

Summit Lake Paiute Tribe  
Special Council Meeting  
Monday, October 16, 2017  
Primary Administrative Office, Sparks, Nevada

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**Call to Order:** Vice-Chairwoman Randi DeSoto called the Special Council meeting regarding Disenrollment Hearings of Monday, October 16, 2017 to order at 5:11 pm.

**Roll Call:** Vice-Chairwoman Randi DeSoto called the roll: Chairwoman Page Linton, present via phone; Vice-Chairwoman Randi DeSoto, present; Secretary/Treasurer Eugene Mace, Sr., present; and Council Member Jerry Barr, present.

There was a discussion initiated by Mr. Barr concerning procedures when the person(s) that are the subject(s) of the Disenrollment Hearing are late or do not appear. He asked if the Council can proceed even if the person in question does not attend the hearing. They were given notice and a date was set. He questioned whether they need to be present and if their non-attendance means they do not wish to contest the disenrollment.

Ms. Linton read the Notice of Disenrollment procedures. The mail sent to the Roberta Levine Hernandez was returned, but Ms. Linton does have proof that she is enrolled in another Tribe. This hearing is a formality in her case. There was time for her explanation, but membership in another Tribe is automatic disenrollment. The Council will make a membership determination at this meeting. Ms. Linton will write up a resolution based on said determination.

Thalia Dick and Geraldine Abel entered the meeting at 5:19 pm.

Ms. Linton announced that the Council was there for the Disenrollment hearing of Thalia Dick for the purpose of giving her time to present any paperwork or documentation to prove that she is eligible to be enrolled as a member of the Summit Lake Paiute Tribe. After presentation of her evidence, there will be a notification of the determination of the Council.

Ms. Dick stated that she tried but was unable to get any response from the Bureau of Indian Affairs. She was told that she would be sent documentation but it had not been received as of this date. She was told by a representative of the BIA that she had a good document and to keep it, but it is not good enough.

Ms. Dick was asked if she brought the document with her. She replied she did not bring any of her paperwork. Her sister, Ms. Abel, has a document that allows them to be enrolled at Summit Lake. Ms. Linton does know that Ms. Dick's family is on the 1940s Census but the Census has a note that the family is ineligible for membership having moved to Fort McDermitt, Nevada. She asked if her family was ever enrolled.

Ms. Dick's replied that Elsie Abel was enrolled at Summit Lake and that her grandmother, grandfather, great-grandmother and great-grandfather are all enrolled there.

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Ms. Linton does remember the name Elsie Abel being on the Census with no asterisk next to her name.

Ms. Dick said John and Nellie Sowaby were her great-grand parents and Henry and Nellie Barr were her grandparents, Jessie Abel is her mother.

Ms. Linton asked Ms. DeSoto to pull Ms. Dick's enrollment file and a copy of the 1940s Census.

There was a short discussion of whether the "NE" on the 1940s Census meant not enrolled or not eligible and whether it was changed later to not eligible.

Ms. DeSoto summarized the 1940s Census sheets. She read a page with Charlie Abel and the family members which included Ms. Dick. It noted that the whole family had moved to Fort McDermitt. This is dated January 1, 1940. There was a Census which included "NE" which was defined as "not eligible" as Ms. DeSoto remembers it.

It was established the name included was not Thalia misspelled but her brother's name which was later changed.

Ms. Linton stated the Enrollment Committee feels that, based on the January 1940 Census, Ms. Dick's family for Charlie Abel is not eligible for enrollment in the Summit Lake Paiute Tribe, the Census states the family was "enrolled in error".

Ms. Dick has a January 1940 Census which is supplemental which list her family. Her application lists the ancestors to whom eligibility is claimed is her mother, grandmother, grandfather and great-grandmother dating back to Nellie and John Sowaby, Nellie Barr and Jessie Barr.

The Enrollment Committee is adamant that eligibility be based on the 1940 Census as per the Articles of Association. Ms. Linton checked with the neighboring Tribes to see if Ms. Dick was enrolled and she was not.

Ms. DeSoto checked both copies of the census and found that the BIA sent a copy with the location of Summit Lake with the notation "enrolled in error" and Ms. Dick's copy was for Fort McDermitt which does not have any notation.

There is a copy of a January 1, 1937 Census which states the family is listed in Summit Lake.

Ms. Dick stated the family moved to Fort McDermitt in order to attend school.

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There was a discussion comparing the different Census copies.

Ms. Abel had a letter from 2010 from the Fort McDermitt Tribe stating she was not a member of the Tribe but that her family was honorary adoptees of Fort McDermitt.

Ms. DeSoto noted that the Census and other papers says one thing and the Articles of Association say another. Now the Council has to decide which to use to make the decision.

There was a discussion of what is actually being said on the Census and how to get an explanation of what it all means.

Ms. DeSoto made a phone call to a source of information and that source told her they need to dig a little further and go back before the 1940s Census. At one time Fort McDermitt was considered the Bureau of Indian Affairs' agency to do the census for the surrounding areas. Depending where the people were at the time of the census, they were recorded as being located in Summit Lake or Fort McDermitt, but not necessarily where they were enrolled at that time.

As far as making a determination, the recommendation is to go with what the articles of determination state and go from there.

Ms. Linton told Ms. Dick that the Council will make a determination and will notify Ms. Dick. She thanked Ms. Dick for attending the meeting. When asked if she had any questions, Ms. Dick said she did not.

Ms. Dick and Ms. Abel left the meeting at 6:28 pm.

Ms. DeSoto called a ten minute break at 6:29 pm.

Council returned from break at 6:49 pm.

Vice-Chairwoman DeSoto called roll: Chairwoman Page Linton present via phone, Vice-Chairwoman DeSoto present, Secretary/Treasurer Eugene Mace present and Council Member Jerry Barr present.

Ms. Linton commented that now that the Council heard what Ms. Dick had to say, the Chairwoman would like a vote on whether to keep or disenroll Ms. Dick.

**MOTION: Vice-Chairwoman Randi DeSoto moved to introduce and approve disenrollment for Thalia Dick. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Page Linton called the vote: 1 FOR, 0 AGAINST, 2 ABSTAINED. Motion carried at 6:51 pm.**

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**MOTION: Council Member Jerry Barr moved to start the Disenrollment procedure for Roberta Levine Hernandez. Vice-Chairwoman Randi DeSoto seconded the motion. Chairwoman Page Linton called the vote: 3 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried at 6:52 pm.**

Ms. Linton will provide the resolutions for Mr. Mace to sign on October 21, 2017.

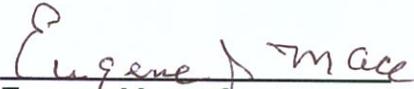
**MOTION: Council Member Jerry Barr moved to adjourn. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Linton called the vote: 3 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried. The meeting was adjourned at 6:53 pm.**

**CERTIFICATION**

I, **Eugene Mace, Sr.**, Secretary/Treasurer of the Summit Lake Paiute Tribal Council, hereby certify that the Minutes of the October 16, 2017, Special Council Meeting were approved by the Council during a duly held meeting November 18, 2017 at which there was a quorum present, and the Council voted:

**2** - FOR **0** - AGAINST **1** - ABSTAINING, Chairwoman Page Linton did not vote because there was not a tie vote.

11/21/2017  
Date

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