

Summit Lake Paiute Tribe
Special Council Meeting
Wednesday, June 21, 2017
Primary Administrative Office, Sparks, Nevada

CALL TO ORDER: Council Vice-Chairwoman Randi DeSoto called the meeting of Wednesday, June 21, 2017 to order at 5:17 PM.

ROLL CALL: Secretary/Treasurer Eugene Mace called the roll: Chairwoman Page Linton, present via phone; Vice-Chairwoman Randi DeSoto, present; Secretary/Treasurer Eugene Mace, present; Council Member Jerry Barr, present; and Council Member Thalia Dick, present.

GUEST: Brian Melendez, Tribal Operations Officer, BIA, Kerry Quartz

Chairwoman Linton thanked Mr. Melendez for coming. She stated that the Council has been discussing turning the Articles of Association into a Constitution for some time because it is getting old and would like to get up-to-date with everyone else. Summit Lake is one of two tribes that still have Articles. She acknowledged that it is a big process to update the Articles of Association into a constitution. Also the Council would like pointers on how to lower the blood quantum requirements. The main topic is the process to turn the Articles of Association into a Constitution.

Mr. Melendez said that basically the transition from articles to constitutions and blood quantum is all the same action. Let the BIA know what the Council wants to do and they will work with the Council to move the process along as fast as they can. The change from articles to constitution with the inclusion of any amendments and changes is all the same action and needs to be done at a Secretarial Election. It is all one function, one vote, one process.

He would like some history and information to help get started. What does the Council want to do? When was the last Secretarial Election? When was the last time such changes were made? He would like a synopsis of what the Council is looking at.

Jerry Barr said he thought the last Secretarial Election was in the late '80s or early '90s. There was a tie vote so nothing changed and there were no changes made so the articles are in need of updating.

Mr. Melendez said that there are new regulations which will make it easier to do than in the past.

Mr. Melendez explained the regulations for the process.

Secretarial Elections are Federal elections. The Federal government pays for the election and conducts the election. So the BIA will secure funding, conduct the election and certify it. What they require is the official notice from the Tribe of the intent to initiate the process. There are three documents required:

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1. A resolution from the Tribe stating that the Tribe wishes that the Secretary of the Interior conduct a Secretarial Election on behalf of the tribe. The resolution should include what they wish to change.

2. They need a copy of the completed new document or, in this case, constitution. The BIA would like a copy of the document to be changed (electronic form), in this case, the Articles of Association so they can help make the changes desired. The Agency will help and want to aid in making all the necessary changes and to notify and educate the Tribal members along the way. They need participation from the members to vote on it.

Mr. Melendez asked for a point of contact. There will be a lot of meetings.

3. The enrollment list of eligible members of the Tribe 18 years of age or older on the date of the election. These people can vote in a Secretarial Election which will be 100% mail-out. No polling place. It is all done via US mail. The list should have names, date of birth and updated addresses.

The three documents: resolution, new constitution and eligible member list, are sent to the Regional Director to initiate the Secretarial Election. Once received and approved, it will take 120 days to conduct the election, minimum. The Tribe will need three representative Members (do not need to be Council members) to form a Secretarial Election board to work with two representatives of the Agency.

What usually slows the Tribes down is the enrollment documentation. The Council has been working on that already and feels fairly confident about their updated list. BIA would like an electronic document.

The Process

Mr. Melendez discussed the document for processing a Secretarial Election. The document has had all three of its revisions before the 1980s. It has made it easier for the Tribes. There is a timeline. The timeline starts with the preliminaries. There are two opportunities for the Agency to stop it, when the package is received and after the vote.

Mr. Melendez will work to help with all the preliminaries to make sure they are ready to be approved when sent to the Secretary. They will help with the new constitution to be sure it meets all requirements and is constitutional and to aid in writing the resolution. There will be many meetings. It needs to be as clean as possible when it is received for approval. There it will be looked at it by eight different people/departments before final approval. Any one of them can turn it back. The clock starts when the official documentation is received. There are specific times for each review.

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Mr. Melendez explained the timeline:

- Official request received by the Agency.
- 15 days for approval decision.
- Assignment of BIA representation for Secretarial Election Board.
- Formation of Election Board.
- Mailing of documentation including the proposed constitution to the eligible member list.
- Registration of the members that want to participate in the election: There will be a firm date to be received with no time extensions. Members must be registered to be eligible to vote. The list will be posted. The registration is a one page sheet for name and signature with prepaid envelopes. A list of eligible voters will be made based on those registered. These will be posted with a timeline for comments.
- Vote by eligible registered members: These members will receive ballots with a prepaid envelope. There will be a firm received by date. 30% of the eligible voters are needed to ratify the new constitution. There will be only one vote.
- The members need to be educated before the vote. There should be a few meetings with the membership to promote the most participation for the vote.
- All votes will be carefully tracked and counted.
- There is five days for challenge.
- Vote count info, if it passes, and other documentation is sent to the Director in Phoenix to review and approve and certify. The Agency has 45 days to respond.

Ms. Linton volunteered to be the point of contact.

Logic Model for a governing body was discussed.

There were three changes to the process:

1. Allowing the mail out process which is quicker and gets a better participation.
2. Changing the required documentation, removing the Secretary of the Interior from the constitution. After a change to a constitution the Tribe can hold their Secretarial Elections which the Tribe will pay for because the BIA will no longer be involved.
3. Making it easier for petitioners (other than Council) to make changes to the constitution with 45 signatures. Then the Bureau must get involved. This process takes more time and more steps.

First thing is to work together on the language of the new constitution. The Council must prepare to get the documentation done, to work on a strategy to inform and educate the members. They need to let the members know what is being done and meet with the community to educate them. They should find out what it is the members want, get their input. The big thing is the change in the Enrollment Ordinances.

Mr. Melendez feels the Council can do a lot of things. It is best to make all adjustments now. This should not take nine months.

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He asked the Council to send him an electronic copy of the Articles so they can discuss the language and make necessary changes in a draft and they can meet with the Council to discuss it. Let his department know when the Council is ready with all documents so the Agency can be ready and tell the Council the best day to deliver the package and start the clock. Usually the hardest thing is the eligible member list with updated addresses, but the Council is almost done with this already.

Activities:

These can move fast. The request seems to be pretty simple to get ready. The Council should read over the articles and make notes of any changes or adjustments they want and then have another meeting to discuss them. A lot can be done online.

The changes desired at this time are:
Moving the articles into a constitution
Membership blood quantum changes

The documents needed are:

- The new constitution.
- A resolution.
- Eligible members list.

Mr. Melendez suggested writing the resolution should be the last thing to do after determining all they want to do. The Council must find three members to work on the Secretarial Election committee/board and name them in the resolution.

Mr. Melendez asked if there was a way the Council informed all their members which are spread out all over. Mr. Barr discussed sending them letters and that the main concentrations were in the Reno/Sparks, Nevada area and Fortuna, California area. Mr. Melendez believes there should be a meeting in those areas to meet and inform the members. He would like to be able to get authorization to go to Fortuna, California for a meeting there.

Mr. Melendez asked the Council to send them everything but the resolution now so the BIA can start to help in updating the documentation. He feels this process can be done quickly.

Discussion of the Enrollment Ordinances

The change desired to be made are in Section 1, Part C. This states the blood quantum must be $\frac{1}{4}$ Paiute Indian blood. Mr. Barr suggested $\frac{1}{16}$ to ensure two more generations. Mr. Melendez says the Council can do whatever they want. Some options are $\frac{1}{8}$, $\frac{1}{16}$ or

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just leave it as descendency. There are different types of descendency: direct or lineal descendency. Do not leave this open to interpretation. Specify which descendency. Mr. Barr thinks he prefers Lineal, or if the person can connect to the base roll or whoever is enrolled right now.

Mr. Melendez asked how they process enrollment. Mr. Barr and Ms. DeSoto explained the process and noted most are currently applying under blood quantum. An option is to take the base roll Ms. Linton is working on, send it to the membership as the 2017 Base Roll and have the membership vote on it to approve them. This is sent and accepted by the BIA and then they can add a part D to Section 11 stating "...directly descended from the 2017 base roll are eligible for enrollment."

Ms. Linton wants to present a resolution to the Council to approve the roll but is unsure of the language. Mr. Melendez said he can help with that to perfect it.

Another option is to not mess with A, B, or C and just adds the D or they can change A to the new base roll. That would open the opportunity for enrollment.

First have the new base roll approved and sent to the BIA and accepted. Then part D can be added to the new constitution. Mr. Melendez says this would be a simple way to do it.

The process is to get the Tribe involved.

The children are still being paid for, it would be better to enroll them so they can be counted.

Mr. Barr felt that this option may be easier to pass. He feels the Council has some thinking to do.

Priorities

- Ms. Linton will email some language for a resolution for the base roll to Mr. Melendez.
- If passed, the resolution and the base roll will be sent to the Agency. The Agency will send a document stating that they recognize the base roll.
- Mr. Melendez will get the articles and start red-lining it to change it from articles to a constitution and add Section 11, Part D.
- The Council will meet to go over any other provision they wish to change and identify what needs to be done; new things, additions or amendments to old things. Then they can work on the language.
- The Agency will work on the document and develop two or three language options.
- Then when the Council gets it back, they can choose. All the options will work.
- Once the desired options are chosen let Mr. Melendez know the choices and he

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will get a redlined document marked up and ready to go.

- If the Council is good with it, they will pass a resolution requesting a Secretarial Election changing the articles of association to a constitution adding or changing whatever they decide, the names of the three representatives and the enrollment list. Mr. Melendez can help with the language of the resolution too.

Mr. Melendez asked for any questions.

As fast as the Council moves, the Agency will move.

Ms. Linton told Mr. Melendez his spirit was uplifting.

Mr. Melendez told Ms. Linton to contact him. He will be available anytime.

Mr. Melendez and Ms. Quartz left the meeting.

Ms. DeSoto said it was a good meeting and very informational.

Ms. Linton said she had already sent the articles via email to Mr. Melendez.

Mr. Barr said they can look at the Articles and the Budget at the meeting on Monday.

The meeting Monday, June 23, 2017 will be at 4:00PM.

MOTION: Vice-Chairwoman Randi DeSoto moved to adjourn the meeting. Council Member Jerry Barr seconded the motion. Chairwoman Page Linton called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. The meeting was adjourned at 7:35 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 June 21, 2017, Special Council Meeting were approved by the Council during a duly held meeting July 15, 2017 at which there was a quorum present, and the Council voted:

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

07/22/2017
Date

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