companies that want this pipeline built.
- Additional Scoping Meetings: October 1-31, 2008: four (4), including Oct. 22 in Lakeview, Oregon.
- David Swearingen, FERC's Project Manager, thinking of or trying to organize consultation meetings with Tribes during week of October 22, 2008.
- Right-of-ways Ruby Pipeline Project will buy: basic 50 foot; option of additional 60-100 feet; 200 feet maximum width.
- Only listed economic benefits to consumer oriented business (e.g., stores, motels, markets, restaurants), tax income for towns and states but no economic benefits stated for Tribes.
- Ruby Pipeline Company hires union contractors; they hire employees (skilled and unskilled workers).

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- Trying to do Ruby Pipeline Project in environmentally friendly manner; considers it a “green project” because they will obtain carbon off-sets (e.g., their emissions). They have to report emissions from Compressor Stations.
- EIS (Environmental Impact Statement) being prepared.
- Reseeding vegetation an issue. While it is estimated that it takes 5-7 years for the land to rehabilitate itself their experience is that it takes 7-10 years.
- Discussed welding and installation of pipe.

Question and Answer Period.

Questions asked about hiring Indians as laborers.

At 2:15pm, Council Member Jesse Strout stepped outside the Bunk House.

At 2:19pm, Council Member Jesse Strout entered Bunk House.

Questions asked about pipeline safety, leak prevention, etc. After answering these questions, Floyd Robertson, El Paso Corporation – Ruby Pipeline, and Dan Gredvig, El Paso Corporation – Ruby Pipeline, advised their presentation was over but that they would be available, with Kris Dobschuetz, Environmental Planning Group, outside the Bunk House during the break to answer an additional questions.

BREAK. At 2:28pm, it was the consensus of the Council to take a break.

CALL BACK TO ORDER and ROLL CALL. At 2:41pm, Chairman Warner Barlese called the Regular Meeting of the Summit Lake Paiute Council Back to Order. Secretary/Treasurer Jerri Lynn Barlese conducted a Roll Call of Council Members present. Present: Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; Secretary/Treasurer Jerri Lynn Barlese; Council Member Ernie Barlese; and, Council Member Jesse Strout. Chairman Warner Barlese advised a quorum was present and business could be conducted.

EXECUTIVE SESSION. At 2:44pm, several tribal members expressed an interest to discuss the Ruby Pipeline Project Team presentation, and for Orville Barlese and Dean Barlese, Pyramid Lake Cultural Resource Committee, to give an update on the skeletal remains of the children who were taken by Jack Haroldson. Consensus of Council to go into Executive Session to discuss the presentation for sixteen minutes.

At 3:00pm, the Council automatically came out of Executive Session,

**CONSENSUS OF COUNCIL.** It was the consensus of the Council that Orville Barlese, Dean Barlese and the other members of the Pyramid Lake Paiute Tribe’s Cultural Resource Committee could continue to represent the Summit Lake Paiute Tribe to repatriate the remains of the children’s skeletons taken by Jack Haroldson from what is recognized as the traditional territory of the ancestors of the Summit Lake Paiute Tribe, said skeletal remains now located at the state museum in Carson City, Nevada, and that the Council will draft a Resolution for its Regular Council Meeting on October 18, 2008, on the Summit Lake Reservation, to have the children’s remains buried on the Summit Lake Reservation so they may rest in peace in an area that was

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likely familiar to them and their family (where the Summit Lake Paiute Tribe's ancestors fished and hunted).

AGENDA CHANGE. At 3:12pm, it was the consensus of the Council to change the Agenda so the Council could consider a Resolution before two members of the Council had to leave the meeting.

MOTION. Motion by Secretary/Treasurer Jerri Lynn Barlese to introduce and enact Council Resolution SL-38-2008, "Increasing the Stipend Amount Paid to Council Members from \$300.00 to \$450.00 Per Council Meeting or Attendance at Business Meetings." Motion seconded by Council Member Jesse Strout. Secretary/Treasurer Jerri Lynn Barlese then advised why she made this motion. First, with today's September Special Meeting on the Reservation, I think this Council will have held more meetings on the Reservation than many past Councils in recent time. Second, gasoline prices have not dropped that much in the towns where Council members have to buy gas to get to Council Meetings. If you travel here from Lakeview, Oregon, Cedarville, California, has high gasoline prices. Third, the Tribe has to charge for the cost of delivery so our own gas prices (at \$4.50 per gallon) are the highest. Fourth, our increase of Council Stipends from \$100.00 to \$300.00 was only to the amount Council members were getting in 2003 to 2005 before the BIA placed the Tribe on sanctions and reduced the stipend to \$100. Costs of lodging, gasoline, and food have gone up since the Tribe was placed on sanctions. Fifth, look at the things mentioned in the Resolution that this Council has completed and accomplished. We have done things that the Councils in 2002, 2003, 2004 and 2005 did not get done. Finally, we could reasonably increase the stipend to \$500 or \$600 but \$450 is not greedy, it is a reasonable increase. After other discussion, the vote was called. VOTE: 3 For, 0 Against, and 1 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, announced that Resolution SL-38-2008 was enacted.

At 3:18pm, Council Members Jesse Strout and Ernie Barlese exited the meeting because their transportation to Lakeview, Oregon, and Fort Bidwell, California, respectively, was leaving.

BREAK. At 3:19pm, it was the consensus of the three remaining Council members to take a break until 3:35pm.

CALL BACK TO ORDER and ROLL CALL. At 3:35pm, Chairman Warner Barlese called the Regular Meeting of the Summit Lake Paiute Council Back to Order. Secretary/Treasurer Jerri Lynn Barlese that Chairman Warner Barlese; Vice-Chairperson Lorraine Watson; and herself (Secretary/Treasurer Jerri Lynn Barlese) were present, Council Member Ernie Barlese and Council Member Jesse Strout having left before the Break. Chairman Warner Barlese advised a quorum was present and business could be conducted.

REPORTS (continued)

DIRECTOR, NATURAL RESOURCE DEPARTMENT. William Cowan, Director, Natural Resource Department, supplemented his written report with comments.

MOTION. Motion by Secretary Jerri Lynn Barlese to authorize the posting of the Maintenance Worker Job Announcement/Job Description with the following changes from the previous same

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Job Description: employment not to exceed three (3) months; no heavy equipment operation necessary; position reports to the Director, Natural Resource Department, or his delegate; must have valid Driver's License; must have good driving record and be insurable by the Tribe's insurance company; and will be paid \$10.00 to \$12.00 per hour from the Roads and Range contracts. Motion seconded by Vice-Chairperson Lorraine Watson. During Discussion, and in response to questions, William Cowan advised that in accordance with the Tribe's Personnel Manual the position would be in the Tribal Member Preference Period for the first 10 days and then it would go to the Indian Preference and Open to the Public Period. Vote was called. VOTE: 2 For, 0 Against, and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion has passed.

MOTION. Motion by Secretary Jerri Lynn Barlese to authorize the Director of the Natural Resource Department, William Cowan, to accept the lowest bid on the delivery of the Tribe's Case Backhoe to the Case dealer for repair. Motion seconded by Vice-Chairperson Lorraine Watson. During Discussion, and in response to questions, William Cowan advised of the repairs that were needed on the Backhoe: leaking hydraulic lines and broken parts. Vote was called. VOTE: 2 For, 0 Against, and 0 Abstained. Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion has passed.

CONSENSUS OF COUNCIL. The Council discussed with William Cowan their need to meet with the U.S. Fish and Wildlife Service regarding administrative issues.

At 4:56pm, Secretary/Treasurer Jerri Lynn Barlese stepped out of the Bunk House.

At 5:01pm, Secretary/Treasurer Jerri Lynn Barlese stepped inside the Bunk House.

CONSENSUS OF COUNCIL (continued). Council agreed to meet with U.S. Fish and Wildlife Service at 1:00pm, Saturday, November 15, 2008, at the tribal office in Sparks.

BREAK. At 5:07pm, it was the consensus of the Council to take a 22 minute break.

REPORTS (continued)

ACTING ADMINISTRATOR/CHIEF ADMINISTRATIVE EMPLOYEE. At 5:25pm, Ron Johnny, Acting Administrator/CAE, gave a verbal report with handouts.

CONSENSUS OF COUNCIL. It was the consensus of the Council that because Robyn Burdette: did not pay for electricity in 2003, 2004 and from January 1 to March 23, 2005; has been non-responsive to tribal and Council communications; only submitted an unsigned payback agreement; and, failed to appear at today's Council Meeting, that the payments the Tribe has received from her on September 11 and 19, 2008, will be credited to the balance she owes the Tribe but her electricity service shall be terminated in accordance with the Summit Lake Paiute Tribe's Utility Regulations as soon as is possible.

ENVIRONMENTAL COORDINATOR (DIRECTOR, ENVIRONMENTAL PROTECTION DEPARTMENT). At 5:45pm, The Council tabled this report until the next Council Meeting.