

**Summit Lake Paiute Tribe
Regular Council Meeting
Saturday, February 15, 2020
Primary Administrative Office, Sparks, Nevada**

CALL TO ORDER: Chairwoman Randi DeSoto called the Regular Council Meeting of Saturday, February 15, 2020 to order at 9:17 pm.

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

STAFF: Linda Quinn, Financial Director, Rachael Youmans, Natural Resources Director; Austin New Moon, Housing Manager; and Daniel Crawford, Enrollment Coordinator

GUESTS: Tribal Member Melissa Eller

Ms. New Moon made an appointment for Council to look at a building under consideration later in the day.

Council Reports:

Chairwoman Randi DeSoto received an email/actual letter from the Regional Secretarial Election Officer Brian Bowker stating that the SLPT Secretarial Election was approved and received. It is final with no appeals, no challenges, no denials, there are no further issues from the Members. They did address, review and overturned the issues sent down to them. There is a draft resolution that will go with the approved letter for the Membership to have. There have already been calls requesting membership applications, asking who the Enrollment person, who is the office contact now that the Secretarial Election is final and approved. One member has 17+ applications that they want to bring to Council for review. Past members who relinquished before are asking if they can come back and be a member now. There are many questions.

Ms. DeSoto dealt with emails. She came into the office after hours to sign documents requiring her signature including many SF-425s. There was an email from Norma Moyle (BIA) regarding the monthly and quarterly narrative reports where one of the reports stated that the Enrollment Coordinator position ended but it did not close. They would like clarification on which positions are currently open and which have ended. She discussed the emails from Ms. Quinn regarding incoming and outgoing mail. Things concerning the Reservation and things on the ground within a 75-mile radius of the Reservation. If it is not near that or if it will not cost the Tribe out of pocket to be involved or to be in support another tribe or agency. If it is not within the radius, it will not be addressed and Ms. Quinn will store it.

She also received an email from Robin Burdette to notify the Council that once she is feeling better, she will be writing back to address the Council's letter which stated she

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was no longer accepted/ineligible to be on the Enrollment Committee. She thanked the Council for being the first to address the Resolution regarding her ineligibility to have any engagement or involvement with the Tribe. She will respond back to bring her side of the story.

Mr. Mace commented that, along with Mr. Frank and Mr. Crane, he looked into the issue. He felt that since it cost the Tribe so much money and that he understood that she wants to help the Tribe, he does not feel she should be on Council but could sit on a committee as long as she was not involved in anything dealing with finance. Ms. DeSoto would like to hear her side of the issue. She briefly discussed the issue and felt that over time Council has moved into a position and direction which has benefitted the Tribe. Currently the Council is moving on the right track. Mr. Mace is glad Ms. Burdette wants to help out the Tribe but should stay out of finance. Ms. Crane agrees with that.

Mr. Frank discussed his finding on the issue. Ms. Burdette did ask for a review at the time, but was denied. Mr. Frank felt that she felt remorseful. The US Department of the Interior made the decision that there were no findings to prosecute. Ms. DeSoto hopes Ms. Burdette does write and presents her side.

Mr. Crawford asked if anyone knew who a certain person was. It was discussed who they were and that they had relinquished their Tribal membership. There was a discussion of the 2012 timeframe when there were several relinquishments. This is a person they should contact regarding information for the current address of a Tribal Member that could not be found who still has not received their Ramah funds.

There was a discussion on a couple others whose contact information could not be found and that there may be a possible resource in Reno-Sparks Indian Colony. Ms. DeSoto will give them a call.

People have streamlined what they need. People are notifying her of illness, appointments, time off, late arrival, schedules. Ms. DeSoto is glad the Secretarial Election went through and so quickly. Ms. Quinn has received the Certificate of Approval. They discussed framing and posting it.

Mr. Mace asked about how people were going to be enrolled now. It will still be based off the 1940 Census. The application will now have the criteria for enrollment listed as A, B and C. A is an eligible person listed on the 1940 Census Roll. B is owning a land assignment or allotment. C is a descendant of a person of either the A or B option.

Ms. Quinn prepared a resolution which details the history of this Secretarial Election, that there are no appeals, and what is being changed and what the change applies to.

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Ms. Jerri Barlese sent another letter discussing her objection to a person being on the Enrollment Committee. Ms. DeSoto read the letter. The person in question was never on the Enrollment Committee. Ms. Barlese will be sent another letter explain that this person is not on the Committee.

Ms. Crane read the Resolution SL-05-2020 regarding the amendment of the Articles of Association to amend the membership criteria.

MOTION: Vice-Chairwoman Nedra Crane moved to accept and approve Resolution SL-05-2020 Amending the Articles of Association of the Summit Lake Paiute Tribe. Secretary/Treasurer Eugene Mace Sr. seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-05-20 enacted at 9:54 am.

Vice-Chairwoman Nedra Crane stated that she signed checks and recovered from surgery.

Council Member Philip Frank attended interviews for Natural Resources and attended the budget Special Council meeting as well as the Housing seminar. He especially liked the part on credit.

Secretary/Treasurer Eugene Mace attended the January 26, 2020 budget Special Council meeting. On January 23, 2020 he attended the interview for Natural Resources Department. He came in and signed checks.

Council Member Steven Crane stated he looked into the Robin Burdette issue.

Staff Reports

Housing Report by Housing Manager Austin New Moon

Ms. New Moon has received eleven surveys to date. She received the last one on February 13, 2020. In the comments section that some people think some of HUD's rule policies are not good. Therefore, they do not even care to think about supporting the issue. If they do contact her (the surveys are anonymous) Ms. New Moon can talk to them about this.

There have been eight applications turned in to her. She sent out another application to a previous applicant who is now seeking rental assistance updating their information. If it comes back to her quickly, she will present it in March.

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She held a workshop in January 2020 and had one attendee, Mr. Frank. She reviewed the information from previous workshops and added a credit topic. Ms. Frank seemed to get a lot of information from the workshop.

There are 15 "Likes" on the Facebook page. She used the tips Ms. Youmans talked about at the last Council meeting to try and get the old inactive Facebook page removed. To-date it is still on Facebook. She will keep trying to have it taken down.

Ms. New Moon re-posted the Finance Clerk position. It had expired and the position is still open. She also looked at three potential offices for the new SLPT home. One is on Victorian Way with 4000 sq. feet. Several people looked at it. It needs a lot of work. They were thinking out of the box. Ms. New Moon has talked to an additional real estate broker. The second building is at the corner of Plumb and Plumas. It is a nice building with garages but limited parking and association fees and top of the price range. The third building is on Plumb down from Little Flower Church and went into escrow. There was a twin building behind it. The owner is willing to sell to SLPT. It has 14 parking spots and a single home with additional parking. Ms. New Moon presented photos and sketches on this building. There was a discussion. Ms. Quinn explained the plans for funding the purchase of a building.

On February 7, 2020 Ms. New Moon was able to get a lease signed and an inspection completed for one rental assistance application.

Annual Performance Report is due March 30, 2020. She has tentatively completed the APR. She asked for permission to post it for 30 days and then bring it back at the March 21, 2020 Regular Council meeting for final approval. Council gave permission to post the APR.

As of February 19, 2020, Ms. New Moon has been with SLPT for one year.

She is working on a re-certification update form for Housing Programs. This will be for a change in household or change in income. It will be presented next month.

Ms. New Moon received an inquiry from the Natural Resources Department (NRD). The NRD sent out a survey and one Tribal member listed that he will be removing his trailer and other things on his property to rebuild his home. He wants to retire there. He would like any information, help or options looking for running water and power. She will look into it and reach out to him.

Ms. New Moon completed the Tribal Leaders Handbook: Home Ownership webinar which was part four. Nevada-California Indian Housing Association business meeting and training is March 17-19, 2020 in Wheatland, California. There is a \$175 registration fee per person. Ms. New Moon would like permission to attend. Council gave their

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approval. NIHAC launched their eLearning courses. The first one is Indian Housing Management. This will expedite getting people certified in all capacities of Indian Housing. The course is \$199 and Ms. New Moon would like to sign up. It is an eleven-part series. She would like permission. Council approved.

Ms. New Moon requested an Executive Session to review the one rental assistance application which has been completed.

MOTION: Vice-Chairwoman Nedra Crane moved to go into Executive Session for ten minutes for Housing application review. Council Member Philip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Council went into Executive Session at 10:44 am.

Council came out of Executive Session at 10:54 am.

House Report concluded.

Enrollment Report by Enrollment Coordinator Daniel Crawford

Membership: Mr. Crawford has new forms to present next month.

The resolution and certification of base rolls was mailed to the BIA for their review and a letter of recognition of the certification of the rolls was submitted on behalf of the Tribe.

ICWA: He has received and investigated 20 ICWA cases for January. There was one updated status due to no change in the evidence they provided. He mailed the reporting for 2018 and 2019 for the whole year.

Administrative Duties: Posted resolutions for 2020 on the website. He added the 2019 meeting minutes to the website. He rearranged the minutes and resolutions for the same year to match the bound viewing. Drafted and submitted an agenda for review for January 30, 2020. Mr. Crawford finished adding documents to the Tribal Council meeting binder for 2020. He added paper minutes from 2019.

Enrollment Committee: The committee did not meet in January of 2020.

Important Dates: He is researching possible training for 2020.

Ms. Crane asked if there were enough people on the Enrollment Committee. It was confirmed that there was a quorum. She also asked when they would meet. Ms. Ellers asked if there were any applications ready to go. Mr. Crawford responded there were a lot that Enrollment needed to catch up on. With the passage of the resolution with new

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wording of the amendment to the Articles, the pending applications and memberships can be processed. Ms. Crane offered her assistance with information and backgrounds.

Next month he is working on basic Tribal demographic information. Where and in which states are the members located. Gender numbers and the numbers of members per different age groups. This is to have an idea of the numbers before they start and understand what standpoint Enrollment is starting from. When the new applications start coming in Enrollment will have a baseline to project how many people are coming in and to help keep the statistics updated. Then they will know where the Tribe stands.

Ms. Ellers asked that now Mr. Crawford is getting things ready to go, would it be more feasible for the Committee to contact Mr. Crawford to get things started. Ms. DeSoto said to coordinate with Mr. Crawford.

Ms. Ellers also asked if there is something stating the duties and expectations of the Enrollment Committee. Mr. Crawford stated the first Enrollment Committee meeting would be formalities like signing a confidentiality agreement, appointment of seats, check for any issues with membership and family members.

As the Articles are written, there is a buffer zone. Although the committee might have some influence, the committee just suggests whether an application is approved or denied for membership or they can request more information from the member on eligibility for enrollment. It is the Council that makes the final decision of Enrollment through resolution of approval or denial. The committee will look at the articles. He is excited to get started. He would like to have a meeting before the Regular Council meeting.

Mr. Crawford talked about his process in creating agendas. There was a discussion. Requests to appear on the agenda come in writing to the Chairwoman.

Ms. DeSoto asked Mr. Crawford to coordinate with Ms. Ellers to set up the first Enrollment Committee meeting.

There was a discussion on the process. The Enrollment Committee will meet with Mr. Crawford and the committee chair will go to Council meetings.

Mr. Crawford was excused from the meeting.

Financial Report by Linda Quinn, Finance Manager

The resolution and articles regarding the Secretarial Election have been taken care of.

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Ms. Quinn processed the new NRD employee Victoria Cernoch, the new Environmental Specialist on February 10, 2020. She is good to go.

A new grant from Trout Unlimited, the Sagebrush Chapter was received. It will help purchase acoustic equipment.

The 2019 worker's comp audit has been completed. The salaries increased over the former estimate so an additional payment of \$733 is required.

She took a call from a Tribal member who is still asking about power on his land. He said he has not received a response yet. Ms. Quinn mentioned an estimate of \$10,000 but that there was no grant funding. He also asked about drinkable water on the Reservation. Ms. Quinn asked Ms. Youmans regarding this. People formerly got water from One Mile in the past it had tested for positive *E. coli* but has not been detected lately; although there is a naturally occurring bacteria. Ms. Quinn asked Ms. Youmans to help her send him a response for the Chairwoman's review. There was a discussion about how to get water.

Ms. Quinn has several applications for the Financial Clerk position. She would like to review them and set up interviews for the top three candidates. The council set interviews for Saturday, February 22, 2020 at 10 am. The Council minus Mr. Frank will be there.

Ms. Ellers asked if the Council would consider updating the Housing Policies. The plan is to see how it works this year and then look at revisions. There was a discussion.

Budgets: There were no issues with the budget. There were no questions.

Ms. New Moon took the Tribal flag to the flag store. The estimate was \$166 each. They estimated for a quantity of three flags. It was decided to use the lighter blue and order two.

The Council vehicle. There was a grinding sound which turned out to be rocks stuck between the rotor and the brake pad. The mechanic also said there was water in the rear differential. The rear speaker in the door was fixed under warranty. It cost \$354 to fix. It is ready for pick-up.

The IRS has a new site for businesses for calculations to fill out tax forms.

Ms. Quinn prepared a wire transfer through US Bank.

She sent the Tribal preference applicant for the Financial Clerk a letter stating they did not meet the minimum requirements.

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She scanned and forwarded the Council's mail.

She reminded everyone that Monday, February 17, 2020 was a holiday and the office will be closed. Payroll and AP will be done Tuesday, February 18, 2020.

Ms. Quinn is still looking for contact information for Art Brown's widow. She needs to reach out to Lorraine Watson regarding a resolution (previously discussed) for comments and will see if Ms. Watson has the information on the widow.

There is a place listing CFNA numbers or Federal number for each grant which tells what the funding can be spent on. What they are called has changed along with the site with the information. It is now known as an Assistance Listing. She looked it up because SLPT received a check from the Child Welfare Development Fund. They received additional quality funds from the CCDF and the check is for the Tribes CCDF program which SLPT does not have but which the ITCN runs for the Tribe. Ms. Quinn asked for the CFNA number. It is for childcare for ages one to thirteen. One of the members used the CCDF program. Ms. Quinn is wondering why SLPT received it. She will write a letter asking for more information.

There is an issue in fixing a Council computer that again needs accessibility. The password was tampered with and they cannot access the computer. Connor (IT) says it will take eight hours to fix. He will only charge for five or six hours. The laptop repair will cost \$600 so that is the cost for which the Council member is responsible. The first time it was a couple hours to remove the finger printing out. It needs to be reset again. There was discussion. Policy is policy, so a payment method was decided.

Ms. Quinn stated that an email invitation for a luncheon for Tom Steyer on Sunday, February 16, 2020. Susan Mastin would like the Tribes to attend. A couple of Council members will attend.

The Financial report concluded.

Natural Resources Department report by Rachael Youmans, Natural Resources Department Director

Ms. Youmans stated that the department was busy this month. It has been on a lot of the same things; lots of data, lots of reports.

It has been cooler at the Reservation. The weather station says it has been down to five degrees and up to 50 degrees. There was more precipitation this past month.

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Natural Resources Department staff attended the annual interagency Lahontan Cutthroat Trout (LCT) meeting. It is a two-day event where everyone who works with LCT comes together. They give updates and discuss current issues. It was a good meeting.

On January 23, 2020 Ms. Youmans met with Mr. Frank, Mr. Mace and James Waddell, Fish and Wildlife Biologist III to conduct interviews with three individuals: one for the Environmental Specialist and two for Technician positions. The Environmental Specialist candidate, Victoria (Tori) Cernoch accepted the position and has just started. She should be a valuable addition to the department. One of the two Technicians accepted. She will start in March.

They have been doing a lot of data entry. There has been a lot of data analysis. There were several large reports due at the end of January. Everything was turned in on time. There were grant reports and permit reports with the US Fish and Wildlife Service and the Nevada Department of Wildlife.

In preparation for the field season, a letter was sent to the Black Rock Office of the BLM to inform them that they would continue the sage grouse tracking and collar project. The BLM said there would be some additional steps.

A survey was sent out soliciting input on harvest limits on hunting, fishing, etc. The comments are due by February 28, 2020. NDR has already received twelve responses. Most of them have good comments.

On January 29, 2020 there will be a telemetry flight for sage grouse to monitor where they go and what habitat they use in the winter.

The past week Ms. Youmans and Ms. Cernoch, Environmental Specialist attended the EPA Regional Tribal Operations Committee meeting. This is a quarterly three-day meeting. The first day the Tribes in the Region come together to talk about environmental issues in their area. The SLPT region includes Arizona, California and Nevada. The second day had breakout sessions. Ms. Cernoch attended while Ms. Youmans was ill. The third day the EPA came. The people from the regions were there to hear the Tribal environmental concerns and come up with an action plan to address concerns and questions. This was in Reno, Nevada so it was a good opportunity. It was a good experience.

NRD with the Council's approval, is making changes and updates to the NRD page of the website. Little by little things are being put on the website.

Meetings:

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Wildlife Council meeting on March 7, 2020. The survey comments and the wildlife data will be compiled so the Council can discuss harvest limits and instruct the NRD.

Discussion Topics

Ms. Youmans will send someone out to the Reservation to check conditions either the week beginning February 18, 2020 or February 24, 2020. She feels the roads should be fairly dry.

In 2018 the NRD applied for money from the Bureau of Indian Affairs (BIA) for their Endangered Species Program to fly a fixed wing aircraft at night and use an infrared camera to find heat sources-living things. This is a way to see where sage grouse are gathering. It has been noted that the sage grouse are shifting where they are gathering. This is a good time to make this flight. They received this money. Ms. Youmans has been talking to Owyhee Air Research. They do the sage grouse telemetry flights and have the capability to do the infrared flights. They are one of the few companies who do this. The estimated cost of \$56,800 falls below the budget of \$60,000 and gives them over 239,000 acres to fly over surrounding the Reservation. They are aiming for the second week of March to do the flight over a week's worth of time. She has a resolution and purchase order for the Council to approve.

MOTION: Vice-Chairwoman Nedra Crane moved to accept and approve SL-06-2020 Approval of the Contract with Owyhee Air Research for Aerial Research Services with a waiving of the reading. Council Member Philip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. SL-06-2020 enacted at 12:20 pm.

Tribal Comment Letters

There have been opportunities to comment on several things that have come up recently. Ms. Youmans is asking for some guidance whether these are things worthy of comment since the Chairwoman will need to sign the comment letters.

1. First is regarding the Fallon Naval Airbase expansion. SLPT has not responded at all. At the EPA Regional Tribal Operations Committee meeting she learned it will triple the size of the airbase and impact Walker, Fallon, Pyramid Lake, Lovelock and they will be doing target practice in Tribal lands possibly on sacred sites. Access will be restricted and they may possibly launch ocean-based missiles there. She asked that SLPT write a letter of support of the No-Action alternative, basically that they do not want the expansion to move forward. ITCN was asking on behalf of the Tribes involved. Council approved.

2. BLM is proposing to revise their Federal grazing regulations. The changes would reduce public involvement and comment periods, reduce oversight of the permitted

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grazers. Basically, they tried this before and it was overturned in litigation. They are trying again. This is a huge concern. NRD staff already has 10 pages of comments ready for Ms. Youmans to review and edit. The Council approved of Ms. Youmans creating a letter of comment.

3. Friday, February 14, 2020 a letter was received from the BIA asking for comments on the NRD's own project rerouting the road west of Summit Lake. In the long-range transportation plan, they wanted to move the road west of the lake farther away from the lake. The money for the cultural surveys, the engineering, the NEPA for this project was given back to the BIA for them to administer the project. They completed a cultural study, the results of which were submitted to the State Historic Preservation Office. Now the State Historic Preservation Office wants comments from SLPT. Ms. Youmans feels she should respond but she has not had the time to look at it. They want responses in 30 days from receipt which is March 13, 2020. She might have something ready by the March 7, 2020 meeting.

4. She gave the Council a fact sheet. The current administration is taking apart every environmental regulation. This has already included BLM grazing, Endangered Species Act, and Clean Water Act. Now it is the fundamental National Environmental Protection Act (NEPA) which is the process by which all projects using Federal funding must go through in order for the project to be completed if it has a ground disturbing component. Even the SLPT NRD must go through NEPA to do their projects. Although Ms. Youmans feels there are some areas that need updating, she has not had enough time to go through this and is concerned that it will dismantle the very protections it was meant to have for the environment to make it easier for energy and mining projects. This puts the land at risk. She would like to look carefully into this. The Council agreed.

5. The Migratory Bird Treaty Act: This protects birds that are migrating, particularly waterfowl. There is a lot of them on the Reservation. They want to remove the incidental take clause which could make it easier for poaching to occur. Ms. Youmans will look into this too for comments.

Up Coming Trainings

Wilderness First Aid Training. Ms. Youmans would like to get Ms. Cernoch and any Biologist hired this spring certified. There is a training coming up in March in South Lake Tahoe. She found the training of the staff last year to be valuable.

On April 28-30, 2020 the spring EPA Regional Tribal Operations Committee meeting will be held in San Francisco, California. If NRD has the time, she would like permission to send either herself and/or Ms. Cernoch to the meeting which is funded by GAP. April 28-30, 2020.

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On June 3-4, 2020 there will be a traditional Ecological Knowledge Summit at Stewart, Nevada. It is centered around sage grouse populations. It is a two-day summit and since it is here Ms. Youmans would like herself and one or two biologists to attend. She also stated that if any Council member could attend it would be good input. It is a good opportunity.

Ms. Quinn mentioned some changes in personnel in the Carson City, Nevada office including the return of Mr. Eben.

They are trying to schedule a meeting for the LCT MOG either June 5, 2020 or June 19, 2020. They are currently deciding on which date would be best.

Ms. Youmans asked for any questions.

Mr. Mace asked about working on estimates for the heavy equipment building. Ms. Youmans explained that she finally got an estimate and now she feels she needs to go back to the drawing board with him. He redesigned it and she is not sure it will work. She needs to sit down and talk to him. She believes that it will be put up this year.

Ms. Youmans requested an Executive Session for ten minutes.

MOTION: Vice-Chairwoman Nedra Crane moved to go into Executive Session for ten minutes for personnel. Council Member Philip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. The Council went into Executive Session at 12:50 pm

Council returned from Executive session at 1:00 pm.

Minutes:

MOTION: Vice-Chairwoman Nedra Crane moved to approve the Regular Council Meeting minutes of Saturday, January 18, 2020 with a waiving of the reading. Council Member Philip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion passed at 1:04 pm.

MOTION: Vice-Chairwoman Nedra Crane moved to approve the Special Council Meeting minutes of Sunday, January 26, 2020 with a waiving of the reading. Council Member Philip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion passed at 1:05 pm.

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MOTION: Vice-Chairwoman Nedra Crane moved to adjourn. Secretary/Treasurer Eugene Mace, Sr. seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. The meeting was adjourned 1:06 pm.

CERTIFICATION

I, **Eugene Mace, Sr.**, Secretary/Treasurer of the Summit Lake Paiute Tribal Council, hereby certify that the Minutes of the February 15, 2020 Regular Council Meeting were approved by the Council during a duly held meeting March 21, 2020 at which there was a quorum present, and the Council voted:

4 - FOR _0_ - AGAINST _0_ -ABSTAINING, Chairwoman Randi Lone Eagle did not vote because there was not a tie vote.

03/31/2020
Date

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

