

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

Volume 18 Number 34
Council Chambers, Pablo, MT

Held: February 13, 2018
Approved: February 20, 2018

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

MEMBERS ABSENT: Charmel Gillin (Personal Time Off); and James Steele, Jr. (National Congress of American Indians – Washington, DC).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; and Abby Dupuis, Recording Secretary.

The meeting was opened with a **prayer** by Troy Felsman.

The meeting was called to **order** at 9:06 a.m. Quorum established. **Ron Trahan** is at a medical appointment and will join the meeting later this morning.

The **Tribal Council Meeting Minutes** for February 6, 2018 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for February 6, 2018, with corrections. Seconded by Troy Felsman. Carried, unanimous (7 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 (7 present).

Shelly Fyant gave a report on the Arlee District Meeting. Jordan Thompson, Legal Department, gave a presentation on the updated draft Probate Code, distributed copies of the draft, and announced that there will be a public comment period. The Yale students assisted with drafting the code. Jordan also gave an update on the density map proceedings, announced upcoming meetings, and distributed postcards. A lot of the constituents at the district meeting were from Sanders County and Missoula County. The Drug Task

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Force discussed their involvement in the Drug Endangered Children Alliance and the work the task force is doing. Their latest bust showed pictures of a lot of drugs. Chad Cottet, S&K Technologies, gave a PowerPoint on all the companies of S&K Technologies. There was a comment from the audience about the contract for the Saudi military; there was concern about the company spending their money for an endeavor like that; and a comment about the technology for building a wall. Shelly was contacted by Blackfoot Telephone about installing a fiber optic line. Blackfoot Telephone wants to meet with Shelly and Troy this Friday to provide an update on their plans.

Lennie Webster, Salish Kootenai College, invited council to the Salish Kootenai College Career Fair on February 27, 2018, from 9:30 a.m. to 2:00 p.m. There will be a panel to discuss workplace perspectives and career pathways from 10:30 a.m. to 11:30 a.m. Lennie provided a list of all the organizations that are registered for the Career Fair. There are 15 tribal departments/entities that are registered. Breakfast is provided for the vendors. Lennie requested a donation. Last year the Tribes gave a \$300 donation to purchase paper products from Property & Supply.

MOTION by Len TwoTeeth to donate \$300 to the Salish Kootenai College Career Fair. Seconded by Troy Felsman. Carried, unanimous (7 present).

Gwen Couture, Gabrielle Houle, Lene Trahan, and Precious David, Ronan School; **Halle Adams, Nellie Desjarlais and Jennifer Jilot**, Arlee School; **Rodney Bird, Jamie Stevenson, Reyna Lynn, and Antoine Lovegrove**, Two Eagle River School; **Mike Perry, Danielle Cannon and Nichole McDougall**, Hot Springs School; informed council that there will be a Flathead Youth Initiative Conference at Salish Kootenai College March 26-28, 2018, which focuses on our unique culture. The State Indian Ed gave them \$5,000. The anti-tobacco will be supporting them and provide T-shirts for the basketball tournament. They represent all the reservation schools. They asked for financial support for the conference. It is open to all children in Montana. They will be requesting assistance from the IEC. They requested a \$2,000 donation from the Tribes. **Carole Lankford** requested that an article be published in the Char-Koosta News, along with a picture of the group. **Rob McDonald**, Communications, reported that one article was already published. **Shelly Fyant** recommended that they contact Brandon Burke at Tribal Health to see if funding is available from the Reason to Live Native grant. **Anita Matt** will provide Ross's contact information in Billings that may be able to provide assistance. **Jennifer Trahan** informed council that this request went to the donation committee. The committee had some questions and requested that they come before the council to make the request. **Lennie Webster** reported that JOM may have some funding available.

MOTION by Carole Lankford to donate \$2,000 to the Flathead Youth Initiative Conference, to be paid out of the donation account, with the concurrence of the donation committee. Seconded by Troy Felsman. Carried, unanimous (7 present).

Lene Trahan gave a report on an activity that took place at the Ronan School with drumming, singing and dancing and provided information on the dances. Other schools want them to do that presentation. Lene would like to meet with council to show them pictures.

Rodney Bird, Two Eagle River School; **Shelley Grenier** and **Cory Clairmont**, Personnel Department; requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

MOTION by Troy Felsman to approve the hire of Eugenia Eden-Moore on a one-year contract to fill the Mental Health Counselor position at Two Eagle River School, due to no qualified tribal member applicants. Seconded by Carole Lankford. Carried, unanimous (7 present).

MOTION by Shelly Fyant to authorize the hire of Nellie Decker on a one-year contract to fill the Mental Health Counselor position at Two Eagle River School, due to no qualified tribal member applicants. Seconded by Anita Matt. Carried, unanimous (7 present).

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

Heather Sobrepena-George, Montana Department of Commerce; **Philip Belangie**, Indian Equity Fund of the Office of Indian Country Economic Development; and **Billie LaDue**, Program Manager of the Office of Indian Country Economic Development; gave an update on the Montana Department of Commerce programs. The Office of Indian Country Economic Development provides services with tribal business planning grants, Indian equity fund, Montana Indian Language Program, State-Tribal Economic Development Commission, and Tribal tourism. There is a meeting in Helena next month to bring all the decision makers into the process. They met with Daniel Stiffarm about language immersion this morning. They will meet with the Salish and Pend d'Oreille committee this afternoon. **Marie Torosian**, The People's Center, commented that it is important to have the correct information about the Tribes being distributed and it is also important to collaborate with tribal businesses and programs. One of the training sponsorships offered by the Department of Commerce is the Cultural Heritage Tourism professional certificate that is offered through the George Washington University School of Business. **Philip Belangie** discussed product development, tourism and

partnerships.

Chairman Trahan joined the meeting.

Carolee Wenderoth, Tribal Lands Department, requested approval of a noncompetitive negotiated contract with Tom Stuckey for a not-to-exceed amount of \$8,000 to perform an appraisal on cell towers necessary for TLD to negotiate a lease with Anderson Broadcasting. The contract would expire on September 30, 2018. **Troy Felsman** asked about the Tribes being compensated for the subleases that Mr. Anderson has.

MOTION by Anita Matt to approve a noncompetitive negotiated contract with Tom Stuckey for a not-to-exceed amount of \$8,000 to perform an appraisal on cell towers necessary for TLD to negotiate a lease with Anderson Broadcasting for a term ending on September 30, 2018. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Carolee Wenderoth, Tribal Lands Department, requested approval to enter into a sole source service contract with Carlo Arendt, Hydrometrics, Inc., to continue testing and monitoring activities on the Big Arm General Store site required by the Department of Environmental Quality. The services performed by Hydrometrics are reimbursable from the Montana Petroleum Tank Release Fund. The contract would expire on December 31, 2018. There is currently no leak in the tank, and the site remains in monitoring status. The island dispenser would need to be replaced before the fuel tank could be used, and the cost estimate is about \$40,000 to meet all the regulation standards.

MOTION by Troy Felsman to approve a sole source service contract with Carlo Arendt, Hydrometrics, Inc., to continue testing and monitoring activities on the Big Arm General Store site required by the Department of Environmental Quality for a term ending on December 31, 2018. Seconded by Anita Matt. Carried, unanimous (8 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from Chou Moua, SKC Teriyaki Catering, for a revocable permit to operate as a food vendor on Tract 1914-B each Monday from March 5, 2018 through June 18, 2018. The Lands staff recommended approval of a 16-day revocable permit as long as all permitting requirements are met, a rental rate of \$35 per day, and provide required insurance.

MOTION by Troy Felsman to grant Chou Moua, SKC Teriyaki Catering, a 16-day revocable permit to operate as a food vendor on Tract 1914-B each Monday from March 5, 2018 through June 18, 2018, require all permitting requirements be met, a rental rate of \$35 per day, and provide required insurance. Seconded by Len TwoTeeth. Carried, unanimous (8

present).

Carolee Wenderoth, Tribal Lands Department, requested renewal of a two-year contract for Shara Hoskinson to fill the Homesite Lease Technician position. The position was advertised in 2016 and Shara was hired on a two-year contract. Shara has obtained TAMS clearance and participated in training.

MOTION by Len TwoTeeth to approve a two-year contract for Shara Hoskinson to fill the Tribal Lands Department Homesite Lease Technician position. Seconded by Troy Felsman. Carried, 7 for; 1 opposed (Leonard Gray).

Leonard Gray, for the record, "I know she's a good worker, but I feel we need to advertise this position."

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, received a request from Aric Cooksley for the Boys & Girls Club to use the former smoke shop building in Ronan for a teen center. The rental rate would \$1 per year. This would be on a temporary basis through September until the other building is completed. **Anita Matt** would like to see a proposal and an outline of insurance and maintenance responsibilities. The Lands Department will submit an issue paper and get scheduled on the agenda at a later date.

Alana Bahe, **John Caye** and **Vickie Peterson**, Salish Kootenai College, requested a letter of support to submit an RFP for a CDC grant. The Community Health & Development Department is applying for a *Tribal Practices for Wellness in Indian Country* cooperative agreement in the amount of \$150,000 over a three-year period. The project will promote nutritional and physical activities to improve health and wellness of SKC students, families, and surrounding community members. There are no more than two awards in each IHS Region, so there will only be one award in Montana.

MOTION by Carole Lankford to approve a letter of support for the Salish Kootenai College CDC grant. Seconded by Troy Felsman. Carried, unanimous (8 present).

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

Rhonda Swaney, and **Daniel J. Decker**, Legal Department, requested action on the 10 responses regarding the draft revisions to the federal fee to trust regulations.

MOTION by Troy Felsman to approve the letter to the Department of Interior providing the Tribes' responses to the proposed draft revisions to the federal fee to trust regulations. Seconded by Shelly Fyant. Carried,

unanimous (8 present).

Rhonda Swaney, Brian Upton, Shane Morigeau, Daniel J. Decker, John Harrison, and Jordan Thompson, Legal Department, requested to meet with council in **executive session** to discuss a legal matter. **Arlene Templer**, Department of Human Resources Development, was present for discussion.

Rhonda Swaney, John Harrison, Brian Upton, Shane Morigeau, Daniel J. Decker, Ryan Rusche, and Jordan Thompson, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

***** **Lunch** *****

Council met in **executive session** to conduct interviews for the Sergeant at Arms position. **Jan Gardipe**, Personnel Department, was present for interviews.

Council met in **executive session**.

Council reconvened into **regular session**.

MOTION by Carole Lankford to direct Lands to proceed with selling the former Mission Mart building to the two entities that showed interest. Seconded by Anita Matt. Carried, unanimous (8 present).

Council continued to meet in **executive session** to conduct interviews for the Sergeant at Arms position. **Jan Gardipe**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

Ann Miller, Tribal Defenders Office, requested approval of a contract with Rachel Wanderscheid to fill the Civil Attorney position for the term of April 2, 2018 through September 30, 2019. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Carole Lankford to approve by resolution a contract with Rachel Wanderscheid to fill the Civil Attorney position in the Tribal Defenders Office for the term of April 2, 2018 through September 30, 2019. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-078

RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH RACHEL WANDERSCHIED

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 an Attorney Contract with Rachel Wanderscheid to provide representation and assistance in civil, juvenile, and criminal matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties; and

WHEREAS, it is the intent of all contracting parties that Rachel Wanderscheid 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 April 2, 2018, Rachel Wanderscheid shall provide representation and assistance in civil matters through 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 September 30, 2019.

Ann Miller, Tribal Defenders Office, requested approval of a reduction in force of the Office Administrator position, due to lack of funds. If approved, she also requested approval of a revised organizational chart to reflect the change. The Reentry Program Director would assume the duties of the Office Administrator.

MOTION by Shelly Fyant to approve the revised organizational chart for the Tribal Defenders Office. Seconded by Anita Matt. Carried, unanimous (8 present).

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

Council **adjourned** at 3:41 p.m., and is scheduled to meet again on Thursday, February 15, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary