

MINUTES
Regular Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, November 19, 2011
Primary Administrative Office, Sparks, Nevada

CALL TO ORDER. At 9:07 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT: William Cowan, Natural Resources Department Director; Frances Winn, Finance Director; Barbara Nelson, Administrative Coordinator/Finance Assistant

REPORTS – COUNCIL CHAIRMAN WARNER BARLESE

Chairman Barlese discussed the University of Las Vegas (UNLV) Climate Change Study video. The video showcased the Summit Lake Paiute Tribe's (SLPT) and the Pyramid Lake Paiute Tribe's fisheries programs as well as interviews with SLPT and Pyramid Lake Council and staff. UNLV is asking for permission to move forward with their video and has requested comments by November 28, 2011. Mr. Cowan stated UNLV should be notified that Ron Johnny is no longer employed by the Tribe and the caption introducing Mr. Johnny should reflect he is the former Environmental Coordinator. Secretary/Treasurer Barlese requested UNLV edit out her picture and also to add more detail on the location of the reservation by stating Summit Lake Reservation is north of the Black Rock Desert. Council agreed to provide comments to Mr. Cowan by November 23, 2011. He will consolidate all comments and send back to Council for review.

Chairman Barlese asked Council if they had received certificates of completion for training received for the National Incident Management System (NIMS). He stated these certificates should be kept on file at the Tribal office.

Chairman Barlese reported the SLPT Enrollment Committee is requesting to meet with Council at today's meeting to discuss decisions made by the Committee which were later overturned by Council, inconsistencies of the Secretary/Treasurer serving as Council Liaison for the Committee, and clarification as to the Chairman's role and the Council's role.

Chairman Barlese discussed the Natural Resource Conservation Service (NRCS) Native American Conserving Natural Resources in Nevada November 2011 newsletter. NRCS has showcased SLPT's Snow Telemetry (SnoTel) site at the headwaters of Snow Creek. The SnoTel data collection system will enable SLPT to predict and manage water resources for soil, plant, animal, and human use.

Chairman Barlese reported the University of Wyoming has sent a letter to SLPT asking for consultation on human remains found in Utah. Chairman Barlese asked if Council wanted to consult. Vice-Chairman Barlese and Council Members Barr and DeSoto stated they felt the remains are outside of SLPT's traditional area. Chairman Barlese suggested contacting the University of Wyoming to see which Tribe's are taking the lead on repatriating these Native American Graves Repatriation and Protect Act (NAGPRA) remains.

Chairman Barlese stated two Tribal Members have submitted requests for higher education funding. One request was received October 24, 2011 and the other on November 10, 2011. Council Member DeSoto asked if the first applicant needed to submit a complete application again. Secretary/Treasurer Barlese and Council Member Barr responded the applicant has been receiving funding and therefore does not need to submit the complete higher education packet again. The applications will be forwarded to the attention of the Higher Education Committee.

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Discussion followed regarding the Bureau of Land Management's (BLM) proposal to auction geothermal leases in the Winnemucca District. SLPT originally opposed eight sites but Mr. Cowan has identified two additional proposed lease sites SLPT is opposing. These ten sites near the Reservation have spiritual and cultural value for Tribal Members.

Chairman Barlese discussed a video he viewed on You Tube showing that explosives are used to expose geothermal activity, a process known as fracking. Explosives are used multiple times to crack bedrock and eventually flood the site with hot water and vapor. Chairman Barlese will forward this internet link to all Council Members. Vice-Chairman Barlese asked if, while fracking, can something happen where the pressure may cause a disaster to which Chairman Barlese responded yes.

Mr. Cowan stated infrastructure needed to transmit power from geothermal sites is an important topic to discuss with BLM at today's consultation. BLM should also be informed today of the two additional sites SLPT is opposing.

Education Committee member Melissa Eller entered the meeting at 9:40 a.m.

Mr. Cowan stated BLM has inquired about SLPT's efforts to solicit comments from elders and other Tribal Members regarding the geothermal lease sites. He stated a newsletter was sent November 18, 2011 asking for input from Tribal Members.

REPORTS – VICE-CHAIRMAN ERNIE BARLESE

Vice-Chairman Barlese did not have a report.

REPORTS – SECRETARY/TREASURER JERRI LYNN BARLESE

Secretary/Treasurer Barlese reported she has drafted minutes of the November 3, 2011 Council Administrator's (CA) meeting. Council will receive copies once finalized.

Secretary/Treasurer Barlese stated she has filled out the Department of Justice Bi-Annual Sex Offender Registry Survey and will forward it to Ms. Nelson to type. The Department of Justice is requesting SLPT's contact information with regard to who handles Sex Offender issues.

Secretary/Treasurer Barlese reported she participated in the November 3, 2011 CA meeting and October 28, 2011 Enrollment Committee meeting, as well as drafting the agenda for today's meeting.

Secretary/Treasurer Barlese reported she received a phone call from a friend of Tribal Member Grayson Huitt regarding hunting. The caller wanted to know if it was permissible for him to drive Mr. Huitt to the reservation to hunt. Secretary/Treasurer Barlese referred the caller to Mr. Cowan. Mr. Cowan stated he did not act on the Secretary/Treasurer's request as Mr. Huitt was a former Council member who should have knowledge of tribal hunting and fishing regulations. He said SLPT has a Hunting and Fishing Ordinance and regulations which Council needs to become familiar with to prevent misinformation.

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Secretary/Treasurer Barlese reported she received a call from Darla Brown, daughter of Tribal Member Art Brown asking for assistance to help Mr. Brown obtain a wheelchair ramp. Secretary/Treasurer Barlese also mentioned that she has business to discuss regarding tribal enrollment.

MOTION: Council Vice-Chairman Ernie Barlese introduced a motion to go into Executive Session to discuss an enrollment issue. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted. Executive Session began at 9:58 a.m. and concluded at 10:14 a.m.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion to approve Resolution SL-17-2011, Rescind Resolution SL-02-2011 & Rejection of Enrollment Application of Jeraldine Lynn Abel. Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 3 For, 0 Against, and 1 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted.

REPORTS – COUNCIL MEMBER RANDI DESOTO

Council Member DeSoto reported on recent activities including attending the November 3, 2011 CA meeting, meeting with Ms. Nelson to update SLPT's website, and various visits to the Tribal office to use signature stamps when requested by staff and approved by the signers.

Council Member DeSoto requested Council approval for her to serve as the Council Liaison for the Higher Education Committee, replacing Secretary/Treasurer Barlese. Chairman Barlese asked Secretary/Treasurer Barlese how she felt about this change. Secretary/Treasurer Barlese stated she did not object to this change. Council Member Barr questioned why Secretary/Treasurer Barlese needed to be Council Liaison to both the Enrollment and Higher Education Committees. Chairman Barlese responded it was part of her Secretary/Treasurer duties.

CONSENSUS: Consensus of Council was to appoint Council Member Randi DeSoto to be Council Liaison for the Higher Education Committee. Inquiries from Tribal members regarding higher education will be forwarded to Council Member DeSoto's SLPT cell phone number.

BREAK. Consensus of Council was to take a break at 10:32 a.m.

CALL TO ORDER. At 10:42 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT: William Cowan, Natural Resources Department Director; Frances Winn, Finance Director; Barbara Nelson, Administrative Coordinator/Finance Assistant

CONSENSUS: Consensus of Council was to amend the agenda and allow the Natural Resources Department (NRD) Director to give his Council report before the Finance Director.

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Mr. Cowan gave an oral and written report to Council including:

- Moving and setting up the FEMA mobile homes has taken up much of his time.
- NRD staff Kent Bloomer, Resource Technician, and Rachael Youmans, Fish and Wildlife Biologist, escorted the Natural Resources Conservation Service (NRCS) to various sites on the reservation. The intent was to build SLPT's relationship with NRCS.
- A NRD newsletter was sent to Tribal members on November 18, 2011.
- The grader on the reservation has had several maintenance issues but is now operable.
- Maintenance Workers have vacated the reservation for the winter.
- NRD staff conducted the first assessment of springs on the reservation October 24 through November 10, 2011. A report will be forthcoming.
- NRD staff assisted the University of Nevada Reno (UNR) to collect water quality data as part of the Tribal Wildlife Grant (TWG) food web study.
- The Fish and Wildlife Service (FWS) notified NRD their two TWG applications (sage grouse and fish population viability studies) were ranked #1 and #2 for funding in Region 9. NRD will be withdrawing the fish population viability study and proceed with the sage grouse project since only one project can go to the national ranking level.
- A field trip will be conducted by NRD staff with representatives of Senator Harry Reid's staff in late November. Mr. Cowan will draft a briefing paper on discussion items. Chairman Barlese will also attend the field trip.
- NRD was unable to submit comments regarding the Sheldon National Wildlife Refuge Comprehensive Conservation Plan.
- The NRD will be meeting with Great Basin Land and Water regarding protection measures for Summit Lake.
- Mr. Cowan will be attending a BIA Indian Reservation Roads meeting on November 30, 2011 and a BIA Public Law 93-638 training on indirect cost and contract support December 6-8, 2011.

Discussion Topics

Mr. Cowan recommended Council make information systems security training mandatory for all staff and Council Members prior to getting access to SLPT's network and computer server. Council Member DeSoto stated information systems security training is mandatory by her employer, Nevada Urban Indians (NUI). Upon successful completion of training, NUI issues a certificate of completion. Mr. Cowan stated all laptops taken off the premises of the SLPT Administrative Office must be encrypted to protect SLPT's network. Encryption is a code available only to each assigned user. Mr. Cowan recommended policy be amended requiring security training for all new and existing employees and Council Members. Ms. Winn stated SLPT's auditors also require every software program used by SLPT employees and Council Members be identified.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion requiring all Council and employees who are using tribal computer resources to successfully complete Federal information systems computer training. Upon completion, a certificate will be issued. Seconded by Council Member Randi DeSoto. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion passed.

Mr. Cowan reported he will be on vacation until December 31, 2011. In his absence, Ms. Youmans will be designated Acting NRD Director.

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Mr. Cowan will be assisting SLPT with EPA GAP issues on his own time during this leave period. He has made preliminary contact with Ms. Laura Mayo, EPA Region 9. He will also be contacting SLPT's GAP Project Officer, Mr. Tim Wilhite. Mr. Cowan spoke with Ms. Pam Overman who questioned her involvement with SLPT's GAP issues. Ms. Veronica Swan of EPA is willing to assist SLPT with GAP. Mr. Cowan will be scheduling a conference call with Mr. Wilhite and Ms. Swan.

- Discussion followed regarding talking points for the field trip with Senator Reid's staff including:
- The Long Range Transportation Plan (LRTP),
- Infrastructure to allow year-round residence,
- Trespass livestock,
- Developing a Memorandum of Agreement (MOA) with Humboldt County regarding the road from Soldier Meadows to the playa exit,
- SLPT heavy equipment needs,
- Development of a public works type maintenance station on the reservation to store SLPT's heavy equipment,
- Establishing a rock crusher plant on the reservation to make gravel with the intent to construct all reservation roads and non-reservation access roads to industry standards which will require a minimum of \$2 to \$3 million in funding,
- Development of a lodge on the reservation for SLPT to rent as a facility for businesses to conduct corporate retreats and thereby allow time for participants to enjoy the serenity and environment of the Summit Lake basin,
- Land acquisition to expand reservation boundaries,
- Dissatisfaction with Federal agencies to manage natural resources,
- BIA 93-638 contracts and insufficiency of current base funding,
- Noxious weed management,
- Wildlife preservation, and
- Access to the reservation in the winter.

CONSENSUS: Consensus of Council was to support Mr. Cowan with the above-mentioned talking points with Senator Reid's staff.

Mr. Cowan asked Council if the University of Nevada Las Vegas' climate change study DVD, which features Summit Lake Paiute Tribe and Pyramid Lake Paiute Tribe, should be shared with UNR and Senator Reid's staff to which the Council agreed.

Mr. Cowan asked for comments from the Council on the draft Memorandum of Agreement (MOA) concerning the Native American Graves Repatriation Act (NAGPRA) eligible activities. He stated a previous MOA between the Tribe and FWS has been signed; however, the MOA is specific to a proposed study on the Sheldon Refuge. The NAGPRA draft MOA is with Tribes near Sheldon Refuge, including: Fort Bidwell, Cedarville Rancheria, Fort McDermitt and SLPT. Mr. Cowan recommended Council authorize someone to serve as NAGPRA representative. Vice-Chairman Barlese asked what would be required to be a NAGPRA representative. Mr. Cowan replied it is up to individual Tribes to decide.

Mr. Cowan stated he has a Cultural Resources Ordinance which was included in the 2007 Treatment as a State application but it is unclear whether this Ordinance had been appropriately ratified by Council. His copy is annotated with notes and does not include a signature page. He stated the NRD can justify cultural resource activities with FWS.

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Council Member Barr suggested a Council Member be designated the NAGPRA representative since NRD has a full plate. It was decided the NRD will be the first point of contact for NAGPRA issues and Council will assist.

Mr. Cowan stated SLPT has an existing MOA with BLM which pertains to information sharing pertaining to cultural resources. The MOA was developed when artifacts were found during Ruby Pipeline construction. He suggested reviewing this MOA and draft other MOA's to be consistent. He asked Council what actions they would like FWS to take when NAGPRA eligible items are found. If FWS finds human remains, they need to alert the Tribes as soon as possible. Mr. Cowan recommended SLPT be notified prior to public notice of any FWS projects which may uncover NAGPRA items. This notice period needs to occur prior to committing any resources that FWS cannot retract. If NAGPRA activities occur, notice must be issued immediately to SLPT and all activities to cease. He suggested SLPT could then bring in spiritual advisors or conduct some other action.

CONSENSUS: Consensus of Council was for SLPT to have minimum 60 day notice to respond to NAGPRA discoveries. Notice will be sent via either certified mail or Federal Express to the Primary Administrative Office in Sparks.

Mr. Cowan stated that Notice of Disposition of Remains needs to be published in a local newspaper and requested Council to identify which newspaper. It was decided to post notice in the Modoc County Record in Alturas, California and the Humboldt Sun in Winnemucca.

Mr. Cowan stressed the importance of Council reading the draft MOA. He will serve as the interim liaison regarding the MOA and the Council representative be designated later.

CONSENSUS: Consensus of Council was to approve Mr. Cowan's proposed responses to the MOA with a face-to-face consultation with FWS in December 2011.

MOTION: Council Member Jerry Barr introduced a motion for lunch break. Seconded by Council Secretary/Treasurer Jerri Lynn Barlese. Vote called. Vote: 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion passed.

CALL TO ORDER. At 1:01 p.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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT: William Cowan, Natural Resources Department Director; Barbara Nelson, Administrative Coordinator/Finance Assistant

GUESTS PRESENT: Ken Loda, Supervisory Geologist, BLM; Mark Hall, Archaeologist, BLM; Michael Truden, Field Manager, Humboldt River Field Office, BLM

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Mr. Loda provided a handout and gave a Power Point presentation regarding BLM's permitting process for geothermal leases. There are five steps to geothermal development: lease, exploration, power plant utilization and production, reclamation and abandonment. A lease must be in place prior to proceeding to the exploration and other phases. Subject to certain conditions, leases can be renewed for multiple lease periods. Lands offered for leasing must be posted 45 days prior to lease sale. BLM will place specific stipulations on each lease to protect resources. Council Member Barr asked how far BLM allows leasing from specific boundaries. Mr. Loda responded one-quarter mile from Wilderness Study Areas (WSA).

Mr. Loda discussed competitive leasing further. When the nomination period ends, BLM will publish a list of approved lease holders to all affected federal and state agencies. A National Environmental Policy Act (NEPA) analysis will also be required. BLM has a short timeframe they must comply with, 45 days from the date of application. They will then notify the state of Nevada whether they are going to lease or not lease, as well as terms and conditions of the lease. The lease issuance alone does not authorize any ground-disturbing activities to explore for or develop geothermal resources without site-specific approval for the intended operation. Such approval could include additional scoping, consultation, environmental reviews and permits. Funds from leases are shared with the state, local county and the U.S. Treasury. BLM has not negotiated the percentage of funds sent to each agency for 2011. They are advocating taking the local county out of the equation and send that portion to the U.S. Treasury.

Vice-Chairman Barlese asked if any type of blasting is done. Mr. Loda responded it is rare for blasting to occur and typically only when seismic lines are being explored. Vice-Chairman Barlese asked what happens if the lease site does not prove to have geothermal resources. Mr. Loda stated all lease holders are required to return the site to its original condition.

All lease holders are required to determine what type of local hot water exists at the lease site, i.e. greenhouse use versus energy use would have different stipulations.

Vice-Chairman Barlese asked if chemicals are used and are they harmful or toxic. Mr. Loda stated chemicals are used but most of them are barite or clays and occasionally soda ash to soften the water. For the most part nothing dangerous is used in the drilling process. In the production process other chemicals are used. The chemicals should be protected by casings and other protective devices. Typically, geothermal water is briny and salty and not suitable for drinking water. The water is heated by rocks deep in the ground.

Mr. Loda stated that New York Canyon is a project where Tribal input was heavily weighed because the site is located near Fallon and Lovelock pine nut fields. Council Member Barr stated regardless of Tribal input, BLM still gave a lease to the company managing New York Canyon. He voiced strong concern because it seems that consultation occurs with Tribe's only after the fact when it is too late for Tribal input to be considered. Mr. Loda stated Tribe's concerns should be brought out in the leasing process and prior to the utilization process.

Mr. Loda stated if the geothermal site loses pressure or cools too much, then minerals start to accumulate on the pipes. BLM requires pipes be maintained in a specific cycle. Vice-Chairman Barlese asked which agencies inspect lease sites. Mr. Loda responded the BLM, the state mineral resources agency, and the state water resources agency. Council Member Barr asked about the issuance of rights-of-way for pipelines and/or power lines. Mr. Loda responded that agencies need to provide lease holders with a vehicle for power to be delivered.

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Chairman Barlese stated he doesn't view this as a consultation since SLPT was not consulted during the Environmental Impact Statement (EIS) stage. He asked which agency would be the lead agency. Mr. Loda responded it would be BLM since the lease sites are on BLM land. Chairman Barlese asked what happens if a well site is abandoned without the lease holder restoring the site upon the end of their project. Mr. Loda responded that BLM can issue a letter of deficiency and levy fines on a per day basis. He said that no one who has received a geothermal lease in Nevada has been fined.

Chairman Barlese stated BLM gives lease holders too much leverage with getting away with non-compliance. Council Member Barr agreed and stated lease holders are not held accountable for non-compliance. Chairman Barlese stated there are concerns that SLPT could have voiced at the EIS level and now SLPT is just being given information, not a legitimate consultation process. He stated SLPT is highly concerned about reservation springs, water quality and water testing. Particularly since the leases are going to auction January 2012.

Council Member Barr stated it appears that as long as a lease holder's operation is profitable, then they can have the lease forever. He asked where the water comes from to put back into the well for cooling purposes. Mr. Loda stated typically the lease holder will apply to the state water resources agency for access to another nearby well. In some cases the water is recycled from the original well. Mr. Loda stated slurry from the drilling is placed in another pit on the reservoir. The lease holder is required to clean up the slurry pit.

Mr. Cowan asked about the lease near Gerlach and when the lease was issued. Mr. Loda responded the lease was issued eight years ago but the lease holder has just recently started activity at the site. Mr. Cowan asked if springs on the Lassen Applegate Historic Trails National Conservation Area (NCA) and associated Wilderness Study Areas will be protected for perpetuity. Mr. Loda replied that springs on BLM lands within the NCA always be protected.

Chairman Barlese asked about directional drilling. Mr. Loda stated that directional drilling is expensive so most companies will not use directional drilling. Mr. Truden stated that stipulations are put in the permit requiring lease holders to test water in nearby springs. BLM may also conduct water quality tests. Chairman Barlese asked who monitors to ensure the lease holder is drilling in their approved site. Mr. Loda responded that if a lease site is on private property, the lease holder is only monitored at the state level, not BLM.

Mr. Cowan asked how SLPT can get involved at other levels of consultation. He stated that Gene Seidlitz and Rolando Mendez offered SLPT a site visit to a lease site. Mr. Hall agreed that BLM and SLPT need to move forward on the site visit to either stop the lease auctions or for BLM to add additional stipulations. Mr. Cowan asked how far BLM is in the lease auction process at the ten sites SLPT is opposing. Mr. Loda stated the information on those sites has already been forwarded to the state; however, it is not impossible to remove a site once it's on an approved list. All of the leases on the ten sites have a stipulation related to consultation with local Tribes. Mr. Hall will review stipulations on the two additional sites Mr. Cowan brought to BLM's attention, and also give Mr. Cowan and Chairman Barlese on update on the status of all sites SLPT is opposing.

CONSENSUS: Consensus of Council was to take a break at 2:46 p.m.

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CALL TO ORDER. At 2:58 p.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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT: William Cowan, Natural Resources Department Director; Frances Winn, Finance Director; Barbara Nelson, Administrative Coordinator/Finance Assistant

GUESTS PRESENT: Delgadina Gonzalez, Elizabeth DeLaLuz, Melissa Eller

ENROLLMENT COMMITTEE

Ms. DeLaLuz stated the Enrollment Committee was present today to obtain clarification from Council on where they stand as a Committee. She stated the Council is making decisions on their own and is not adhering to the recommendations of the Committee. She asked Council why Committee decisions and recommendations are being ignored. Chairman Barlese stated that Council was confused about recommendations from the Committee. Ms. Gonzalez stated the Committee had directed the Council Liaison to present their recommendations to Council. She continued that once Council approved enrollment of this particular member at their January 15, 2011 meeting, the Enrollment Committee members received complaints from other Tribal members who were aware of this person's family history and knew she wasn't eligible for enrollment with SLPT. Ms. Gonzalez stated that if the Enrollment Committee recommendations had been followed there would not have been an issue. Chairman Barlese stated the Committee should have made their comments in a formal venue and not simply with post-it notes on the application.

The Enrollment Committee is concerned because they are not getting responses to emails from Council, only from Mr. Cowan. The current Council Liaison to the Enrollment Committee is not responding to the Committee's request for proper representation. The Committee needs to have open lines of communication with the Liaison and needs to be able to get responses to inquiries. The Enrollment Committee asked to have a different Council Liaison appointed. Secretary/Treasurer Barlese stated she doesn't know how to access her email. Council Member Barr volunteered to become the Liaison for the Enrollment Committee. Chairman Barlese asked Secretary/Treasurer Barlese how she felt about being removed as the Liaison. She stated she would go along with whatever the Council decided. Mr. Cowan stated the flow of information should come from the Council to the Chairperson of the Enrollment Committee who will then communicate with the rest of the Committee members. Council Member Barr was appointed Council Liaison to the Enrollment Committee.

MOTION: Council Member Jerry Barr introduced a motion to change the agenda to add a discussion item on the Higher Education Committee. Vice-Chairman Ernie Barlese seconded the motion. Voted called. Vote 4 in favor, 0 against, and 0 abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion passed.

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HIGHER EDUCATION COMMITTEE

Ms. DeLaLuz reported the Higher Education Committee had its first meeting on February 28, 2011. They reviewed the Higher Education Guidelines, budget and two scholarship applications. The Committee was told \$3,376 remained in available scholarship funds. Ms. Eller stated at that time, only one application was complete. The Higher Education Committee recommended 75% of this amount, \$2,532, be funded to the applicant who submitted the complete application. The Committee stated the other application was incomplete and received past the deadline and therefore ineligible for funding. The Committee was instructed by the former Acting Chief Administrative Employee (ACAE) that the second applicant must be funded. Checks were issued February 20, 2011. One check was sent to a student whose application was not reviewed by the Higher Education Committee. Again, the Higher Education Committee is questioning why they are even meeting since Council is taking action on their own and not following the guidelines. Chairman Barlese stated Council may have made the decision to proceed because of time constraints. Council Member Barr pointed out that since the former ACAE is no longer employed by SLPT, these issues will be going away. Melissa Eller questioned why the one application who the Committee recommended did not get funded until August 2011. She stated Council should take the Tribal Member's best interests to heart. Council Member Barr stated it should be the Tribal Member's responsibility to get their paperwork in on time. The Council stated this is a good dialogue that the Committees are presenting, and now Council knows what it needs to fix. Council and Committee can move forward from this point on.

The Committee asked Ms. Winn if she knew what funding would be available in 2012. Ms. Winn stated she can't get a specific amount for the whole year because of the way BIA distributes funding.

Ms. DeLaLuz stated she had submitted a letter of resignation to the Higher Education Committee since she is requesting scholarship funds. Chairman Barlese advised her she did not need to resign, she could just refrain from voting when her application is being discussed. Ms. Winn reaffirmed that lines of communication must remain open. She stated that Finance does not generate scholarship checks until an authorizing resolution is enacted. Chairman Barlese stated the Higher Education Committee must appoint a secretary to type up recommendations, concerns and inquiries.

The Higher Education Committee held a meeting today and agreed to send letters to the two applicants advising that no funds are available until the 2012 contract year.

REPORTS – FINANCE

Ms. Winn provided copies of budgets for all programs. She explained notations on the reports and provided a handout showing all SLPT contract and grant fund information.

She discussed lack of communication regarding the agenda. Today's Council meeting agenda should have been approved prior to the start of the meeting. Secretary/Treasurer Barlese gave the agenda to Finance on November 8, 2011 but the agenda was not formally approved by Chairman Barlese until today. Chairman Barlese stated he notified Council in September his Norton anti-virus software would expire in October so he is having problems with his computer and thus put his email on auto reply advising people to call the administrative office to contact him. He advised Council again at the October 20, 2011 meeting that the software had expired. Ms. Winn suggested Council should appoint one Council member to communicate with staff.

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Ms. Winn discussed documents placed in Council in-boxes. She stated that Council will need to notify Administration if action needs to be taken on anything, otherwise we will assume that Council is responsible for whatever needs to be done. She requested that Council provide direction to staff via email or phone message.

Ms. Winn reported the server has been moved to an area where it is grounded. We are progressing forward and keeping the server in a secure environment. SLPT's Information Technologies consultant procured a license for anti-virus software for all Council and staff.

Ms. Winn asked Council to develop a written policy regarding Tribal Member mailing labels due to the confidentiality placed on the labels.

Ms. Winn stated that staff needs guidance on handling inquiries regarding hunting licenses and the toll road fees, and suggested Council develop a script. Chairman Barlese stated that ordinances should be referred to. Vice-Chairman Barlese stated he did not know the Tribe issued hunting licenses. Mr. Cowan stated he would review the hunting and fishing ordinance and report back to Council.

Ms. Nelson reported a call came in on behalf of a Tribal Member who requested a permit to take game off the reservation. Mr. Cowan explained events that led to the establishment of transportation permits for fish and stated the Nevada Wildlife Board of Commissioners were not supportive of issuing permits for big game. He continued the Nevada v. Hicks lawsuit went to the U.S. Supreme Court and ended up limiting tribal sovereignty. He stated members leaving the reservation with game do so at their own risk, even with a transportation permit. The NRD does not have funds to have someone at the reservation to issue permits. Council needs to consider incorporating funds in 2012 budgets for this purpose.

The issue of the toll fee road caused problems with Humboldt County who has refused to sign an MOA with SLPT. Mr. Cowan suggested either taking the toll fee road sign down or modify the sign to state this is an honor system and donations to SLPT are appreciated.

Ms. Winn discussed BIA's Indirect Cost Proposal training December 6-8, 2011 in Reno. She requested at least one Council member attend. Finance will provide a copy of the meeting notice to Council.

Ms. Winn requested clarification from Council on whether or not staff should give out Council's SLPT cell phone number. Council agreed it was appropriate for their cell phone numbers to be given to callers.

Ms. Winn reported there are still nine phone numbers on the Verizon bill. She still has not seen the receipt where tablets were purchased for Chairman Barlese and Council Member Barr. Council Member Barr stated he would bring the receipt to Finance.

Ms. Winn discussed Housing and Urban Development (HUD) funding for 2012. She reported SLPT has HUD funds from 2001 to the present and Council needs to take some action on how to use this money.

She will be developing a Request for Proposals for the 2012, 2013 and 2014 independent audit.

MINUTES
Regular Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, November 19, 2011
Primary Administrative Office, Sparks, Nevada

Ms. Winn advised Council she is available to provide input to them regarding the financial end of the EPA GAP issue. Mr. Cowan asked Council to authorize via motion that he is the liaison with EPA on GAP programmatic issues.

Ms. Winn stated Finance/Administration are here to help Council serve their Tribal Members. She asked Council to let her know if they felt Ms. Winn was not doing her duty. She stated she has a fiduciary responsibility to advise Council when unacceptable transactions have been made.

MOTION: Vice-Chairman Ernie Barlese introduced a motion to delegate Mr. Cowan as EPA GAP liaison. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion passed.

APPROVAL OF MINUTES

MOTION: Vice-Chairman Ernie Barlese introduced a motion to approve the September 28, 2011 meeting minutes. Seconded by Council Member Jerry Barr. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion passed.

NEXT MEETING

The next Council meeting will be held Saturday, December 17, 2011 at the Primary Administrative office.

ADJOURNMENT

MOTION: Council Member Jerry Barr introduced a motion to adjourn. Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted. The meeting adjourned at 4:33 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 November 19, 2011 Regular Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on March 10, 2012, by a vote of 4 For, 0 Against, and 0 Abstaining. Council Chairman Warner Barlese refrained from voting.

March 10, 2012
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council