

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

Volume 18 Number 22
Council Chambers, Pablo, MT

Held: January 4, 2018
Approved: January 11, 2018

MEMBERS PRESENT: Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Ronald Trahan; Shelly Fyant; Dennis Clairmont; Carole Lankford; and Leonard Gray.

MEMBERS ABSENT: Vernon Finley, Chairman; and Patty Stevens.

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

The meeting was called to **order** at 9:09 a.m. Quorum established.

The meeting was opened with a **prayer** by Leonard Gray.

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

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for December 19, 2017, with corrections. Seconded by Troy Felsman. Carried, unanimous (8 present).

The **agenda** for the quarterly meeting was presented for approval. A written policy will be developed outlining the process on how to conduct the quarterly meeting after an election year and the new council members taking office.

MOTION by Troy Felsman to approve the agenda for the quarterly council meeting, with changes. Seconded by Anita Matt. Carried, unanimous (8 present).

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

MOTION by Dennis Clairmont to approve the agenda, with changes. Seconded by Anita Matt. Carried, unanimous (8 present).

***** **Break** *****

Naida Lefthand, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter. **Joe Durglo**, Tribal Health Department; **Jami Pluff**, Policy Analyst; and **Charmel Gillin**, Tribal Council-Elect; were present for discussion.

Council reconvened into **regular session**.

***** **Break** *****

Vern Clairmont, Financial Management, requested authorization to enter into a noncompetitive award to WIPFLI, LLC to complete the documentation of the request for reimbursement from Department of Labor – Job Corp for inventory-related expenditures. Once the procedures are in place, the KHJCC staff will be responsible for this. Vern’s staff will do a bi-annual review to make sure KHJCC is in compliance. There was discussion on the need to have an internal auditor for the tribal organization.

MOTION by Troy Felsman to enter into a noncompetitive award to WIPFLI, LLC to complete the documentation of the request for reimbursement from Department of Labor – Job Corp for inventory-related expenditures. Seconded by Carole Lankford. Carried, unanimous (8 present).

Joe Durglo, Tribal Health Department, requested authorization to enter into a 120-day temporary employment agreement with Katy Hess-Minske to fill the Tribal Health Paid Care Patient Account Representative position. Katy has the background/knowledge to do these duties. Two positions are needed, and the only vacancy will be filled by a tribal member from the emergency hire pool.

MOTION by Anita Matt to enter into a 120-day temporary employment agreement with Katy Hess-Minske to fill the Tribal Health Paid Care Patient Account Representative position. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Carole Lankford asked if Joe is made aware of any changes in the direction of a grant after the grant is awarded and if the tribal council is notified. **Joe Durglo** explained that the department seeks council action to submit the grant. Tribal Council and the granting agency would be notified and approve any change in direction of a grant that is already awarded.

Joe Durglo, Tribal Health Department, requested approval to enter into a three-year contract with Abigail Eyers to fill the Behavioral Health Division Director position. The vacancy was advertised and she was the only applicant.

MOTION by Leonard Gray to enter into a three-year contract with Abigail Eyers to fill the Behavioral Health Division Director position, due to no

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qualified tribal member applicants. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Melanie Piedalue, Early Childhood Services, requested authorization to promote Yvette Makes Cold Weather to the Family Advocate position on a three-year contract.

MOTION by Troy Felsman to promote Yvette Makes Cold Weather to the Family Advocate position on a three-year contract. Seconded by Anita Matt. Carried, unanimous (8 present).

Mike Durglo and **Kevin Askan**, Preservation Department, requested approval to extend the contract with Kayla Johnson to do field surveys and monitoring for 90 days while the vacancy is being advertised. Kayla is currently in the master's program at the University of Montana.

MOTION by Shelly Fyant to extend the contract with Kayla Johnson to do field surveys and monitoring for 90 days while the vacancy is being advertised. Seconded by Troy Felsman. **MOTION AND SECOND WITHDRAWN.**

MOTION by Shelly Fyant to extend the contract with Kayla Johnson to do field surveys and monitoring for one year. Seconded by Troy Felsman. Carried, unanimous (8 present).

Mike Durglo, Preservation Department, informed council that he is working with Dean Nicolai at Salish Kootenai College to seek additional interns; and he is also working with SKC to develop a curriculum for a cultural surveyor and monitor certification program.

Carole Lankford discussed auditing procedures and asked if there is a written process in place for the staff to follow if there is any changeover in the department. **Mike Durglo**, Preservation Department, informed council that the process is in place and the department should not have to request any write-offs in the future. **Shelly Fyant** asked about contract vs. furloughable positions. **Mike Durglo** and **Kevin Askan** advised that there would be a change in pay levels if employees are in supervisory positions and they are still working on that process. Cultural Resource Technicians are needed and will be furloughable positions. **Troy Felsman** reported that some of the council members attended a meeting with the Missoula County Commissioners regarding the Lindbergh Lake homeowners wanting to privatize the bridge for access. Troy asked Preservation to keep abreast of this matter.

Renee Camel and **Chuck Reese**, Information Technologies; and **John Neiss**, Facilities Maintenance; requested approval to remodel the IT Training Room to

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add a storage area and office. John advertised an RFP and there was one Indian Preference bidder. The department did some reconfigurations to the plan and requested that the tribal member bidder revise his bid, and he declined to bid on it. No other contractors from the Indian Preference list bid on the project. An estimate was received from TCH Builders, and the cost of the project would be \$31,697.53. Information Technologies does not have the funding available in its budget to cover this expense. Vern Clairmont informed council that the request requires council action. If tribal council approves the project, then the request goes to the budget committee to find the funding. He questioned the proposal since it does not include any cost for the flooring and electrical services. Chuck advised that there will be no costs for flooring. Information Technologies will need to obtain a bid for the electrical services. Carole Lankford wants this process to be in writing so everyone knows how the steps for these requests is in the future.

MOTION by Dennis Clairmont to approve the planning for the remodel of the Information Technologies Training Room to add a storage area and office. Seconded by Leonard Gray. Carried, unanimous (8 present).

Len TwoTeeth requested the status of the remodel project for the kitchen in Elmo. He was hoping the project would be done before the Jump Dances. **John Neiss**, Facilities Maintenance, reported that the project is near completion. Shelly Fyant reported that she cooked for a wake at the Arlee Community Center and only one refrigerator works. The oven door becomes unhinged when opened, so it needs to be blocked to keep the door closed. She has pictures of the vents she can show John. Shelly will provide John copies of the pictures and a list of maintenance that needs to be done at the center.

***** **Break** *****

Willie Keenan and **Mary Rose Morigeau**, Natural Resources Department; and **Rene Dubay**, Native Tracks Consulting; requested authorization to submit a grant proposal to the Department of Interior's Bureau of Indian Affairs for the Tribal Youth Initiative program funding in the amount of \$50,000. There are approximately 50 students that participate in the EAGLES organization and participate in recycling efforts. **Shelly Fyant** commented that the organizational culture needs to change and recycling efforts should be done department-wide.

MOTION by Leonard Gray to approve submission of a grant proposal to the Department of Interior's Bureau of Indian Affairs for the Tribal Youth Initiative program funding in the amount of \$50,000. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Germaine White and **Erik Hanson**, Natural Resources Department, gave an

update on aquatic invasive species issues. The rules should be done by March 1 and the check stations should be fully operational by mid-March. The next Upper Columbia 3 Consortium meeting is scheduled for January 24 in Kalispell. Germaine commented that Jae Blue Arlee did exemplary work at the check stations and provided valuable information to the program. Germaine requested signature of a letter of commendation for him. **Len TwoTeeth** would like to further recognize Jay Blue Arlee in addition to the letter of commendation. **Anita Matt** discussed an email she received from Jennifer Cole-Perez to have the Tribes appoint a representative to serve on the Aquatic Invasive Species Technical Committee.

Seth Makepeace, Natural Resources Department, discussed the Water Management Plan and requested approval for the chairman to sign Task Order 2.0 to transfer \$92,809 from the DNRC to CSKT to support the Water Management Program staffing and operations.

MOTION by Troy Felsman to authorize the tribal chairman to sign Task Order 2.0 to transfer \$92,809 from DNRC to CSKT to support the Water Management Program staffing and operations. Seconded by Anita Matt. Carried, unanimous (8 present).

Julie Cajune, Tribal Education Department, requested approval to enter into a consultant contract with James Bell Associates to serve as external evaluator for the State-Tribal Education Partnership (STEP) Grant through September 14, 2018. The on-site evaluator will be Brandie Buckless. The Education Department is in its third year of the STEP Grant. The grant is funded through OIE and requires an evaluator. Three bids were obtained for this service. Julie also went through the Indian Preference Office.

MOTION by Anita Matt to enter into a consultant contract with James Bell Associates to serve as external evaluator for the State-Tribal Education Partnership Grant through September 14, 2018. Seconded by Troy Felsman. Carried, unanimous (8 present).

Rhonda Swaney, Legal Department, requested approval of a modification to Yolanda Page's attorney contract.

MOTION by Anita Matt to approve by resolution a modification to Yolanda Page's attorney contract. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-052

A RESOLUTION TO MODIFY ATTORNEY CONTRACT WITH YOLANDA PAGE

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 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 Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

WHEREAS, Yolanda Page is a licensed attorney in the State of Montana, and entered into a contract with the Tribes in 2016 and Modification No. 1 to that contract dated November 29, 2016;

WHEREAS, said contract Modification No. 1 contains a term which requires correction;

NOW THEREFORE BE IT RESOLVED, the Tribal Council approves said agreement Modification No. 2 and authorizes its execution by the Chairman and the Tribal Secretary.

MOTION by Troy Felsman to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (8 present).

Council **adjourned** at 11:39 a.m., and is scheduled to meet again on Friday, January 5, 2018, at 9:00 a.m., for the quarterly council meeting.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary