

**Summit Lake Paiute Tribe
General Council Meeting
Saturday, October 20, 2018
Summit Lake Paiute Reservation, Summit Lake, Nevada**

CALL TO ORDER: Council Chairwoman Randi DeSoto called the General Council meeting of Saturday, October 20, 2018 to order at 9:30 am.

ROLL CALL: Secretary/Treasurer Eugene Mace called the roll: Chairwoman Randi DeSoto, present; Vice-Chairwoman Nedra Crane, present; Secretary/Treasurer Eugene Mace Jr., present, Council Member Phillip Frank, present and Council Member Steven Crane, present

STAFF: Natural Resources Director, Rachael Youmans, Finance Director, Linda Quinn; Tribal Coordinator, Donna Komar

REPORTS

Council Reports

Chairwoman Randi DeSoto reported that she attended the September 19, 2018 audit exit and the October 10, 2018 budget meeting. The audit exit meeting was with Bluebird CPA and went really well. She was glad to know where the Tribe stands, where they are at and that the Tribe is moving in the right direction. The budget meeting was to know where the Tribe stands, what is ready to be re-contracted, and to have Ms. DeSoto sign the budget for the fiscal year 2019 among other things. One member had a question on Higher Education but there has been no application submitted as yet.

Ms. DeSoto had requests for more membership ID cards. Ms. DeSoto will send them a letter.

Regarding IT, she has found a new Native IT person. He has good certifications and former work with staff and Council in a previous job. The Council needs to look at the costs etc.

She has come into the office to sign checks and SF425's, meeting with directors and calling Ms. Komar.

Ms. DeSoto had requests to do membership ID cards. She will write a letter to a member whose card has yet to be made. She is still concerned about the printer working properly. A packet requesting membership for three minor children was received last month. Ms. DeSoto would like the Council to review and consider the request.

Next month there are back-to-back meeting on Wednesday, November 14, 2018 at 10:30 am and Thursday 15, 2018 at 6:30 pm with Bill Nibblelink.

There is also a training class in Scottsdale, Arizona regarding Indian Law and Policies for Tribal Officials on November 7 through 9, 2018. Ms. DeSoto listed the topics but it is too expensive to attend.

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Ms. DeSoto discussed obtaining cell phones to give to the rest of the Council.

There was an update from Mr. Cowan regarding the cows and the 747 off of the Black Rock Desert playa and leverage for Soldiers Meadow not doing what they said they would do, and so forth. He wanted to have these things discussed with the Winnemucca BLM but they are not attending the meeting. The Council will follow up. On the way back they will take the playa home.

There is no need for another budget meeting. Re-contracts are ready to sign.

Vice-Chairwoman Nedra Crane attended the September 19, 2018 Special meeting for the Audit Exit. Gemma Han made a good presentation and Ms. Crane is glad the audit went well. She thanked Ms. Quinn for doing a great job.

She continued to make herself available on Tuesdays for check signing.

She is interested in some training for enrollment. Ms. Komar will check for the details.

On Wednesday, October 10, 2018 she attended the budget meeting for 2019. On Friday October 12, 2018 she attending and Intertribal Council of Nevada meeting with Ms. Komar and met Steve Sisolak. She read over his qualifications and plans for the State of Nevada. Only four of the 27 Tribes attended. What Ms. Crane came away with was, Mr. Sisolak was for medical marijuana, preserving cultural programs, and that he would be willing to meet with Tribal leaders on an annual basis to discuss real issues. Student loan forgiveness was mentioned and that he is against Yucca Mountain nuclear waste, and talked a little about BLM lands and that Tribes should be able to buy land, the water in the Paiute areas and the Indian Child Welfare Act. On the other hand, some of the attendees wanted to know what Mr. Sisolak was going to do for them. He replied that he had to learn what the problems were. Ms. Komar stated that he said he cannot fix what he does not know is a problem. He wants to meet with the Tribal leaders once or twice a year to discuss the problems. Ms. DeSoto thanked Ms. Crane for attending.

Secretary/Treasurer Eugene Mace reported that he attended the Audit meeting with Bluebird CPA and also thanked Ms. Quinn. He also attended the budget review and asked if Ms. Quinn had worked out the extra costs. She said she did and had the budget ready.

He came in and signed checks.

Council Member Phillip Frank stated he had nothing much to report. He was getting exposed to the budget especially the Housing plan. Ms. DeSoto commented that the Council is trying to build for the future benefit of the Tribal membership. Ms. Youmans said she could see the progress being made.

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Council Member Steve Crane he talked about cows. He would like to investigate the legalities and getting them round up and what the Tribe can actually do. He was told that a member was trying to get hold of him but left no phone number. So he does not know what she wants or how to get hold of her. He will let her try to get back to him.

Staff Reports

Financial Report by Ms. Linda Quinn, Finance Director UPDATE

HUD Housing: November 13 through 16, 2018 Bill Nibbeling will be here. He will travel on Monday and Friday. He will meet with Council starting Wednesday, November 14, 2018 at 10:30 am to answer any questions. Ms. Quinn suggested the Council should think of any questions on housing and bring them to the meeting. He is also scheduled to meet with Council on Thursday, November 15, 2018 evening at 6:30 pm to 8:30 pm. The regular Council meeting will be Saturday, November 17, 2018.

Indirect Costs: Ms. Quinn met with Mr. Carslaw to work on the Indirect Costs. He will get back to her on Tuesday, October 23, 2018 after she goes over some figures with Ms. Youmans for estimated 2019 expenses.

SF425 Reports: These are the quarterly and annual reports due to every agency. They have all been signed and sent off.

Higher Education Handbook: This was discussed in previous meetings. The question asked was what the funds could be spent on. Ms. Quinn checked the contract. The BIA contract is based on the Tribe's proposal and policies. The purpose states to provide supplemental financial assistance to members entering college or service as a secondary source of supplemental aid packages. Higher Education is the study of secondary school at an institution that offers programs terminating in an associates, baccalaureate or higher degree. So basically the program is for accredited universities, schools, colleges. The application has been updated. The handbook should help answer the Council's questions.

New Phones: Ms. Quinn has a purchase order for four new Samsung phones for the Council. The contract is for four new phones and service for a year. She will order the phones.

Enrollment Funding: Ms. Quinn sent a letter to Robert Eben requesting Enrollment personnel funding. She is checking if Mr. Eben has seen it yet but there was no one was in the office. She will check again. Ms. Quinn stated that the Council needs to approve a job announcement for Enrollment. She discussed how she created an Enrollment Coordinator job position and what duties for the Council to review.

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Then there was a related discussion about changing the blood quantum level and that the base roll has been received by the BIA so they could have a Secretarial Election.

There should be a request for technical assistance from the Operations Department to give to Mr. Eben first. Then given a list of the things the Council has done and ask what does the Council need to do to move forward with the plans for a Secretarial Election if the Council so chooses.

MOTION: Vice-Chairwoman Nedra Crane move to introduce and approve Resolution SL-22-2018 Approval of Enrollment Position Description with a waiving of the reading. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-22-2018 was enacted at 10:54 am.

Re-Contracts for 2019 for CTPG (Consolidated Tribal Programs): This contract is the basis for a large amount of the Tribe's funding. Ms. Quinn prepared a document detailing the process and paperwork for the re-contract. The other two are Higher Education and Indirect. There was a discussion of the details of the CTPG budget. The re-contract to the BIA includes: a copy of the resolution, scope of work, budget excel sheet, budget justification with details, three job position announcements, indirect proposal, organizational chart, and the vehicle.

MOTION: Vice-Chairwoman Nedra Crane moved to introduce and approve SL-23-2018 Re-contract with the Bureau of Indian Affairs for Consolidated Tribal Program Services for the Fiscal Year 2019 with a waving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-23-2018 enacted at 11:17 am.

Re-Contracting for Indirect Cost: The paperwork is mostly the same, except only for indirect.

MOTION: Vice-Chairwoman Nedra Crane moved to introduce and approve SL-24-2018 Re-contract with the Bureau of Indian Affairs for Consolidated Tribal Program Contract A10AV00357 Indirect Cost Support for the Fiscal Year 2019 with a waving of the reading. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-24-2018 enacted at 11:26 am.

Re-Contraction for Higher Education, BIA Contract A10AV00361: The request is for \$10,700 for the program. Ms. Quinn added \$2,700 to the usually requested \$8,000.

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MOTION: Council Member Phillip Frank moved to introduce and approve SL-25-2018 Re-contract with the Bureau of Indian Affairs for Higher Education Program Services for the Fiscal Year 2019 with a waving of the reading. Council Member Steven Crane seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-25-2018 enacted at 11:36 am.

Problems with EPIC for Indian Housing 2019: The Tribe's Program Specialist Patricia Gomez asked that a comment from previous submissions regarding the monitoring of the IHP's model activity be removed. She felt it did not apply. There were problems releasing the submission for amendment. Lead Program Specialist Debbie Asby provided information that Ms. Gomez needed to release the report. Ms. Gomez also wanted a change in Total Expenditures for Affordable Housing. Ms. Quinn replied to her that it could not be changed. Ms. Quinn asked Ms. Gomez to look into how to make this change. Hopefully things can be resolved.

Ms. Quinn had done some draws and invoiced fund 120 for the third quarter.

Budgeting Reports: There a couple of news programs: 131-\$150,000 for BIA Endangered Species with five different projects; Two new EPA one year grants which start October 1, 2018, which do not have numbers yet, for \$80,000 and \$30,000. Fund 128, one-time Road Maintenance Services funding has been successfully closed-out.

IRS Inquiry: There are two 1099's for 2017 from Members for the Ramah Settlement where the name or social security number does not match the IRS records. Ms. Crane offered to come in and check on this and possibly write letters.

The Council had no questions. Ms. DeSoto asked the Council to please be sure to be aware of the budget items in case there is a need discuss them later.

The Financial Report concluded.

Chairwoman DeSoto called for a ten minute break at 11:57 am.

Council returned from break at 12:07 pm.

Ms. DeSoto did a Facebook Live with Mr. Cowan and the video is there.

Natural Resources Department (NRD) Report by Natural Resources Director Rachael Youmans

Ms. Youmans gave the Council her report.

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She said the department was busy as usual.

Highlights:

Ms. Youmans conducted six month reviews with three members of the NRD staff. They moved from probationary to full time employee status. Unfortunately one of them gave notice and will be leaving at the end of October.

The signs project is completed.

In addition to sage grouse and fish projects, the department is moving forward on the construction of the heavy equipment shed. The concrete pad has been poured. An electrician took care of removing the necessary power line and hooked up a more efficient power line to a trailer. The building has been ordered. They are requesting a resolution empowering Ms. Youmans with the right to put up the building. When they asked for a permit to build, Ms. Youmans explained a permit is not necessary on the Reservation. They will accept a resolution from the Council giving Ms. Youmans the permission. She has a resolution stating just that.

MOTION: Vice-Chairwoman Nedra Crane moved to introduce and approve Resolution SL-26-2018 Approval for Installation of a Heavy Equipment Storage Building with a waiving of the reading. Council Member Steven Crane seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-26-2018 was enacted at 12:15 pm.

Ms. Youmans also worked with Ms. Komar for the water system installation. The electric power to the well was upgraded. The water system installation is scheduled for later in October and should be completed by the end of the month.

Ms. Youmans wanted to do a one-time request for funds to re-build the well shed to protect the new water system investment. The costs are currently being researched. She asked for the Council's support in her request. The Council agreed.

Ms. Youmans asked how much paperwork/what input/how much detail does the Council want in regards to her re-contracting of her contracts such as fisheries. She will provide packets similar to the ones Ms. Quinn presented.

Discussion Topics:

Cows: Whenever Ms. Youmans gets a report of cows on the reservation she immediately emails the Soldier Meadows ranch and Angie Arbonies, the range conservationist for the BLM. They have been responsive, usually getting the cows the next day. They moved all their cows down. There is no fence on the west side of the

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Reservation. A fence is a high priority. Nevada range laws says that if the Tribe does not want the cows on the Reservation, the Tribe is responsible for putting up fences.

Mr. Cowan sent emails asking the Council to discuss two topics with the BLM. Ms. DeSoto stated the BLM was not planning to attend the meeting. The first topic was regarding a 747 jet on the Black Rock playa during Burning Man. On October 10, 2018 Mr. Cowan asked when the 747 jet would be removed from the playa. The owner stated it was going to stay there presumably on the Jackson Family Trust private land as he had nowhere else to store it until next year. Mr. Cowan commented that leaving abandoned vehicles and other junk across the landscape was a primary reason the Tribe was against the Burning Man event. It is also an eyesore disrupting the view of the natural landscape.

The second topic is trespass livestock. In 2018 the problem started in June. Livestock from Soldier Meadows have trespassed on Tribal land continuously since then. They have been observed in areas closed to livestock grazing. Ms. Cowan has contacted representatives of Soldiers Meadow to remove the livestock, but the trespass has continued. Mr. Cowan suggests the Tribal Council assert sovereignty and encourage the BLM to take action.

Ms. Youmans was not aware that Mr. Cowan had met with Soldiers Meadow personnel on the road recently and those people notifying him they are leaving the ranch. She feels meeting with the BLM and Soldiers Meadow to revisit the fencing maintenance agreement would be appropriate. She believes that they should talk to Soldiers Meadow to discuss the situation and remind them not to let the livestock trespass and why and also to put up fencing. The Tribe cannot enforce a trespass ordinance that affects non-members. The problem is cows and wild horses.

Ms. DeSoto mentioned Facebook statuses are asking for a video of the Council.

Mr. Cowan feels that this situation could be used for leverage with Mr. Barta. There was a discussion of purchasing the two parcels of land bordering the Reservation. Ms. Youmans want to keep this moving forward. Mr. Barta wants written option proposals. There was a discussion of what to do.

Ms. Youmans discussed the three grants Great Basin Land and Water has which has money for the Tribe. One is to either purchase land or be modified to use the funds. Ms. Youmans is working on the modification. The second grant has a long range transportation plan with the purpose of re-routing the road west of Summit Lake farther away from the lake which is all Tribal land and to re-route the road around Hells Canyon which is on BLM land. The BIA Transportation Department is currently designing the route west of the lake. There are cost that are not currently funded associated with this such as NEPA report and the actual road construction. The last estimate was five million dollars. Great Basin Land and Water has a grant that can help fund some of these outstanding costs. There is also money for staff to work on that problem if the Tribe signs a contract as

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a sub-grantee of their grant to work on the project. The only issue is the grant reimburses the Tribe's expenses. Ms. Quinn felt it was not a big issue at \$30,000 a year. In order to enact this contract, a resolution is needed to accept the funds for five years.

MOTION: Vice-Chairwoman Nedra Crane moved to introduce and approve Resolution SL-27-2018 Approval of SEP Award Agreement with Great Basin Land and Water for Staff Support with a waiving of the reading. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 3 FOR, 0 AGAINST, 1 ABSTAINED. Resolution SL-27-2018 enacted at 12:58 pm

Ms. Youmans had an idea on how to do the other part of the road that needs to be done and pay for the rest of the other part. There is a grant opportunity with the Federal Highway Administration. It is specifically to construct, re-construct or rehabilitate transportation facilities (roads) within, adjacent to or accessing Federal or Tribal lands. This grant has a minimum application amount of 25 million dollars. So, her thought is to partner with the BLM and Humboldt County and improve all of the roads coming to the reservation. It is a big number, but in partnering with them, they could come up with a proposal that would meet that minimum. There are a few things that need to happen first. She needs to talk to the BLM and Humboldt County and have shovel-ready designs. She would need their help. There are three deadlines in December 2018, March 2019 and June 2019. Her goal is to apply in March 2019 and she is hoping there are still funds available. This would be a way to achieve a long running goal. She would like to reach out to the BLM and the Humboldt County first to see if they would be interested and if so, to start working on how to implement it. The Council was agreeable.

Ms. DeSoto called for lunch at 1:09 pm.

CALL TO ORDER: Chairwoman Randi DeSoto called the meeting back to order at 1:50 pm.

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

STAFF: Natural Resources Director, Rachael Youmans, Finance Director, Linda Quinn; Tribal Coordinator, Donna Komar

The Natural Resources Department report continued.

Disposal of Old Equipment: There is an old dump truck and an old John Deere tractor which do not work. The department is has new equipment and hope to get more in the future so Ms. Youmans is trying to clean things up. She would like approval to start

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disposing of the old equipment. She would first see if any Tribal members are interested and then go to the general public for any interest or some other way to dispose of the equipment. She is also wishing to clean up some of the junk piles around the Tribal Compound. One of the goals for next year is to get a qualified maintenance worker. One is really needed. Hopefully this person can start to clean up the odds and ends from various projects that are just stockpiled. She wants to tidy up things. She would like the Council's permission to start exploring the disposal of some old equipment that does not work. The Council gave permission to look into it. She wants to start exploring this. She will move forward with it.

Restoration Activities: She would like to take the Council to two sites to show them the areas for restorations.

MOTION: Vice-Chairwoman Nedra Crane moved to go into Executive Session for Personnel for 20 minutes. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried at 2:00 pm.

The Council came out of Executive at 2:20 pm.

The Natural Resources Department report concluded 2:25 pm.

Tribal Coordinator, Donna Komar:

Ms. Komar emailed her report previous and brought copies for the Council.

Mobile Home Administration Building at the Reservation: The home that the Council liked is approximately \$75,000 with installation for \$25,000. The rodent proof skirting without perimeter foundation would be an additional \$19,000. Hunewell had a higher number \$20,000 to \$21,000. Hunewell's estimate for the perimeter foundation was \$45,000. Nate's Concrete is \$40,000. Harney will come up next week to check the transformer to be sure it could handle the new building. The estimate for a transformer is \$7,000-\$10,000 from Harney. This is over budget. If the Council decided to go with the smaller home, they could do it in the budget, but it would have less space. Ms. Komar asked for guidance on how to proceed. The smaller home would be 1067 sq. ft., 300 less than the bigger one for \$10,000 less which puts it in budget. Nate's Concrete would need five to six months to plan. Ms. Komar will go to Solid Gold to try to knock off some money and see if they can arrange to see the smaller model somewhere.

Water Treatment System: It is going in on October 30 and 31, 2018. They will be bringing up four people and staying on the Reservation and turning off the water for the two days. It is going okay. Ms. Komar is optimistic. She and Ms. Youmans will be measuring pipes after the meeting. It is a good thing.

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Calendars: Ms. Komar found Patty's Wholesale Printing who would print 100 calendars with the Tribe's own pictures for \$425. The shipping envelopes are not included but Amazon has them for around \$20. They need two weeks to ship them. Ms. Komar will send out the pictures to use for Council approval. The preprinted calendars from Myron like last year would be half the cost, but will not use the Tribal photos. Ms. Quinn stated that Ruby River has funds. The Council decided to go with Patty's Wholesales Printing. They would also like to investigate getting shirts, water bottles, and so on.

IT Support: Ms. DeSoto gave Ms. Komar information on Quentin Blue Horse as an IT professional. His resume was thorough. He thought about it and said he could do it. Ms. Komar talked to him and he agreed to a monthly fee considerably less than his usual rate. Ms. Komar previously sent his resume to the Council and has a contract ready for approval so he could start November 1, 2018. This would be for six hours a month done remotely. There is no travel to the reservation included. He would come to the office if needed, but would do most work remotely. Ms. Youmans is concerned. Ms. DeSoto is not sure either. The Council would like to investigate further; to look Ms. Komar will let him know that they are interested, but still looking for someone more flexible in visiting the Reservation. They will send out a solicitation and see what happens.

Ms. DeSoto inquired where the original Reservations signs where after the new signs were installed. Ms. Youmans said that the original ones were replaced with the signs that were just replaced so she does not know what happened to the original wooden signs.

Earlier in October Ms. Komar sent out a draft Sexual Harassment Policy. She asked for any comments, changes, or questions to be emailed to her. This could be added to employee training. Ms. Komar's goal is to update/revise at least one policy per month. She will bring a resolution to approve it to the next meeting.

She also sent updates on the performance implementation plan. This is for an employee that is not quite performing up to standard to bring them up to par.

In case of some sexual harassment there is an Employee Voluntary Statement form that should be on file. She also updated the Employee Counseling Documentation form. She asked the Council to review them and send her questions, comments, or corrections. She would like feedback.

The Website: She asked if the Council would like to use the side box as a place to put messages. This would be a spot to put in a question that the Council has been asked and hit the button for the answer. Some said to take out the box.

Ms. Komar asked if the people like the way she is sending out the Council's mail. Ms. Crane liked it. If they have any interest in anything she sends them, she would like to be informed. She does try to stress those things is feels are important.

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The Tribal Coordinator's Report concluded.

Minutes

Packets of minutes were passed out.

MOTION: Vice-Chairman Nedra Crane moved to approve the minutes of the Special Council Meeting of September 5, 2018; Regular Council Meeting of September 15, 2018; and Special Council Meeting of September 19, 2018 with a waiving of the reading. Secretary/Treasurer Eugene Mace Sr. seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried to approve all three sets of minutes at 3:15 pm.

The Regular Council Meeting is November 17, 2018 at the Administrative Office, Sparks, Nevada at 8:00 am.

There three enrollment packets to consider.

Nedra Crane reviewed the applications. All three applications are children in the same family. The question is on the interpretation of the ordinances regarding blood quantum. Ms. DeSoto stated that according to the BIA it is the determination of the Council to set what interpretation to use. The blood quantum of the children does not meet the minimum at this time.

The Council discussed working to propose revising the blood quantum to 1/8 or to descendency leaving out blood quantum by adding a new section (D). The membership should be asked for their opinions. They also need to send a letter to the BIA asking for technical assistance which will not happen until the new year. Also a letter will be sent to the mother stating the applications are still pending.

MOTION: Vice-Chairwoman Nedra Crane moved to adjourn. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote. 4 FOR, 0 AGAINST, 0 ABSTAINED. Meeting adjourned at 3:46 pm.

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CERTIFICATION

I, **Eugene Mace, Sr.**, Secretary/Treasurer of the Summit Lake Paiute Tribal Council, hereby certify that the Minutes of the October 20, 2018 Council Meeting were approved by the Council during a duly held meeting November 17, 2018 at which there was a quorum present, and the Council voted: **4 - FOR 0 - AGAINST 0 -ABSTAINING**, Chairwoman Randi DeSoto did not vote because there was not a tie vote.

11/20/2018
Date

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