

**Summit Lake Paiute Tribe
Regular Council Meeting
Saturday, July 20, 2019
Primary Administrative Office, Sparks, Nevada**

CALL TO ORDER: Council Chairwoman Randi DeSoto called the Regular Council meeting of Saturday, July 20, 2019 to order at 8:20 am.

ROLL CALL: Secretary/Treasurer Eugene Mace Sr. 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: Natural Resources Director, Rachael Youmans (via phone); Finance Director, Linda Quinn; Housing Manager, Austin New Moon; Tribal Coordinator Donna Komar; and Anne Macko, Contractor

Agenda Change:

MOTION: Vice-Chairwoman Nedra Crane moved to make an agenda change to hear Staff Reports first. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried at 8:21 am.

REPORTS

Staff Reports

Housing Report by Housing Manager, Austin New Moon

Ms. New Moon updated the website with housing assistance information in areas other than Nevada where members live based on the mailing list so they can also find assistance. Ms. Quinn asked that this information be copied to the office staff so they can direct members when assistance is needed.

She is proposing an Application Assistance Workshop for Saturday, August 3, 2019 from 9:00 am to 1:00 pm. There is a flyer. She would like to mail these to all the membership and lock in the August 3, 2019 date and time. The workshop will have information on housing programs; help filling-out applications, making copies of paperwork.

Ms. Youmans said that the Natural Resources Department (NRD) offered the use of their Skype account to broadcast the workshop.

Ms. New Moon would like to do a workshop once every quarter.

It was the Consensus of the Council to use the flyer, to hold the Application Workshop and do a poll to see if people are interested in attending by Skype. The vote was 4 FOR, 0 AGAINST, 0 ABSTAINED at 8:30 am.

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Ms. New Moon has received questions regarding what benefits there are for people who own their own home and do not meet the Program/HUD criteria. She would like to send out a poll at the end of the year.

Ms. New Moon is logging down all the phone calls for Housing Programs including notes of who is calling information or has questions about the programs.

Kathy Frazier, ED for Pyramid Lake Housing met with Ms. New Moon. She has been helpful with aiding Ms. New Moon on the IHP/APR. She has also provided the names of a few lenders that Pyramid Lake tribal members are working with regarding the 184 loan.

Ms. New Moon was excited to announce that she received two applications for housing. One application was in the verification stage.

The resolution for Criminal Background was presented. This is a HUD requirement. Summit Lake Paiute Tribe (SLPT) is concerned with Tier 3 sex offenders.

MOTION: Vice-Chairwoman Nedra Crane moved to approve and accept Resolution SL-18-2019 Approval of Background Check Policy in Regard to HUD with a waiving of the reading. Secretary Treasurer Eugene Mace seconded the motion: Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-18-2019 enacted at 8:40 am.

Trainings:

Ms. New Moon attended a Travel Policy Webinar on June 27, 2019 and a good Grant Writing training on July 9, 2019 through July 11, 2019.

She also attended the Pathways Home training with Ms. DeSoto on July 15-19, 2019. It was long and had lots of information, but was good. She learned a lot and will be a certified Pathway Home Counselor.

Ms. New Moon is registered for the NAHASDA Essentials training in Reno, Nevada on July 23-25, 2019 with Ms. Crane at the Riverside Hotel.

She asked for permission to attend the Nevada/California Indian Housing Association Business Meeting and Training. It will be on August 12 through 14, 2019 at the Nugget Casino in Sparks, Nevada. Since SLPT is a minimally funded Tribe and a member of the association the training is free and it is local. The Council approved permission for Ms. New Moon to attend.

The Housing Program report concluded and Ms. New Moon left the meeting at 8:47 am.

Natural Resources Department Report by Natural Resources Director Ms. Youmans via phone.

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Ms. Youmans asked if there were any questions on the NRD report which was handed out. There were none.

The NRD has received vehicle tags from the BLM to pass through the Playa closure area for Burning Man so they should not be stopped by Burning Man personnel.

A rented forklift was delivered July 20, 2019 to aid with the construction of the new heavy equipment building. The building will be delivered and is scheduled to arrive and start installation on Tuesday, July 23, 2019.

Discussion Topics:

Ms. Youmans presented a resolution regarding support for Great Basin Land and Water (GBL&W) to request grant modification and extension for their grant to change from land acquisition to conservation activities. GBL&W will ask for a one year extension of the grant to do the modification.

MOTION: Council Member Phillip Frank move to approve and accept Resolution SL-19-2019 Support for Modification of Grant Agreement R14AP00147 with a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-19-2019 enacted at 8:54 am.

She also presented a resolution to approve the proposed actions and environmental assessment (EA) that is part of implementing the GBL&W grant. Ms. Youmans wanted everyone to be comfortable with the list of actions. She explained the actions on the list. Ms. Crane asked about the roads and Ms. Youmans responded that the roads were in good condition currently.

Mr. Mace asked if this grant could fund the removal of old mobile homes. Ms. Youmans says this fits under the GAP grant in October but not in this grant.

MOTION: Council Member Phillip Frank moved to approve and accept Resolution SL-20-2019 Support for Proposed Actions Contained in the Draft Environmental Assessment Required by Modification of Grant Assessment R14AP00147 with a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Resolution SL-20-2019 enacted at 9:25 am.

Ms. Youmans discussed the approval of Altera Enterprises to work at One Mile to organize documents for scanning. There are a lot of boxes of documents. She was very happy with their previous work. These boxes are in the way of completing EPA Grants,

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Funds 135 and 136. The funding for Altera would come from Funding 131-3.

MOTION: Vice Chairwoman Nedra Crane moved to approve and accept Resolution SL-21-2019 Approval of Statement of Work with Altera Enterprises for Natural Resources' Archival Project 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-21-2019 enacted at 9:31 am.

Procurement Approval

There are two EPA grants ending on September 30, 2019. Fund 135 is a Water Quality Grant and requires the installation of a lab space at One Mile. Fund 136 is to continue activities of the EPA grant which needs completion. Ms. Youmans has a procurement approval request for the purchases which are required in the next month. It needs approval because it is over her purchasing limit. She explained the list of procurements which include computers, seed, and other equipment. Grants 135 and 136 are running out of time.

There was a discussion of the items and questions on why Ms. Youmans has listed them all together. It was because of the time restraints and this way she can make the purchases without waiting. She has estimated costs and quotes. Although not the normal purchasing procedure, the timing is critical in this case. Ms. Quinn is in favor this time. Grant 123 ends August 15, 2019 and Grants 126, 135 and 136 end on September 30, 2019.

MOTION: Vice-Chairwoman Nedra Crane moved to move forward with future purchases for Natural Resources as listed in the proposed purchase document as presented by Rachael Youmans. Council Member Phillip Frank seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. The motion carried at 9:50 am.

The Natural Resources Report concluded at 9:51 am.

Enrollment Coordinator Report

Enrollment Coordinator Jenell Fellows is no longer with SLPT. Ms. DeSoto was out of town so she received a text that Ms. Fellows was quitting. Ms. DeSoto explained what happened.

There is a need to check the Policy and Procedures to see if an employee with less than one year of employment is required to make repayment of training expenses paid by SPLT. A notice to fill the position of Enrollment Coordinator needs to be sent out.

Ms. DeSoto discussed the importance of communications and confidentiality. There is a

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need to streamline communication. There is a chain of command to be followed. Things need to be addressed and everyone needs to be on the same page.

Ms. Komar has a revised policy rough draft concerning payback of training expenditures, although Ms. Fellows did not sign any form for this. She will also run the notice for the position opening.

Ms. DeSoto presented the Enrollment Coordinator's report from Ms. Fellows.

For the month of June the Enrollment Coordinator Ms. Fellows worked on the reconciliation of all records and files, categorizing and creating an organized system, and the development of ICWA procedure engagements which will be submitted to Council in July. She also worked on ICWA, the ITCN Child Count resolution, attended Progeny training and ordered the software, completed the Eagle Feather commentary and the second quarter ICWA narrative.

Ms. Fellows talked to Connor with IT and learned that the Microsoft version on the Desktop will not be supported as of January 2020. This will need updating. Also SQL 2012 is required for the data used by the Progeny 10 software. It must be installed before the Progeny.

She learned that in the case of a minor child adopted or in foster care the Board of Tribal Court states applicants holding this status can only become a member through their biological parents. A special circumstance clause was created to allow these individuals to enroll without biological marker recognition if ancestral lineage is established and verified. ICWA determines notices in child custody proceedings, etc. ICWA inquiries -- cases notification, child custody proceedings, case management and so forth has been most of the Enrollment Department's duties.

Ms. Komar recommended tabling the purchase of the Enrollment laptop. The new Progeny software will be installed the week of July 22, 2019 on the desktop computer. Ms. Komar requested permission to allow Connor of the IT staff and herself to enter the Enrollment office to load the software.

Ms. Fellow sent an email to Norma Moyle regarding instructions, guidance and references to all ICWA notices. They corresponded on July 8, 2019. Ms. Moyle advised and provided options for SLPT to maintain and exhibit extra effort in compliance to legal statutes. She recommended that SLPT engage in the court decisions and proceedings, act as a representative of Tribal members and the Tribe, performing ongoing case management and liaison representations. These activities will prove and provide justification when SLPT asks and submits there annual BIA budget request. It would not hurt to ask for more funding.

There was a discussion regarding rescinding resolutions on two members. Although the

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Council has never rescinded a resolution, one of these members has requested a job application. Ms. DeSoto explained the situation at the time the resolution was enacted. She commented that people should not sign anything they have not read.

Ms. DeSoto called a break at 10:40 am. The meeting resumed at 11:02 am.

MOTION: Vice-Chairwoman Nedra Crane moved to go into Executive Session for 30 minutes regarding BIA and Personnel. Council member Steven Crane seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried at 11:03 am.

The Executive Session concluded at 12:14 pm.

The Enrollment Coordinator report concluded at 12:15 pm.

Chairwoman DeSoto called for lunch at 12:18 pm.

CALL TO ORDER: Council Vice-Chairwoman Nedra Crane called the Regular Council meeting of Saturday, July 20, 2019 to back to order at 12:56 pm.

ROLL CALL: Secretary/Treasurer Eugene Mace Sr. 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: Finance Director, Linda Quinn; Tribal Coordinator Donna Komar; and Anne Macko, Contractor

Financial Report by Linda Quinn

- Ms. New Moon and Ms. Quinn attended the Grant Writing Workshop presented by NAIHC at the Hyatt in Reno, Nevada on July 9-11, 2019. It was a good experience to see another perspective on grant writing.
- Fund 133 was completed, (NFWF # 43455, Sub Award with Great Basin Land & Water) funding of \$2,500.00 was received and deposited on July 5, 2019. This Grant is now closed.
- Mr. Carslaw and Ms. Quinn have started working on the 2020 Indirect Cost Rate.
- The BIA was informed of an erroneous funding allocation added to the Roads Maintenance Program, Fund 103. BIA has corrected the \$21,030 error.

Ms. Quinn noted that the computer system went down due to a major power outage on

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July 8, 2019. The IT staff reset the system. Abila never came back up. The July 5, 2019 backup was found and restored but AP and checks needed to be entered again. The IT staff now knows the issues with Abila and this should not happen again. There was another power outage the next day as well. There is a problem with power outages in the area.

- Second Quarter SF-425, Financial Reports were completed, and all mailed by July 5, 2019. Items also completed: second Quarter 941 Report (IRS/payroll); State of Nevada Unemployment Security second Qtr. Report; and second Qtr. fuel use tax reports for the Nevada Department of Motor Vehicles, Carrier Division (bulk fuel at Summit Lake).

1. Quarterly Narratives for CTGP (A10AV00357 & A19AV00557) and Higher Education Program (A10AV00361 & A19AV00560) were completed. Natural Resources Department has submitted same for other programs as required.
2. MONTHLY BUDGET REPORTS: Handout of Summary of Account Balances was passed out and discussed. Grants 118 and 123 are closing out.

No grant extensions have been received yet. There is \$123,000 in CTGP right now. The money spent was what SLPT said they would spend the money on.

3. DRAWS REQUESTED – EPA – BIA – NFWF – BIA. The Finance Department has an ongoing issue with Rebecca Smith and the release of funds for Grant 122, Transportation (\$115,000).
4. NRD requested that a credit account be established with The Diggers Group, LLC dba Nevada Small Engines and Formaspace. Council agreed and signed the credit applications.
5. NRD requested permission for a US Bank generic card, which is a Master Card credit card with the authorized user as "Summit Lake Tribe". Similar to our Walmart card used by the Tribe. Council will discuss this further with Natural Resources Director.
6. K-12 school supply requests for minor tribal members were reviewed by Council. The School list submitted was reviewed and approved for all listed items. Supplies provided will be limited to the school provided supply list. No school uniforms, gym clothes or photos, yearbooks, etc.
7. Update on the 2018 Audit: Gemma Han met with Charles Carslaw on July 17, 2019 to go over a few discrepancies. Ms. Quinn had to get the Mods organized by CFNA's for Fund 101, CTGP for years 2016 – 2018. Bluebird CPA's needed to figure out what CFNA belongs to the carryover funding. The final report response

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draft should be out shortly (probably next week). Then SLPT can provide Corrective Action Plan comments back to Bluebird CPA's. Once the Corrective Action comments are added, then the final Audit Report will be ready for Council's approval. Bluebird CPA's will make a formal presentation of the Audit to Council at an agreed upon date most probably in August during the week at 5 pm.

8. Monthly Webinar, Thursday, July 25, 2019 on "Funding Source Remedies" at 11:00 am. The topic generally affects everyone so Ms. Quinn does hope the Council will try to attend.
9. Rescan TVs if they are using over-the-air broadcasting via air antennae as FCC is changing television frequencies. You may need to repeat this process more than once. The FCC handout was provided.
10. Nevada/California Indian Housing Association is meeting at the Nugget in Sparks, Nevada on August 12-14, 2019. Ms. New Moon will attend.

Ms. Crane inquired if it would be possible to have Ms. New Moon help out Enrollment part-time. There are people that need ID cards. Ms. Quinn explained that there is a difference in the position pay rates and this could cause problems.

Ms. Komar was given permission to have IT load the updated Progeny software.

It was explained that a person needs to travel twelve or more hours in order to receive per diem, lodging, airport and transportation expenses beyond normal expenses. Ms. Komar will give the Council a draft Travel Policy to review and be approved in August.

Financial Report Concluded at 1:57 pm.

Tribal Coordinator Report by Donna Komar

Personnel Manual

- Ms. Komar sent out the rough draft of the manual. She had addressed comments by directors and is seeking direction. Ms. Youmans would like to have a lawyer look over the final draft. GAP funds can be used for the legal review as of October.
- She will start working on fillable forms after content approval. It is a time consuming and tedious task.
- Employee Performance Improvement: Ms. Komar asked for approval of the content. It is the consensus of the Council to give approval of the content.
- Employee Counselling Documentation: Ms. Komar asked for approval of the content. It is the consensus of the Council to give approval of the Record of Counselling form.
- Employee Record of Disciplinary Action: Ms. Komar asked for approval of the

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content. It is the consensus of the Council to give approval of the content.

- Employee Evaluation Form: This goes with the Handbook. Ms. Komar asked for approval of the content. This is to be used at the end of probation and once a year. She asked the Council to please review it and send comments especially regarding knowledge of jobs.
- Employee Action Form: Ms. Komar asked for approval of the content. It is the consensus of the Council to give approval of the content and to move forward.
- Continuing Education: Contract of Agreement. Ms. Komar asked for approval of the content and asked the Council to read and review.
- She asked the Council to review the Travel Policy.
- She asked the Council to review the Hiring Policy. This is separate from the Handbook and she is requesting input.

Ms. Komar requested another handbook meeting. The meeting was set for Tuesday, July 30, 2019 at 5:00 pm.

Secretarial Election 2019

Marlys Hubbard called on July 18, 2019 as she was asked by Robert Eben to respond to Ms. DeSoto's email request for an update on the Council's Secretarial Election request. She told Ms. Quinn she was able to speak to Charlotte Johnson in the Phoenix office who was assigned the task. Charlotte told her she prepared a response letter to the solicitor, however the solicitor returned the letter requesting additional information be attached and changes to verbiage in her letter. That is what has caused the delay. Charlotte told Marlys she did not anticipate any issues or further delays and said we should hear from them fairly soon.

Other Information

- In collaboration with Natural Resources wrote the Hycroft Mine rebuttal.
- Comments were also written for Eagles Nests and Eagle Feather Use by others.
- Mr. Frank came in for training.
- Mr. Mace came in for training.
- SLPT needs a major security upgrade. Currently a home security is installed on the IT system from Charter/Spectrum. DTS (IT contractor) is proposing a \$1000 upgrade for a firewall. Ms. Komar would like the Council to think about it.
- The Wildcreek Business Park is available again at \$555,000. Ms. Quinn will check into the possibility of payments.
- Ms. Komar will post the Enrollment Coordinator position for Native preference first thing.

There was an idea that the Finance Clerk could possibly be cross-trained in Enrollment since she is paid from the same fund. Ms. DeSoto is not in favor.

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Tribal Coordinator Report concluded at 2:57 pm.

Council Reports

Chairwoman Randi DeSoto attended the Pathways Home training in Phoenix, Arizona July 14-19, 2019. She received a 92% on her certification test. She asked Ms. New Moon to post the Section 184 program on the website. The training covered how to buy a home. It was a good training with lots of information. Ms. DeSoto found it to be interesting.

She had meeting and reviews with Ms. Quinn and Ms. Youmans.

On July 16, 2019 she received a message that Ms. Fellows had left the Tribe's employ.

On June 24, 2019 the BIA removed sanctions.

Ms. DeSoto sent out a letter on July 12, 2019 which she signed. It was scan copied to the BIA Superintendent in regards to what was talked about earlier in the executive session. If there is no response, she will send it up the chain of command.

Regarding Tribal Member William Cowan's June letter: Although Ms. DeSoto was ready to respond but Ms. Youmans was not ready. Ms. Cowan emailed the Council regarding their lack of response. She read Mr. Cowan's email. Ms. Youmans and Ms. DeSoto discussed this. This was on Ms. Youmans' list of things to do and has since sent a detailed response to Ms. DeSoto. There was a discussion regarding the request itself. No policy and procedure says that the membership has a right to all the things he requested. There was a former discussion only on recordings being transferred to a useable media. Ms. Crane said she does not understand his demands. Ms. DeSoto said that each contract has guidelines and requirement and rules of confidentiality. Ms. DeSoto checked what other Tribes post on their websites for this type of information. There are no financials posted. Minutes with information are posted on the SLPT website. If members are concerned meetings are all open. Ms. Youmans was praised for her work and work ethic.

Ms. DeSoto wants people to bring their issues to her when it happens. Please call or text her. Everyone needs to be on the same page. Try to bring solutions.

Hang tags for Burning Man are available.

Question on Deceased Member's Allotment: If land is an allotted or Trust land and there is no will or native children wanting the allotment; when the person is deceased the land goes back to the Tribe. Trust land is land the BIA is holding in trust for the Tribe. This Member had an allotment. There was a question on whether the person owns the land or just the home. The Council will talk to the BIA Realty office. As it stands, if the children do

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not want the allotment, the land goes back to the Tribe.

Vice-Chairwoman Nedra Crane reported that she signed checks. She attended the Progeny training. She also attended the Pathway Native Home Guide. It was a good training. She is planning to attend the NAHASDA Training on Tuesday, July 23, 2019 through Thursday, July 25, 2019 with Ms. New Moon.

Council Member Phillip Frank had computer training on Tuesday July 16, 2019.

Secretary/Treasurer Eugene Mace reported that he signed checks.

Council Member Steven Crane said he had nothing to report.

MINUTES

MOTION: Vice-Chairwoman Nedra Crane moved to approve the Saturday, June 15, 2019 Regular Council meeting minutes with corrections and a waiving of the reading. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Motion carried at 3:57 pm.

Next meetings:

Tuesday, July 30, 2019 Special Council Meeting for Handbook Review at the Sparks Administrative office at 5 pm.

Saturday, August 17, 2019 Regular Council Meeting at the Sparks Administrative office from 8:00 am to 5:00 pm

There will be an Audit meeting in August.

The Council approved paying a stipend to Chairwoman DeSoto to attend the BIA meeting with Mr. Eben regarding the budget.

MOTION: Vice-Chairwoman Nedra Crane moved to adjourn. Secretary/Treasurer Eugene Mace seconded the motion. Chairwoman Randi DeSoto called the vote: 4 FOR, 0 AGAINST, 0 ABSTAINED. Meeting adjourned at 4:05 pm.

CERTIFICATION

I, **Eugene Mace, Sr.**, Secretary/Treasurer of the Summit Lake Paiute Tribal Council, hereby certify that the Minutes of the July 20, 2019 Regular Council Meeting were approved with correction by the Council during a duly held meeting August 17, 2019 at which there was a quorum present, and the Council voted:

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

8/22/2019
Date

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