

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

Volume 18 Number 7  
Council Chambers, Pablo, MT

Held: October 26, 2017  
Approved: November 7, 2017

**MEMBERS PRESENT:** Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Carole Lankford; Dennis Clairmont; and Patty Stevens.

**MEMBERS ABSENT:** Ronald Trahan (Personal Time Off); Leonard Gray (Medical Appointment); and Shelly Fyant (Judicial Engagement Team (JET) Conclave, Casey Family Foundation, Kansas City, MO).

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

The meeting was called to **order** at 9:10 a.m. Quorum established.

The meeting was opened with a **prayer** by Pat Pierre.

The **Tribal Council Meeting Minutes** for October 19, 2017 were presented for approval.

**MOTION** by Patty Stevens to approve the Tribal Council Meeting Minutes for October 19, 2017, with corrections. Seconded by Anita Matt. Carried, 6 for; 1 abstention (Carole Lankford).

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

**MOTION** by Patty Stevens to approve the agenda, with changes. Seconded by Troy Felsman. Carried, unanimous (7 present).

**Mike Kenmille; Macy Waugh, Josh Crumley and Kylia Carpentier**, Two Eagle River School Students; informed council that 3 students and 2 chaperones will be going to Manitoba for the Polar Bear project. The total budget for this trip is \$12,000. They need financial assistance in the amount of \$700. S&K Technologies donated \$5,000; Tribal Forestry donated \$3,000; and the students raised \$4,000 through fundraising activities. **Patty Stevens** requested that the students return to council to provide a PowerPoint presentation after the trip. The students will be making a movie of their trip.

**MOTION** by Carole Lankford to donate \$700 for the Two Eagle River School Polar Bear project trip. Seconded by Patty Stevens. Carried, unanimous (7 present).

**Gina Brown** and **Elizabeth Brown** requested to meet with council in **executive session** to discuss a personal matter.

Council reconvened into **regular session**.

**MOTION** by Len TwoTeeth to pay the additional amount of \$2,100 for burial charges for the Brown family. Seconded by Dennis Clairmont. Carried, 6 for; 1 abstention (Vernon Finley).

**Troy Felsman**, for the record, *“I think this illustrates we need to work out agreements with the local funeral home providers in dealing with tribal member families and their deceased loved ones.”*

**MOTION** by Patty Stevens to issue a letter to the local funeral homes in the area advising them of our policy. Seconded by Anita Matt. Carried, unanimous (7 present).

**Dan Jackson** and **Gary Adolph**, Veterans Warrior Society, requested \$1,500 assistance for the annual Veterans Pow Wow. This is the last year they will have a pow wow. The Tribes provide funding each year in the amount of \$2,000.

**MOTION** by Anita Matt to donate an additional \$1,500 for the Veterans Warrior Society Annual Pow Wow. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

**Vern Clairmont**, Financial Management, requested approval of modification 1 to the fiscal year 2018 Investment Fund Budget. There is a need to allocate a budget for Land Acquisition and funds are available in the Investment Fund to appropriate for this purpose.

**MOTION** by Troy Felsman to approve by resolution modification 1 to the fiscal year 2018 Investment Fund Budget. Seconded by Patty Stevens. Carried, 7 for; 0 opposed; 0 not voting.

### **RESOLUTION 18-013**

### **RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2018 INVESTMENT FUND BUDGET**

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

**WHEREAS**, there is a need to allocate a budget for Land Acquisition and funds are available in the Investment Fund to appropriate for this purpose; and

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

Account	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
16-511-6410	Land Acquisition	0	638,483	638,483
<b>TOTAL</b>			<b>638,483</b>	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate funds from the Investment Fund and modify the FY 2018 Investment Fund Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the total FY 2018 Investment Fund Budget is increased from \$370,000 to \$1,008,483.

**Vern Clairmont**, Financial Management, requested approval of modification 3 to the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget. FY 2017 earmarked funding for Tiwahe Initiative and Safety of Dams has been awarded and needs to be allocated to the budget; and this budget modification shall increase the spending authority previously authorized by Resolution 17-242 for these budget accounts except for SOD 24/7 Monitoring, which was operating on spending authority pending award of FY 2017 funding.

**MOTION** by Troy Felsman to approve by resolution modification 3 to the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 0 not voting.

**RESOLUTION 18-014**

**RESOLUTION APPROVING MODIFICATION 3 TO THE FISCAL YEAR 2018 BIA SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, FY 2017 earmarked funding for Tiwahe Initiative and Safety of Dams has been awarded and needs to be allocated to the budget; and

**WHEREAS**, this budget modification shall increase the spending authority previously authorized by Resolution 17-242 for these budget accounts except

for SOD 24/7 Monitoring, which was operating on spending authority pending award of FY 2017 funding; and

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

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
13-502-4554	Tiwahe Initiative	12,019	16,151.00	28,170.00
13-503-4511	Safety of Dams	5,181,896	1,804,000.00	6,985,896.00
13-503-4528	SOD 24/7 Monitoring	98,614	406,837.72	406,837.72
<b>Total Increase/(Decrease)</b>			<b>2,226,988.72</b>	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2018 BIA Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the total FY 2018 BIA Self-Governance Budget is increased from \$13,782,048 to \$16,009,036.72.

**Vern Clairmont** and **Ruth Swaney**, Financial Management, requested approval of modification 2 to the fiscal year 2018 Indian Health Service Self-Governance Compact Budget. Estimated FY 2018 funding amounts for the IHS Self-Governance Compact Funding Agreement has been provided to the Tribes and this requires adjustment to allocations to programs.

**MOTION** by Anita Matt to approve by resolution modification 2 to the fiscal year 2018 Indian Health Service Self-Governance Compact Budget. Seconded by Patty Stevens. Carried, 7 for; 0 opposed; 0 not voting.

**RESOLUTION 18-015**

**RESOLUTION APPROVING MODIFICATION 2 TO THE FY 2018 IHS SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, estimated FY 2018 funding amounts for the IHS Self-Governance Compact Funding Agreement has been provided to the Tribes and this requires adjustment to allocations to programs; and

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

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
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11-501-4150	SKHA Environmental Health	462,000	(130,000)	332,000
11-502-4115	Maintenance and Improvement	263,000	(12,000)	251,000
11-502-4130	Tribal Health Department	22,771,000	320,000	23,091,000
11-514-4198	Indirect Costs	1,200,000	500,000	1,700,000
<b>TOTAL INCREASE/(DECREASE)</b>			<b>678,000</b>	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2018 IHS Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that Third Party Revenues shall be made available to provide for the expenditure of the FY 2018 IHS Self-Governance Compact Budget pending final Congressional appropriations and subsequent obligations of funds; and

**BE IT FURTHER RESOLVED** that the FY 2018 IHS Self-Governance Compact Budget is increased from \$24,742,500 to \$25,420,500.

**Kyle Felsman**, Nkwusm Board of Directors Chairman; **Pat Pierre** and **Stephen Smallsalmon**, Nkwusm School; discussed the budget that was previously presented for the adult language program. Kyle reviewed the request that had been submitted for \$187,589 and approved by tribal council. The request did not account for the operational program, so the budget is different. They need 3 apprentices. Next year the grants will run out and they will need funding for the preschool. A reading grant will run out that funds a reading teacher, so they will need funding for that teacher's salary. They need funding for the kitchen/janitorial staff and a part-time bus driver. With this funding request, the school would be 100% tribally funded and they would not have to comply with restrictions from grant funding. The total funding that Nkwusm needs from the Tribes is \$894,557.49. **No action taken.** Council took the request under advisement for further review.

**Brad Pluff**, Tribal Court; and **Rhonda Swaney**, Legal Department; requested to meet with council in **executive session** to discuss departmental matters.

Council reconvened into **regular session**.

**MOTION** by Troy Felsman to appoint David Morigeau on a one-year temporary employment contract as a Judge in Tribal Court. Seconded by Patty Stevens. Carried, 5 for; 1 opposed (Len TwoTeeth); 1 abstention (Vernon Finley).

**MOTION** by Patty Stevens to compensate Brad Pluff as the Acting Chief Judge during this period of time and include retro pay from the date of his assignment to the position. Seconded by Anita Matt. Carried, 6 for; 1

opposed (Len TwoTeeth); 0 not voting.

**RESOLUTION 18-018**

**A RESOLUTION TO ENTER INTO A TEMPORARY EMPLOYMENT CONTRACT WITH DAVID MORIGEAU**

**BE IT RESOLVED BY THE TRIBAL 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 temporary employment contract with David Morigeau to provide judicial services needed for the administration of the Confederated Salish and Kootenai Tribal Court, authorized activities contained in Ordinance 103-A, as amended, the CSKT Laws Codified,

**NOW THEREFORE BE IT RESOLVED** that beginning October 20, 2017, David Morigeau shall act as Associate Justice of the Confederated Salish and Kootenai Tribal Court providing services in accordance with the terms and conditions of the contract attached hereto.

**Brian Upton**, Legal Department, discussed the Tribes being a cooperative agency with the Fish & Wildlife Service for the National Bison Range Comprehensive Conservation Plan and requested approval of a memorandum of understanding to formalize the Tribes' role and relationship. Representatives need to be appointed to participate in the cooperative agencies meetings.

**MOTION** by Troy Felsman to approve the memorandum of understanding formalizing the CSKT's role and responsibility as a cooperative agency for the Cooperating Comprehensive Plan for the National Bison Range. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

**MOTION** by Troy Felsman to appoint Dale Becker and Brian Upton as representatives, Tom McDonald as the alternate and Dennis Clairmont as the tribal council representative to participate in the cooperative agencies meetings. Seconded by Patty Stevens. Carried, unanimous (7 present).

**Dale Becker**, Natural Resources Department, requested approval of a contract with Mission Mountain Flying Services to provide fixed-wing flight services for fiscal year 2018. The contract would be for an amount not to exceed \$15,000.

**MOTION** by Troy Felsman to approve a contract with Mission Mountain Flying Services to provide fixed-wing flight services for an amount not to exceed \$15,000 for fiscal year 2018. Seconded by Anita Matt. Carried,

unanimous (7 present).

**Dale Becker**, Natural Resources Department, requested approval to submit a funding proposal to the Inter-Agency Grizzly Bear Committee for educational events.

**MOTION** by Anita Matt to submit a funding proposal to the Inter-Agency Grizzly Bear Committee for educational events. Seconded by Dennis Clairmont. Carried, 7 for; 0 opposed; 0 not voting.

## **RESOLUTION 18-016**

### **RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION FOR FUNDING TO THE INTERAGENCY GRIZZLY BEAR COMMITTEE**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes have been organized to represent, develop, protect and advance the views, interests, resources, and education of its members; and

**WHEREAS**, the Tribes have established a Tribal Wildlife Management Program to monitor wildlife populations and habitats, recommend appropriate wildlife and habitat management actions, inform the public about wildlife issues and oversee wildlife management projects; and

**WHEREAS**, the Tribes are eligible to receive funds to promote sound wildlife management activities for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted; and

**WHEREAS**, the Tribal Wildlife Management Program strives to inform and educate the public regarding wildlife populations and issues on the Reservation; and

**WHEREAS**, the Interagency Grizzly Bear Committee has funds available to assist grizzly bear management agencies in meeting their needs for public outreach projects; **NOW, THEREFORE**,

**BE IT RESOLVED** that the Tribal Council of the Confederated Salish and Kootenai Tribes approves the submission of an application for funding to the Interagency Grizzly Bear Committee for public outreach projects to assist with grizzly bear management.

**BE IT FURTHER RESOLVED** that the Tribal Council Chairman is authorized to negotiate and execute the grant documents and any amendments hereto.

**Dale Becker**, Natural Resources Department, discussed proposed changes to the bird hunting regulations regarding dog training on tribal wildlife lands and mitigation lands, and KHJCC. The hunting season dates would be changed as well. Action is required to advertise for public comment.

**MOTION** by Troy Felsman to advertise the proposed bird hunting regulation changes for public comment. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

**Dale Becker**, Natural Resources Department, informed council that he is working with the grizzly bear recovery coordinator to schedule a government-to-government consultation with the CSKT Council and the Blackfeet Tribal Council. November 22 or November 28 are the proposed dates. He will work with Jennifer to get the consultation scheduled on the agenda.

**Len TwoTeeth** was contacted by the S&K Gaming Maintenance staff regarding the location of the wildlife fence. **Dale Becker**, Natural Resources Department, advised that he has been working with Dane Morigeau from S&K Gaming on this. The mitigation plan for the facility was done, and there was some point in the process that options were considered. He wanted them to consider fencing around the gravel pit for now. Dale met with Dane a few weeks ago. Len reported that Gaming needs to know where the fence is going to go and get it done before snowfall, so they want it done as soon as possible. **Carolee Wenderoth**, Tribal Lands Department, explained that the purpose of the property that sits to the north of it and outside of the wildlife fence is an easement to MDT. The purpose of the north property is for a drain field. If the fence is moved people may walk through the drain field area. The recorded use of the property is to restore it to its natural use and a drain field. Anything else would require a full EA and request by SKG. MDT would need access to maintain the MDT fence. Everyone needs to understand the cost of moving the fence and a determination made of who will pay for it. If the fence is moved the drain field needs to be marked.

**Mike Durglo**, Preservation Department; and **Lynn Rae**, University of Arizona; discussed the climate change research project Lynn is working on for her master's degree and requested approval of a resolution authorizing the research in collaboration with the Preservation Department.

**MOTION** by Troy Felsman to approve by resolution the request for research with the University of Arizona for Lynn Rae to conduct research in collaboration with the Preservation Department. Seconded by Carole Lankford. Carried, 7 for; 0 opposed; 0 not voting.



**RESOLUTION 18-017**

**RESOLUTION TO CONDUCT CLIMATE CHANGE ADAPTATION PLANNING RESEARCH**

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

**WHEREAS**, on November 9, 2012, the Confederated Salish and Kootenai Tribes adopted Resolution No. 13-52 to develop a Climate Change Strategic Plan, which was completed in September 2013, and

**WHEREAS**, Lynn Rae, has worked as a Graduate Assistant with the University of Arizona's Native Nations Climate Adaptation Program (NNCAP) since August 2015. She was one of the primary researchers involved in the NNCAP's Southwest Tribal Climate Change Assessment completed for the U.S. Department of the Interior from 2015 to 2017. She assisted with the planning and implementation of the NNCAP Tribal Climate Leader's Summit at the University of Arizona in November 2015 and provided research assistance to the Tohono O'odham Nation to support the development of their Climate Change Adaptation Plan. She also participated in Pacific Northwest regional trainings and conferences, including The Affiliated Tribes of Northwest Indians 2<sup>nd</sup> Annual Tribal Leaders Summit on Climate Change in September 2016 and the Confederated Salish and Kootenai Tribes Northwest Climate Change Summit: Holistic Climate Planning and Integrating Traditional Knowledge in August 2017.

**WHEREAS**, she has requested permission from the Tribal Council for her Master's thesis study entitled "Tribal Climate Change Adaptation Planning: A Cross-case Analysis of Strategies, Partnerships and Decision-making Processes". The purpose of this study is to learn more about the capacities, resources, partnerships, and planning processes utilized by tribes with council-approved climate change adaptation plans. Specifically, this research will consider the perspectives of the Confederated Salish and Kootenai Tribes leaders, elders, and department representatives and representatives from the non-Tribal affiliated partnering institutions and organizations who are involved in the adaptation planning process. The sharing of best practices and lessons learned by the Confederated Salish and Kootenai Tribes could provide other tribes with ideas and ways to overcome challenges and advance adaptation-planning efforts. The assessment of tribes that are successfully advancing climate change adaptation planning may also identify trends and opportunities that could help other tribes further develop existing strengths, protect cultural and spiritual values and increase community resilience. These findings may also provide federal agencies, public

and private institutions and tribal governments with information that could support the development of equitable partnerships and climate change policies.

**WHEREAS**, with a grant from the North Pacific Landscape Conservation Cooperative, the Oregon Climate Change Research Institute and other partners, including Adaptation International, PNW Tribal Climate Change Project, Quinault Indian Nation, and Confederated Tribes of Siletz Indians, are developing a tribally-focused adaptation guidebook to support tribes in addressing tribal priorities through climate change adaptation planning. With approval from the Confederated Salish and Kootenai Tribes, broad summaries and/or lessons learned from this research project may potentially be included in the guidebook. The Confederated Salish and Kootenai Tribes would have the opportunity to review any contributions from this research to the guidebook and the Confederated Salish and Kootenai Tribes would be acknowledged as a contributor.

**NOW, THEREFORE, BE IT RESOLVED** the Tribal Council provides permission to Lynn Rae to undertake the research project requested, which includes interviewing tribal employees and collaborating representatives from external government agencies and institutions, a discussion with tribal elders, and obtaining copies of climate change adaptation planning documents, and

**BE IT FURTHER RESOLVED** that Lynn Rae provide drafts of the material produced to both the Tribal Council and the Tribal Preservation Department Head, for review of factual accuracy and to protect the interests of the Confederated Salish and Kootenai Tribes, prior to publication.

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, requested approval of a letter of disinterest in purchasing Allotment 1452-A from Loretta Willoughby. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Dennis Clairmont to show disinterest in purchasing Allotment 1452-A from Loretta Willoughby, due to no funds in the land acquisition budget. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, discussed an offer for the Tribes to purchase Allotment 2883-G from Caroline Durglo. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Anita Matt to show disinterest in purchasing Allotment 2883-G from Caroline Durglo at this time, due to no funds in the land acquisition budget. Seconded by Troy Felsman. Carried, 6 for; 1

abstention (Patty Stevens).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, discussed an offer for the Tribes to purchase Allotment 2883-D, containing five acres, from Donna Durglo. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Dennis Clairmont to show disinterest in purchasing Allotment 2883-D from Donna Durglo at this time, due to no funds in the land acquisition budget. Seconded by Anita Matt. Carried, 4 for; 3 abstentions (Patty Stevens, Troy Felsman and Len TwoTeeth).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, discussed an offer for the Tribes to purchase Stacey Kiehn's interest in Allotment 798-A, containing 40 acres. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Patty Stevens to show disinterest in purchasing Stacey Kiehn's interest in Allotment 798-A, due to no funds in the land acquisition budget. Seconded by Anita Matt. Carried, unanimous (7 present).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, discussed an offer for the Tribes to purchase Lucinda Simpson's undivided interest in Allotment 2416. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Patty Stevens to show disinterest in purchasing Lucinda Simpson's undivided interest in Allotment 2416, due to no funds in the land acquisition budget. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, discussed an offer for the Tribes to purchase 15 acres offered by Rocki Davis. The land committee recommended showing disinterest due to no funding in the land acquisition budget.

**MOTION** by Troy Felsman to show disinterest in purchasing the 15 acres from Rocki Davis, due to no funding in the land acquisition budget. Seconded by Dennis Clairmont. Carried, 6 for; 1 abstention (Patty Stevens).

**Mark Couture**, Tribal Lands Department, provided a summary of the stock association meetings that took place on September 20. There were two meetings with the stock associations. Every association was represented at the meetings. Carole Lankford, Dennis Clairmont, Anita Matt, and Leonard Gray attended the meetings on behalf of tribal council. The background of the

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federal regulations were discussed. The bylaws were received for all associations except for one.

**Council** met in **executive session**.

Council reconvened into **regular session**.

**MOTION** by Anita Matt to adjourn the meeting. Seconded by Troy Felsman. Carried, unanimous (7 present).

Council **adjourned** at 12:05 p.m., and is scheduled to meet again on Tuesday, October 31, 2017, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Troy Felsman  
Tribal Secretary