

Summit Lake Paiute Tribe
Regular Council Meeting
Saturday, February 17, 2018
Primary Administrative Office, Sparks, Nevada

CALL TO ORDER: Council Chairwoman Randi DeSoto called the meeting of Saturday, February 17, 2018 to order at 8:38 AM.

OATH OF OFFICE

Nedra Crane signed the Oath of Office. Ms. Crane spoke the Oath of Office and was installed as a member of the Tribal Council.

ROLL CALL: Secretary/Treasurer Eugene Mace called the roll: Chairwoman Randi DeSoto, present; Vice-Chairman Jerry Barr, present; Secretary/Treasurer Eugene Mace, present, and Council Member Nedra Crane, present.

Ms. DeSoto announced that Ms. Crane had previously submitted a letter resigning from the Enrollment Committee to accept her new position on the Tribal Council.

STAFF: Finance Director, Linda Quinn; Natural Resources Department Director, William Cowan; and Rachael Youmans, Natural Resources Department Assistant Director

Ms. DeSoto listed the order for the first items for the Council Meeting:

- Council Reports
- Natural Resources Department at 9 am
- Financial Report

REPORTS

Council Reports

Council Chairwoman Randi DeSoto reported that she came into the office to sign documents usually on Friday. In April she will be busy on Fridays. She will not be available March 2-4, 2018 as she will be out of town but will have her phone. March 25-29, 2018 she will also be out of town and will also be available by phone. She will send texts to the Council via the Tribal phone for quicker responses. Please try to use the Tribal phone for Council and staff business. Use 775-386-3425. She has been checking emails.

She attended a meeting with the Natural Resources Manager and Assistant Manager on January 10, 2018. She also attended an Enrollment Committee meeting and worked on the Family Tree form. The Council had a meeting on January 26, 2018 to address action items from the January 20 Regular Council meeting.

She is trying to get her internet situated and set-up. She did require some technical assistance from Victor. He offered to help her set-up her internet when she obtained the necessary parts.

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She did follow up with the Tribal Member asking about the Election Committee telling them that the Council did decide to raise the stipend price for the Election Committee. As of this date no one has applied for the Election Committee. A letter was also sent out. There is a need to get the ball rolling. The election is set for May 19, 2018 with the General Council meeting at the Lake.

She is working on the ID cards she needs to print and the requests for copies of documents from member files. She may need to streamline this with the Enrollment Committee possibly with a form for a log which lists the time and date of requests and completion of request; a paper trail. It is the members' records.

There have only been a few ICWA cases which are not affiliated with the Tribe and letters have been sent.

There is an on-going issue. Ms. DeSoto texted the Council and talked with Ms. Quinn regarding issues with 1099's and Ramah settlement payouts. She wants to discuss it with the Council as business and try not to make it personal.

Ms. DeSoto met with Mr. Scandland prior to the meeting last month.

She contacted ITCN regarding some adjustments they made to the Tribe's listing. She had intended to attend a meeting on February 9, 2018 but did not make it. She does feel that no one knows who the Tribe is so she wants the support of the Council to attend ITCN meetings and to receive their information of the projects and things in which they are involved.

There may be more than one Executive Session.

Mark Hall, Winnemucca BLM, emailed that he would be reporting via phone. He is scheduled for 2:00 pm. He is working on Burning Man.

Council Vice-Chairman Jerry Barr reported that he attended an Enrollment Committee meeting and that it was a good meeting. They did ask for the actions taken regarding the Enrollment Committee be put on letterhead and sent to them. He sat in on some interviews for positions for the Natural Resources Department. He has done three, two of which Mr. Mace also was there. There are two more scheduled for the next week. There have been a couple of offers made. He attended the Council meetings on January 20, 2018 and January 26, 2018.

Secretary/Treasurer Eugene Mace reported that he came in and signed checks and studied the manual. He thanked Ms. DeSoto for the opportunity to be part of the Natural Resources interviews. He learned a lot from them: how to interact with incoming employees, insights to interacting with Ms. Youmans, and the duties and responsibilities

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of the Natural Resources staff.

Ms. DeSoto commented that Mr. Barr would be the point contact for interviews, but that he would keep her informed, and that Mr. Mace would be the back-up. Then they will be in conversation with Ms. Quinn to get them processed and get them approved. Ms. Quinn requested that they email her so she can process the stipends.

Mr. Mace feels that it was a great learning experience for him. Mr. Barr stated that the next interviews would be on Tuesday.

Mr. Cowan and Ms. Youmans entered the meeting at 9:07

Staff Reports

Natural Resources Report: Department of Natural Resources Director William Cowan and Assistant Director Rachael Youmans

Mr. Cowan announced that this would be his last meeting as Natural Resources Director.

Mr. Cowan previously emailed his report to the Council. He asked if there were any questions. There were none.

Discussion topics

1. MOA:

Ms. Youmans worked hard and finished the first draft. They did receive a template from the Fish and Wildlife Service but was expecting a little more detail. Mr. Cowan reviewed the MOA and it was sent to the Fish and Wildlife Service who made comments and returned it. One item was office space for Mr. Cowan. It was revised and sent back to Fish and Wildlife Service. He looked it over, approved it and returned it. He sent copies to the Council.

Since neither Mr. Cowan's immediate supervisor nor the State Supervisor were available to attend the meeting, this would be an opportunity to go over the comments and see if there are any concerns. He is not sure there is a need to have another meeting with Fish and Wildlife Service to finalize the MOA. It is up to the Council.

February 22, 2018 the IPA expires. Mr. Cowan will keep an accounting of his time up until that point for the Chairwoman. After that he will no longer send time sheets to the Chairwoman for approval nor submit them to the Finance Department. He asked if the Council needs to sign the new MOA by February 22, 2018. Mr. Barr asked that if the MOA is not signed by February 23, 2018, would Mr. Cowan stop working until it is signed. Mr. Cowan replied that he has not had the discussion with

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Fish and Wildlife, but that he does not believe it would be an issue.

Mr. Barr felt that he would prefer a face-to-face meeting. Ms. DeSoto would like to arrange a meeting with Fish and Wildlife on Friday, February 23, 2018 to be sure and to sign the MOA and the Council can meet with Mr. Cowan's supervisors. As far office space goes, telecommuting is an option. He senses that it is taken care of. Mr. Cowan and Ms. Youmans will contact his supervisor on Tuesday to clarify.

They discussed the comments made on the MOA. Mr. Cowan asked if the proposed edits were okay with the Council.

- The Fish and Wildlife Service added "This agreement involves no exchange of funds between the parties" under Item 1: Purpose.
- Edited to italicize the names of the fish.
- Under 3. General Scope, This is wordsmithed to make it fit the terminology of the Fish and Wildlife Service. They added "SLPT and the US Fish and Wildlife will jointly develop a work plan for the transition year that contains greater specificity of tasks and targets, dates of completion." This is something Ms. Youmans and Lee Ann discussed. Mr. Cowan is fine with the addition. He can provide a list of projects and time frames. Ms. Youmans has put together an overarching plan for the field season.
- Item 3 references the work plan.
- Part B Item 1 is wordsmithing and reference to the work plan.
- The bullets are pretty much the same with a little wordsmithing.
- Item 2: It looks like some wordsmithing with the same intent.
- Item 3: The Fish and Wildlife Service added "and available".

Mr. Cowan asked if the Council sees anything flawed or missing.

Ms. Youmans will clarify the duty station issue and whether it is needed to be in the MOA. Mr. Cowan also mentioned it specifies a one year duration with up to five years to extend the MOA as stated in Item 5.

The Council is fine with it. Mr. Cowan asked when people are available to meet with the Fish and Wildlife Service. It seems anytime on Friday would work.

Miscellaneous Purchases:

The Natural Resources Department needs approval to purchase pit tags with a current quote of \$3313.50 to buy 1000 pit tags of one size and 500 of a smaller size. The funds would come from the NFWF Grant. Last year it was budgeted to come out of the Tribal Wildlife Grant which closed as well as the NFWF Grant. Because the previous purchase lasted longer than expected, the full allocation as envisioned was not purchased, there are still sufficient funds in the NFWF Grant. The pit tags need to be purchased soon. It is the consensus of the Council to approve the purchase.

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The Department still needs time to check into the cost of purchasing a new truck. There is \$45,000 budgeted from a BIA Grant. Ms. Quinn did talk briefly to a dealership about pricing below that amount with the fleet department which would be comparable to the old GSA vehicle. Mr. Cowan is notifying the Council that they would be asking for a purchase approved quickly as field season was rapidly approaching. Mr. Cowan thought maybe a flatbed might be desirable. This would also be under fleet. Mr. Cowan checked into some costs. They range from \$5000-6000 for a flatbed to add to a truck. Mr. Cowan discussed his reasoning for this. It should also be able to tow.

Another big ticket item is to replace the electronic fish counting device, the VAKI Riverwatcher. There is no quote at this time. The department needs a monitoring device. One is in for a repair estimate; the other has been giving bad data. Mr. Cowan would prefer new equipment. It will require a modification to the NFWF Grant. It was brought in for repair before Thanksgiving. It would also need an update. A new system would be much easier to retrieve data. So Ms. Youmans will be bringing it to Council soon. The Council said they could do an approval before the next meeting via phone/email. Ms. Youmans would contact Ms. DeSoto and she would contact Council.

Every February the Natural Resources Department asks for an establishment of the fishing limits. Mr. Cowan recommends keeping the limits the same as last year. It is the consensus of the Council to leave the fishing limits as established in 2017. There was a discussion on setting the limits on sage grouse.

The Natural Resources Department report was suspended until later for a teleconference with Lori Bird at 10:00 am.

Chairwoman DeSoto introduced the Council to Ms. Bird. As Ms. Bird was introducing herself the phone cut off.

Rueben called in. He talked about Ms. Bird of Bird Inc. telling the Council about her twelve years of experience working with Tribes and federal money and grants to save the Tribes money, time and energy. Today they wanted to present the ways that they could help the Tribe at Summit Lake. Ms. DeSoto identified herself as Chairwoman. Rueben then explained that his job is to organize Pow Wows and other cultural events.

Ms. DeSoto called Ms. Bird back. Ms. Bird detailed her experience. She is an AA company which means she has a federally recognized Native American Business. She works with partners. Ms. DeSoto asked that Ms. Bird send her information that the Council can review explaining that the Tribe has no projects in development at this time. Mr. Barr explained that Summit Lake is in conservation mode at this time. Ms. DeSoto got

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Ms. Bird's contact information and said she would make contact after the meeting.

Both Rueben and Ms. Bird hung up at 10:25 am.

The Natural Resources Department Report continued.

Mr. Cowan returned to the previous unfinished topic of limitations on sage grouse harvesting. The recommendation is to continue the moratorium on sage grouse for the next year. Mr. Cowan explained his reasoning. The consensus of the Council is to continue the moratorium for another year. It is the intention to put the 2018 Fishing and Hunting limits and moratorium in the next issue of the Natural Resources newsletter. Mr. Cowan asked for list of whom to send the fishing permits. This way the department can update their mailing list. They feel the actual Enrollment list is necessary. Ms. Quinn will make it available.

Natural Resources Department report concluded

Mr. Cowan and Ms. Youmans left the meeting.
The meeting continued at 11:00 am.

The Financial Report: Financial Director, Linda Quinn.

1. UPDATE:

- Mr. Bill Nibbelink sent sample HUD policies for the rental assistance, down payment assistance for homebuyers and rehabilitation. Ms. Quinn is working with him on getting the policies and applications ready for Council review. He hopes to have HUD policies for Council's review ready for the April 21, 2018 meeting. As the Council has received two consultations allowed by HUD, Mr. Nibbelink is going to request another consult for some time the week of June 12 to 16, 2018. Council requested a Special Council Meeting for Saturday April 7, 2018 at 9:00 am at the Administrative Office on Rock Blvd. to review HUD Program policies and applications prior to the possible adoption at the Regular Council meeting on April 21, 2018.
- Prior to implementing the 2018 Indian Housing Programs, the Tribe is required to prepare an Environmental Review. Ms. Quinn will work with Cristal Quinn at HUD to complete this report.
- Berkley Risk 2017 Workers Comp. insurance annual audit has been completed.
- Following up on tribal membership cards being used for identification, a card laminating machine will cost about \$2,000.

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- The Finance Department still has not received the approved 2018 BIA CTPG budget from BIA. The Finance Department received modifications for additional funding for CTGP, Roads, Range and Higher Education. The Mods were signed by the Chairwoman.

Annual Reports for programs are due for CTGP: A draft was presented to the Council for review. Council recommended sending them with the Chairwoman's signature added.

2. EPA Deferred Issue: EPA Accountant, Mendy Guan has been requesting information from the Tribe regarding the continued compliance with the 2010/2011 audit findings. A response was made addressing this matter however the EPA is requesting further clarification on Finding 10-04 Page 28 of the Audit Report. Ms. Quinn has asked Charles Carslaw, CPA what he recalls on this finding. Ms. Quinn asked if the Council recalled anything regarding the Match documentation. She is trying to get a clear picture before wording her response.

The Council did believe they responded that all In Kind Match documentation was located and forwarded to EPA. This is in agreement with what Charles Carslaw reported to Finance. A response will follow up along with the location of all the match documents in question.

3. The department received a Final Decision letter (1/31/18) from the Disputes Decision Official at EPA regarding the Tribe's 2008 Audit Report # 11-3-0150 (\$291,097) and 2009 Audit Report # 11-3-0151 (\$301,113) for disallowed deferred revenue which stated the debt has been reduced to zero. The EPA concluded that funds were used by the Tribe to carry out the intended purpose of the EPA program grant workplans. It was noted that the 2010-2011 disallowed costs will be covered in future correspondence.
4. Questions have been raised regarding the process used to report income given to the parents of minor members. Ms. Quinn detailed questions and requested answers from IRS Native American specialist Mark VanAdler on February 7, 2018. A progress report was requested February 16, 2018. No response has been received at this time.
5. A follow up letter was sent to all members who received Ramah Settlement payments from Finance per the Chairwoman to clarify that the income was defined as "other income. (line 21 of IRS Form 1040)".

Council discussed IRS regulations and noted that Form 1040, line 21 wording should

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say NATIVE AMERICAN DISTRIB or INDIAN TRIBAL DISTRIB otherwise delays in processing may result.

Chairwoman DeSoto called lunch at 12:15 pm.

CALL TO ORDER: Council Chairwoman Randi DeSoto called the meeting of Saturday, February 17, 2018 back to order at 12:58 pm.

ROLL CALL: Secretary/Treasurer Eugene Mace called the roll: Chairwoman Randi DeSoto, present; Vice-Chairman Jerry Barr, present; Secretary/Treasurer Eugene Mace, present, and Council Member Nedra Crane, present.

STAFF: Finance Director Linda Quinn

GUESTS: Craig Drake, Applegate Office BLM

Applegate Office, BLM Consultation, Craig Drake reporting

Craig Drake of the Applegate Office of the BLM reported that there is not a lot of new things on the agenda.

Wildlife: They are still moving forward with the same projects in different phases. There are spring enclosures to protect the sources for sage grouse habitats. They have also been working with Washoe County on the Washoe Valley Lands Bill taking action on the remaining Nevada WSAs. They will either designate land as Wilderness or releasing it from Wilderness study. This project also entails purchasing and selling of BLM land. This process is taking up a lot of time.

Fencing: The Stateline Fence Reconstruction is still in the works. They have not done anything yet.

Grazing Permit Renewals: These are the same ones they have already talked about. They take a long time to get through. They are waiting because of the sage grouse habitat. A habitat summary report which covers the whole area must be done first

They are starting a wild horse gathering.

Special Force Products CS: All the little things that they can sell permits for like firewood, gathering berries and mushrooms, juniper boughs, seedlings. The plan is to have a meeting to review each area and set up the stipulations for each one.

Dodge Fire: They are mostly just monitoring it.

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Lands and Realty: They are working on some new acquisitions. One area is on the Sheldon border that would be for public access. The Mosquito area acquisition is good sage grouse habitat and access.

Outfitter and Guide EA: The idea for this is to be able to put stipulations on the permits specific to each area.

Cultural Drone Project: Hopefully later this spring or winter the man who will do it will be available. There is very little disturbance other than noise at the Massacre. There is also a new project in the works to protect the rock art on the Massacre Rim. This would cut back the juniper and sage bush in order to keep intense heat off the rock art in the event of a fire.

USC Chico Research: This has been going on for five years. They want a couple of interns to record a couple sites.

The staff is still down about 50%. Mr. Drake asked if there were any questions.

Mr. Mace commented that he did not see that many horses or burros this past year. Mr. Drake said that they did not see as many as expected but that they are going somewhere. They do have a management level for each area.

Mr. Barr asked about the big horn and Mr. Drake says they are still there but not sure how good they are doing.

The juniper cuts are still all on-going. It is going pretty well. They are funded a couple of years out.

Mr. Drake asked what Applegate can do to improve the meetings. The Council complimented him. He suggested a PowerPoint presentation with pictures. A field trip was suggested. There was a discussion of them attending the May meeting at the Lake.

The report concluded and Mr. Drake left the meeting.

The Finance report continued.

6. The grants award Funding Summary spreadsheet was presented for Council review as the Comparative Budget Summaries are still being corrected. Ms. DeSoto discussed her meeting with Ms. Youmans in utilizing the Ruby funds for winter equipment/clothing for the Natural Resources staff. Ms. DeSoto gave Ms. Youmans the green light. Ms. Quinn asked for any questions. The \$75,000 in Nez Perce will be moved to the Ramah Settlement as the combined funds for future development, Ramah settlement payouts and EPA settlement funds.

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The rest of the Council and Ms. Quinn helped to explain the budget to Ms. Crane.

7. Bureau of Reclamation, Amanda Brinnand (Mandy) and Pete visited on February 14, 2018. Ms. Brinnand followed up with an e-mail regarding funds in the land acquisition grant. It was recommended that the Council wait until three years of low risk audits have been completed before asking to move the funding to a new grant or to the bank account for future use. The contract is due to expire September 30, 2019.
8. William Cowan requested that Ms. Quinn provide the written rules for indirect use in grants. She is not an expert but can answer a question when asked or get the answer. There is an upcoming OMB Training in Seattle on April 5 and 6, 2018 which covers grant rules and regulations for managing and budget creating of grants. The registration is \$499.00.

Council authorized Rachael Youmans and Linda Quinn to attend.

9. HUD allows tribes the opportunity to review population each year, income and housing conditions data used to calculate the tribe's IHBG allocation. Census data challenges deadline was extended to March 30, 2018. The census challenge deadline is near. The census is also requesting the Council review the boundaries. It was decided to report no changes to membership numbers since last year and report the additional land (941 acres) if not listed.

The Consolidated Summary for the BIA needs was reviewed.

10. Three applications have been received for the Tribal Coordinator position. The Council reviewed the applicants and recommended the position be kept open at this time.

The Program Office Assistant position description went out on January 26, 2018 to ITCN and Nevada Urban Indians. Council determined to open the position to all applicants so it will be posted with Nevada Job Connect on Monday.

The Financial Report concluded.

Mr. Barr discussed an item which Ms. Harjo of the Enrollment Committee wanted the Council to consider. Ms. Crane express her opinion that this action would be a waste of time. Both Ms. DeSoto and Mr. Barr agreed with Ms. Crane.

Ms. DeSoto also said to send the minutes of the Special Meeting where the Council addressed the Enrollment Committee's concerns to Ms. Harjo.

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MINUTES

Mr. Mace had a question about a point regarding office space on the Special Meeting minutes. Ms. DeSoto explained what happened since that meeting including a change made by the Fish and Wildlife Service.

MOTION: Vice-Chairman Jerry Barr moved to go into Executive Session for ten minutes for Personnel. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote. 3 FOR, 0 AGAINST, 0 ABSTAINED. The Council went into Executive Session at 2:48 pm.

The Council returned from Executive Session at 2: 58 pm.

MOTION: Vice-Chairman Jerry Barr moved to approve the Special Council meeting minutes of Wednesday, January 10, 2018 with a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote. 2 FOR, 0 AGAINST, 1 ABSTAINED. Minutes are approved at 2:59 pm.

MOTION: Vice-Chairman Jerry Barr moved to approve the Regular Council meeting minutes of Saturday, January 20, 2018 with a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote. 2 FOR, 0 AGAINST, 1 ABSTAINED. Minutes are approved at 3:00 pm.

MOTION: Vice-Chairman Jerry Barr moved to approve the Special Council meeting minutes of Friday, January 26, 2018 with a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote. 2 FOR, 0 AGAINST, 1 ABSTAINED. Minutes are approved at 3:01 pm.

There will be a Special Council Meeting with US Fish and Wildlife on February 23, 2018, at the Sparks, Nevada office.

The next Regular Council meeting will be March 17, 2018 at 8:00 am at the Sparks, Nevada office.

There will be an April 7, 2018 Special Council Meeting regarding HUD at 9:00 am.

Ms. Youmans and Ms. Quinn will be attending the OBM training in Seattle, Washington on April 5 and 6, 2018.

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There are two positions open for the Administrative staff.

There will be interviews for the open Natural Resources staff next Tuesday at 3:30 pm and 4:30 pm

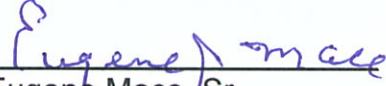
MOTION: Vice-Chairman Jerry Barr moved to adjourn. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote. 3 FOR, 0 AGAINST, 0 ABSTAINED. Meeting adjourned at 3:03 pm.

CERTIFICATION

I, **Eugene Mace, Sr.**, Secretary/Treasurer of the Summit Lake Paiute Tribal Council, hereby certify that the Minutes of the February 17, 2018 Council Meeting were approved by the Council during a duly held meeting March 17, 2018 at which there was a quorum present, and the Council voted:

3 - FOR 0 - AGAINST 0 -ABSTAINING, Chairwoman Randi DeSoto did not vote because there was not a tie vote.

05/15/2018
Date


Eugene Mace, Sr.
Secretary/Treasurer
Summit Lake Tribal Council