

**TRIBAL COUNCIL MEETING MINUTES  
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES  
OF THE FLATHEAD INDIAN NATION, MONTANA**

Volume 17 Number 80  
Council Chambers, Pablo, MT

Held: September 26, 2017  
Approved: October 3, 2017

**MEMBERS PRESENT:** Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Ronald Trahan; Leonard Gray; Carole Lankford; Shelly Fyant; and Patty Stevens.

**MEMBERS ABSENT:** Dennis Clairmont (Indian Lands Natural Resources – Westminster – CO).

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; Bill Kehoe, Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Patty Stevens.

The **Tribal Council Meeting Minutes** for September 12, 2017 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for September 12, 2017, with corrections. Seconded by Shelly Fyant. Carried, 8 for; 1 abstention (Anita Matt).

The **Tribal Council Meeting Minutes** for September 14, 2017 were presented for approval.

**MOTION** by Ron Trahan to approve the Tribal Council Meeting Minutes for September 14, 2017, with corrections. Seconded by Anita Matt. Carried, unanimous (9 present).

The **agenda** was presented for approval. No conflicts of interest were identified.

**MOTION** by Patty Stevens to approve the agenda, with changes. Seconded by Anita Matt. Carried, unanimous (9 present).

**Len TwoTeeth** informed council that Kicking Horse Job Corps Center requested to discuss an agreement. **Greg DuMontier**, Kicking Horse Job

Corps Center; and **Martin Charlo**, Contracts & Grants; informed council that it is a work-based learning agreement that is required by the Department of Labor to find work sites off center for students. These agreements have been in place for a number of years. It was the **consensus** of council to proceed with the agreement.

**Carole Lankford** requested the status of advertising the contractor's representative position for Kicking Horse Job Corps Center. **Jami Pluff** was directed to get it advertised. Jami has a meeting with Jane Clairmont this afternoon to follow up.

**Francis Pierre** discussed health care issues regarding his mother. The discussion continued in **executive session**. **Jami Pluff**, Policy Analyst, was present for discussion. **Joe Durglo**, Tribal Health Department, joined the discussion.

Council reconvened into **regular session**.

**Vern Clairmont**, Financial Management, requested approval of modification 4 to the fiscal year 2017 Indian Health Service Self-Governance Compact Budget.

**MOTION** by Troy Felsman to approve by resolution modification 4 to the fiscal year 2017 Indian Health Service Self-Governance Compact Budget. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-252**

**RESOLUTION APPROVING MODIFICATION 4 TO THE FY 2017 IHS SELF-GOVERNANCE COMPACT BUDGET**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Billings Area Office Indian Health Service has notified the CSKT that the amount for Sanitation Facilities project BI-17-A27, 2017 Dispersed Sites, has been increased \$36,000 and such increase needs to be allocated to the budget; and

**WHEREAS**, earmarked FY 2017 funding for the Dental Support Center has been awarded and needs to be allocated to the budget; and

**WHEREAS**, the budget will be allocated as follows:

<b>Account Number</b>	<b>Description</b>	<b>Current Budget Authority</b>	<b>Increase/ (Decrease)</b>	<b>Revised Budget Authority</b>
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Tribal Council Meeting Minutes  
September 26, 2017

11-501-4166	Dispersed Sites 2017 (BI-17-A27)	253,000	36,000	289,000
11-502-4117	Dental Prevention	197,517.31	155,000	352,517.31
	<b>TOTAL INCREASE/(DECREASE)</b>		<b>191,000</b>	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 IHS Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the FY 2017 IHS Self-Governance Compact Budget is increased from \$25,606,433.01 \$25,797,433.01.

**Thompson Smith**, Salish Pend d'Oreille Culture Committee, requested approval to submit a \$1,000 grant application to Humanities Montana to fund the cost to attend the Western History Association Conference that will be held November 1-4, 2017.

**MOTION** by Ron Trahan to approve by resolution submission of a grant application to Humanities Montana. Seconded by Troy Felsman. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-253**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Séliš-Qłispé Culture Committee was established to preserve, protect, and perpetuate the culture, history, and language of the Séliš and Qłispé people; and

**WHEREAS**, the Séliš-Qłispé Culture Committee is engaged in a number of projects in tribal history and ethnogeography, including books, articles, pamphlets, web-based content, interpretive signage, CDs, and presentations; and

**WHEREAS**, Humanities Montana has long supported the work of the Séliš-Qłispé Culture Committee in these areas; and

**WHEREAS**, connecting with other scholars engaged in similar projects, as well as publishers and potential funders, directly benefits the work of the Séliš-Qłispé Culture Committee; and

**WHEREAS**, the conference of the Western History Association in November 2017 includes numerous sessions and scholars of relevance to the Culture Committee's work; and

**WHEREAS**, the Séliš-Qłispé Culture Committee budget does not have line items for costs associated with conference attendance, which will total about \$1,000;

**NOW, THEREFORE, BE IT RESOLVED** that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves and supports the application of the Séliš-Qłispé Culture Committee for a Humanities Montana Opportunity Grant in the amount of \$1,000.

**Carole Lankford, Troy Felsman, Leonard Gray, and Ron Trahan** attended the Montana Historical Society's honoring of Tony Incashola. **Council** congratulated Tony.

**Carolee Wenderoth**, Tribal Lands Department, requested approval of a resolution to accept 27 acres of fee land donated by Salish Kootenai College. The property is located in Lake County and is known as the White Swan Villa property.

**MOTION** by Patty Stevens to approve the resolution authorizing the donation of fee land located in Lake County. Seconded by Shelly Fyant. Carried, 9 for; 0 opposed; 0 not voting.

#### **RESOLUTION 17-254**

#### **RESOLUTION AUTHORIZING THE DONATION OF FEE LAND LOCATED IN LAKE COUNTY, MONTANA**

#### **BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Tribal Land Acquisition Program was approved by the Act of June 18, 1934 (48 Stat. 984); and the Act of July 18, 1968 (PL90-402);

**WHEREAS**, Salish Kootenai College, Inc. have offered to donate their all right, title and interest in Lots 5, 6, 7, 8, 9 and 10 in Block 2 of White Swan Villa of Section 29, Township 24 North, Range 20 West, P.M.M., Lake County, Montana, containing 27.3 acres, more or less.

**WHEREAS**, the Tribal Council has agreed to accept the donation of the property from Salish Kootenai College, Inc.

**NOW THEREFORE, BE IT RESOLVED**, that the above-described property be donated from Salish Kootenai College, Inc., and that the Bureau of Indian Affairs, pursuant to the Act of June 18, 1934 (48 Stat. 984), and the Act of July 18, 1968 (PL90-402); transfer title to the property to the U.S.A. in trust for the

Confederated Salish and Kootenai Tribes.

**BE IT FURTHER RESOLVED**, that the Chairman of the Tribal Council, or his delegated representative is authorized to execute the transactional documents necessary to complete the land conveyance for real property situated in Lake County, Montana.

**Carolee Wenderoth**, Tribal Lands Department, requested approval of a resolution to authorize the purchase of Allotment 2031-F from Cheryl Mathias, containing one acre in Elmo.

**MOTION** by Len TwoTeeth to approve by resolution the purchase of Allotment 2031-F from Cheryl Mathias, containing one acre in Elmo. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-255**

**RESOLUTION AUTHORIZING THE PURCHASE OF FLATHEAD ALLOTMENT NO. 2031-F**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, The Tribal Land Acquisition Program was approved by the Act of July 18, 1968 (PL 90-402); and

**WHEREAS**, Cheryl M. Mathias has offered to sell her surface rights only in Flathead Allotment No. 2031-F, described as follows: Metes and Bounds: A portion of Lot 2 of Section 17, Township 24 North, Range 21 West, Principal Meridian, Lake County, Montana, more particularly described as follows: Commencing at the quarter corner common to Sections 17 and 18, said Township and Range; thence South 00°15'47"East, 1871.04 feet; thence North 82°01'33"East, 1102.88 feet to a point on the North Right of Way of old U.S. Highway No. 93 and the true point of beginning; thence continuing along the North boundary of old Highway No. 93, North 82°01'33"East, 221.66 feet to the East line of Lot 2; thence continuing along the East line of Lot 2, North 00°11'35"West, 204.99 feet to the South right-of-way of the new U.S. Highway No. 93; thence continuing along the South right-of-way of new U.S. Highway 93, South 78°39'14"West, 223.84 feet; thence South 00°11'35"East, 191.70 feet to the true point of beginning, containing 1.00 acres, more or less.

**WHEREAS**, Cheryl M. Mathias has offered her Flathead Allotment at the negotiated price; and

**WHEREAS**, Cheryl M. Mathias and The Confederated Salish and Kootenai

Tribes have accepted the negotiated price; and

**WHEREAS**, the Tribal Council has agreed to purchase the above mentioned Flathead Tract; and

**BE IT RESOLVED** that the Chairman of the Tribal Council, or his delegated representative is authorized to execute the transactional documents necessary to complete the conveyance for real property situated in Lake County, Montana.

**Carolee Wenderoth**, Tribal Lands Department, requested approval to extend the temporary employment contract with Joe Garcia to fill the Field Projects Coordinator position for 365 days to oversee the temporary employees. **Chairman Finley** would like to have a discussion with the Personnel Department regarding temporary employment agreements being extended year after year. **Ron Trahan** would like reports on what projects the crew is working on throughout the winter months.

**MOTION** by Troy Felsman to extend the temporary employment contract with Joe Garcia to fill the Field Projects Coordinator position for 365 days to oversee the temporary employees. Seconded by Patty Stevens. Carried, unanimous (9 present).

**Mark Couture**, Tribal Lands Department, presented a request from a lessee to lock the gate on Lease 4066. People are driving through the lease and damaging the irrigation equipment; spinning broodies through the alfalfa field and ruining the crop; and driving through there to go hunting. Carole Lankford acknowledged Mark for attending last week's meeting.

**MOTION** by Anita Matt to allow the lessee to lock the gate on Lease 4066. Seconded by Carole Lankford. Carried, unanimous (9 present).

**Chairman Finley** gave a report on the ATNI conference he attended last week. The organization elected the president and officers. Tribes' votes are based on their annual budget and population. The CSKT gets 350 votes.

\*\*\*\*\* **Break** \*\*\*\*\*

**Micky Snyder**, Foster Grandparent Program Director; **Nancy Hemphill** and **Lorilee Kasnitz**, Area on Aging; reported that the program has been funded through June. The sponsoring agency will cut the program. The match is ten percent of the \$213,951 grant; 22.8% is the sponsorship amount. About one-half of the contribution is in-kind. **Carole Lankford** suggested having THD and ECS look into the grant and see where it would best fit in the organization.

**Ann Sherwood**, Defenders Office, requested approval to extend contracts for the Reentry staff for six months.

**MOTION** by Troy Felsman to approve by resolution the employment contract with Crystal Matt. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-256**

**RESOLUTION APPROVING AN EMPLOYMENT CONTRACT WITH CRYSTAL MATT**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Crystal Matt to provide case manager services for the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court of the Montana State Court of the local counties.

**WHEREAS**, it is the intent of all contracting parties that Crystal Matt shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2017, Crystal Matt shall provide case manager services for the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on March 31, 2018.

**MOTION** by Shelly Fyant to approve by resolution the employment contract with Susette Billedeaux. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-257**

**RESOLUTION APPROVING AN EMPLOYMENT CONTRACT WITH SUSETTE BILLEDEAUX**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead

Tribal Council Meeting Minutes  
September 26, 2017

Reservation wish to enter into a contract with Susette Billedeaux to act as Program Director of the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court of the Montana State Court of the local counties.

**WHEREAS**, it is the intent of all contracting parties that Susette Billedeaux shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2017, Susette Billedeaux shall act as Program Director of the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on March 31, 2018.

**MOTION** by Leonard Gray to approve by resolution an attorney contract with Ryan Andersen. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-258**

**RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH RYAN ANDERSEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Ryan Andersen to provide reentry legal services through the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court.

**WHEREAS**, it is the intent of all contracting parties that Ryan Andersen shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2017, Ryan Andersen shall provide reentry legal services through the Flathead Reservation Reentry Program within the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on March 31, 2018.



**Chairman Finley** asked about direct services provided to reentry clients. **Ann Sherwood** discussed issues, such as finding resources for clients to pay off their fines. Housing is one of the barriers; finding landlords to rent to them; and also getting employers to hire them since they have a criminal history. Vernon wants the process simplified for clients. Ann said the tribal programs try to coordinate the services. Desiree Fox is working on data that will be published. Streamlining services have improved but barriers still exist. Vernon suggested having a committee that specifically deals with these issues. Council can encourage the departments to work with the reentry program at the department head meeting tomorrow. Ann is always open to advocate for policy change. The case manager has done about 360 intakes and the goals have been met with the grant requirements. The reentry attorney does not take intakes since the client is still incarcerated but assists with parole applications/processes.

**Laurence Ginnings**, Prosecutors Office, requested approval of contracts for the Prosecutors Office staff.

**MOTION** by Ron Trahan to approve by resolution an attorney contract with Laurence Ginnings. Seconded by Troy Felsman. Carried, 9 for; 0 opposed; 0 not voting.

#### **RESOLUTION 17-259**

#### **A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH LAURENCE GINNINGS**

#### **BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Tribal Council as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes; and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security and general welfare of the Tribes is among the highest priorities of the Tribes; and

**WHEREAS**, the Tribal government maintains a Tribal Prosecutor's Office and employs contract attorneys to staff that office; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Laurence Ginnings, Attorney at Law, to serve as the Managing Attorney for the Prosecutor's Office and

provide representation, advise and counsel to the Tribal government in criminal matters and to represent other Tribal interests routinely litigated in the Tribal Court; and

**WHEREAS**, it is the intent of all the contracting parties that Laurence Ginnings shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein; **NOW THEREFORE**,

**BE IT RESOLVED** the Tribal Council approved said agreement and authorizes its execution by the Chairman and the Tribal Secretary; and

**BE IT FURTHER RESOLVED**, that Laurence Ginnings shall act as a Tribal Managing Attorney for the Prosecutor's Office in accordance with the terms and conditions of the Attorney Contract attached hereto.

**MOTION** by Anita Matt to approve by resolution an attorney contract with Kelly McDonald. Seconded by Shelly Fyant. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-260**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH KELLY MCDONALD**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Tribal Council as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes; and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security and general welfare of the Tribes is among the highest priorities of the Tribes; and

**WHEREAS**, the Tribal government maintains a Tribal Prosecutors Office and employs contract attorneys to staff that office; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Kelly McDonald, Attorney at Law, to serve as a Tribal Deputy Prosecuting Attorney for the Prosecutor's Office and provide representation to the Tribal government in

criminal and civil matters and to represent other Tribal interests routinely litigated in the Tribal Court; and

**WHEREAS**, it is the intent of all the contracting parties that Kelly McDonald shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein; **NOW THEREFORE**,

**BE IT RESOLVED** the Tribal Council approved said agreement and authorizes its execution by the Chairman; and

**BE IT FURTHER RESOLVED**, that Kelly McDonald shall act as a Tribal Deputy Prosecuting Attorney for the Prosecutor's Office in accordance with the terms and conditions of the Attorney Contract attached hereto.

**MOTION** by Leonard Gray to approve by resolution an attorney contract with Robert McCarthy. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-261**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH ROBERT MCCARTHY**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Tribal Council as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes; and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security and general welfare of the Tribes is among the highest priorities of the Tribes; and

**WHEREAS**, the Tribal government maintains a Tribal Prosecutor's Office and employs contract attorneys to staff that office; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Robert McCarthy, Attorney at Law, to serve as a Deputy Prosecuting Attorney for the Prosecutor's Office and provide representation, advise and counsel to the Tribal government in civil and criminal matters and to represent other Tribal interests routinely litigated in the Tribal Court; and

**WHEREAS**, it is the intent of all the contracting parties that Robert McCarthy shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein; **NOW THEREFORE**,

**BE IT RESOLVED** the Tribal Council approved said agreement and authorizes its execution by the Chairman and the Tribal Secretary; and

**BE IT FURTHER RESOLVED**, that Robert McCarthy shall act as a Tribal Deputy Prosecuting Attorney for the Prosecutor's Office in accordance with the terms and conditions of the Attorney Contract attached hereto.

**MOTION** by Carole Lankford to approve by resolution an employment contract with Colin Hill. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

### **RESOLUTION 17-262**

#### **A RESOLUTION TO APPROVE EMPLOYMENT CONTRACT WITH COLIN HILL**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Tribal Council as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Tribal Prosecutors Office and employs contract attorneys and advocates to staff that office;

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Employment Contract with Colin Hill to serve as a Deputy Prosecutor for the Prosecutors Office and provide representation to the tribal government in criminal and juvenile matters and to represent other Tribal interests routinely litigated in the Tribal Court;

**WHEREAS**, it is the intent of the contracting parties Colin Hill shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein; **NOW THEREFORE**,

**BE IT RESOLVED** the Tribal Council approved said agreement and authorizes its execution by the Chairman and the Tribal Secretary;

**BE IT FURTHER RESOLVED**, that Colin Hill shall act as a Deputy Prosecutor for the Prosecutor's Office in accordance with the terms and conditions of the Employment Contract, including the position description of job duties, attached hereto.

**MOTION** by Ron Trahan to approve by resolution an employment contract with Stephanie Irvine. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-263**

**A RESOLUTION TO APPROVE EMPLOYMENT CONTRACT WITH STEPHANIE IRVINE**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Tribal Council as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Tribal Prosecutors Office and employs contract attorneys to staff that office;

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Employment Contract with Stephanie Irvine to serve as a Deputy Prosecutor for the Prosecutors Office and provide representation to the tribal government in criminal and juvenile matters and to represent other Tribal interests routinely litigated in the Tribal Court;

**WHEREAS**, it is the intent of the contracting parties Stephanie Irvine shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein; **NOW THEREFORE**,

**BE IT RESOLVED** the Tribal Council approved said agreement and authorizes its execution by the Chairman and the Tribal Secretary;

**BE IT FURTHER RESOLVED**, that Stephanie Irvine shall act as a Deputy Prosecutor for the Prosecutor's Office in accordance with the terms and conditions of the Employment Contract, including the position description of job duties, attached hereto.

**Rhonda Swaney**, Legal Department, requested approval of a contract for consultation and professional services with DOWL HKM.

**MOTION** by Troy Felsman to approve by resolution a contract for consultation and professional services with DOWL HKM. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-264**

**A RESOLUTION THE ENTER INTO A CONTRACT FOR CONSULATION AND PROFESSIONAL SERVICES WITH DOWL HKM**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and DOWL wishes to provide their personal, professional and scientific expertise, services, consultation, and testimony on water rights claim filing and defense, and

**WHEREAS**, DOWL has agreed to provide their personal professional services according to the terms and conditions of a contract for consultation and professional services.

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

**Rhonda Swaney** and **Stu Levit**, Legal Department, requested approval of a contract amendment with Marsh Consulting. The amendment extends the term for one year.

**MOTION** by Leonard Gray to approve by resolution the contract amendment with Marsh Consulting. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 17-265**

**A RESOLUTION THE EXTEND A CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH MARSH CONSULTING LLC**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:**

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes had secured, and Marsh Consulting is currently providing personal and professional expertise, services, consultation, and representation regarding water and fisheries management in the Columbia River watershed on behalf of the Confederated Salish and Kootenai Tribes' water rights negotiation and litigation efforts; and

**WHEREAS**, Marsh Consulting shall work in consultation with attorneys for the Confederated Salish and Kootenai Tribes as well as Tribal experts; and

**WHEREAS**, Marsh Consulting has agreed to provide their personal professional services according to the terms and conditions of a contract for consultation and professional services.

**WHEREAS**, the Tribal Legal Department is authorized to submit the Contract document with its updates and revisions to further carryout the purposes of the services requested,

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said Contract Modification 01 and authorizes its execution by the Chairman and the Tribal Secretary.

**Brian Upton**, Legal Department, gave an update. There were four scoping meetings to engage the public on the conservation plan for the Bison Range. Brian had a conference call with the Denver officials last week about the process, whether the Tribes are interested in having a self-governance

Tribal Council Meeting Minutes  
September 26, 2017

agreement for the Bison Range, and whether the Tribes want to hold education meetings with new officials. The Round-Up may not be a public event this year. Brian will return at a later date to seek approval to renew a contract with Jack Tuholske for a couple of years and keep him on retainer. A visioning meeting with the filmmaker about the storyline will be scheduled with council.

**John Harrison**, Legal Department, gave an update on bison issues and the draft Beatie Gulch MOA.

**John Harrison**, Legal Department, informed council that he was contacted by an attorney about possible litigation. He will keep council updated on this matter.

**Carole Lankford** requested a follow-up on an enrollment matter. She wants reimbursement paid back to the family for the DNA test and back per capita payments for one year. **Rhonda Swaney**, Legal Department, provided a legal opinion and recommendation. Carole also questioned information that legal staff sent to her that included a resolution from 1991 that had her signature on it when she was not on council yet. **Stu Levit** advised that all the documentation he received came from the Enrollment Office.

**Daniel J. Decker**, Legal Department, reminded council of the Court Skills training tomorrow and Thursday.

\*\*\*\*\* **Lunch** \*\*\*\*\*

**Randy Woods**, Hot Springs Mayor, gave a report. A new water storage tank was put in on tribally leased land at a cost of \$1.1 million to help improve the infrastructure of the town. A sewer project was bid out but it will need to be bid out again since the bids came in too high. A second well will be drilled. Amy Gray was hired as the new Clerk. There are some duplexes that tribal housing abandoned and had the town remove the water systems. The town attempts to keep the creek clean. Mr. Woods supports any efforts to expand the walking path to the wye; it gets used a lot. Hot Springs responds to fires in the area until Tribal Fire Control takes over. Fire Control had their equipment staged in Hot Springs all summer, which Mr. Woods was grateful for.

**Jim Durglo, Steve McDonald, Casey Ryan, Tony Incashola Jr., Ron Swaney, Chauncey Means, and AJ Bigby**, BAER Team, met with council to provide recommendations on possible road closures. **Jonathan Bowler, Sam Grinstead, Bryn Willingham, Amanda Craft, Jessie Thoreson, Ellen Young, Olivia Daniels, and Anna Rees**, Swan Valley Connections, were present for discussion.



**MOTION** by Patty Stevens to go with Alternative C to partially close Belmore Sloughs Road. Seconded by Leonard Gray. Carried, 8 for; 1 opposed (Carole Lankford).

***Carole Lankford***, for the record, “I want to see it opened for public comment.”

The discussion continued on possible closures. The Forest Management Plan will be reviewed this winter.

**MOTION** by Patty Stevens to close the Liberty-Boles Meadow Loop area as per alternative B, due to safety reasons, and reevaluate the situation in the spring. Seconded by Ron Trahan. 7 for; 1 abstention (Carole Lankford); 1 not voting (Vernon Finley out of the room).

**Kelly Parker**, Department of Human Resources Development, requested authorization to convert Jennifer Birthmark from a contract employee to a full-time employee. Jennifer is in the Bookkeeping Program Manager Assistant position.

**MOTION** by Anita Matt to convert Jennifer Birthmark from a contract employee to a full-time employee. Seconded by Patty Stevens. Carried, unanimous (9 present).

**Kelly Parker**, Department of Human Resources Development, requested approval to renew the temporary employment agreement with David Weible as a home care provider for one year.

**MOTION** by Troy Felsman to renew the temporary employment agreement with David Weible as a home care provider for one year. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

**Kelly Parker** and **Carmelita Matt**, Department of Human Resources Development, requested approval to renew the temporary employment agreement with Benjamin Wright as a CPS Support Worker for one year.

**MOTION** by Anita Matt to renew the temporary employment agreement with Benjamin Wright as a CPS Support Worker for one year. Seconded by Ron Trahan. Carried, unanimous (9 present).

**Carmelita Matt**, Department of Human Resources Development, informed council that as of August our stats are tripled compared to Lake County and the Blackfeet Tribe. Since 2012 we have more than doubled. Tribal employees are mandatory reporters of suspected child abuse or neglect. Failure to report

could result in criminal charges filed against the employee. **Chairman Finley** requested that training on mandatory reporting be scheduled for council and others. Employees will be granted a change of duty for participating in the training.

**Joe Durglo**, Tribal Health Department, requested approval to hire Amy Johnson to fill the Family Nurse Practitioner position on a temporary employment agreement for 90 days.

**MOTION** by Troy Felsman to hire Amy Johnson to fill the Family Nurse Practitioner position on a temporary employment agreement for 90 days. Seconded by Ron Trahan. Carried, unanimous (9 present).

\*\*\*\*\* **Break** \*\*\*\*\*

**Renee Joachim, Shelley Grenier** and **Cory Clairmont**, Personnel Department, discussed a proposed amendment to Ordinance 69-C to require an employee to report an arrest or charge to the immediate supervisor within five working days so the department head can determine whether it will affect their position. The discussion continued in **executive session**.

**Renee Joachim, Shelley Grenier** and **Cory Clairmont**, Personnel Department, discussed personnel matters. **Vern Clairmont**, Financial Management, joined the discussion.

Council reconvened into **regular session**.

**Len TwoTeeth** presented a request for a change of duty for Sonny Burke, Eli Sheridan, Joe Caye, Howard Walker, Rhoda Couture, and Shannon Burke for September 27 and 28 for the 2017 Kootenai Hunting Camp.

**MOTION** by Patty Stevens to grant a change of duty, with supervisor approval. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Len TwoTeeth** informed council that Junior Caye wants a change of duty for September 26-29 for the 2017 Kootenai Hunting Camp to allow time to set up and take down camp. It needs to be made clear to those employees that if they are granted a change of duty that they cannot get paid from the grant; if they want to get paid then they need to take PTO.

**MOTION** by Patty Stevens to grant a change of duty, with supervisor approval. Seconded by Ron Trahan. Carried, unanimous (9 present).

Tribal Council Meeting Minutes  
September 26, 2017

**MOTION** by Carole Lankford to adjourn the meeting. Seconded by Ron Trahan. Carried, unanimous (9 present).

Council **adjourned** at 4:16 p.m., and is scheduled to meet again on Thursday, September 28, 2017, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

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Troy Felsman  
Tribal Secretary