

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

Volume 20 Number 7  
Council Chambers, Pablo, MT

Held: October 17, 2019  
Approved: October 31, 2019

**MEMBERS PRESENT:** Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Shelly Fyant, Secretary; Anita Matt, Treasurer; Dennis Clairmont; Fred Matt; Leonard TwoTeeth; Charmel Gillin; and Myrna DuMontier.

**MEMBERS ABSENT:** Carole Lankford (Travel Status).

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; James Steele, Sr., 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 Chairman Trahan.

The **Tribal Council Meeting Minutes** for October 4, 2019 were presented for approval.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for October 4, 2019, with corrections. Seconded by Fred Matt. Carried, 7 for; 2 abstentions (Shelly Fyant and Charmel Gillin).

The **agenda** was presented for approval.

**MOTION** by Charmel Gillin to approve the agenda, with changes. Seconded by Leonard Gray. Carried, unanimous (9 present).

**Craig Pablo**, Coach; **Landon Pablo** and **Laurence Lozeau**, 12-U Baseball Team Members; thanked council for the contribution; they were thankful to be able to go to the regional tournament. The boys represented us well.

**Council** sang happy birthday to Shelly Fyant.

**Jennifer Finley**, Economic Development Office; and **Jenifer Blumberg**, Best Beginnings Children's Partnership; discussed an initiative to start an affordable childcare center in Ronan. A barrier for people to be employed is the cost of childcare. A consultant will be brought in. The former Jore site is the proposed

Tribal Council Meeting Minutes  
October 17, 2019

location. A public meeting will be held on October 28, at 6:00 p.m., in Ronan. There is one specifically for employers at noon that day to discuss employer-assisted options. Jenifer asked whom the council wants invited to the meeting. They will be working with Rocky Mountain Twist on different options. There is an organization that provides scholarships to subsidize childcare costs. **Shelly Fyant** commented that the town of Arlee does not have a certified child center, and that prevents people from working unless they have other options. **Council** will notify the departments they want to invite. Jenifer asked council to RSVP who will be attending since it is a luncheon meeting.

**Mike Kenmille** and **Kevin Askan**, Standing Arrow Pow Wow Committee, requested help with some bills from the pow wow. The committee was in the red when they took over the pow wow three years ago. Last year they had some outstanding bills they need the council to help with. The outstanding bills that need to be paid are Republic Services (for garbage) in the amount of \$1,285.92 and Fred Ashley Septic Tank in the amount of \$1,900.00. Mike considers this to be a mini pow wow report and the committee will return to council at a later date to give a more detailed report. **Len TwoTeeth** told them that the council has had discussions about the types of reports they want from the pow wow committees. He does not think we would be in this situation if we would have been able to move forward with the donation from Energy Keepers, Inc. Len was concerned why we did that. He wants the council to find the funding to help pay these bills that are outstanding. **Rick Eneas**, Financial Management, wants to get this resolved with Mike and the Maintenance team and wants to have some of the charges paid through Maintenance. This is another reminder that it is time to bring forth a different memorandum of understanding (MOU) that clearly outlines the roles and responsibilities so the pow wow committees have time to do the necessary fundraising. Rick wants to develop a revised MOU to prevent this from happening in the future. **Charmel Gillin** wants to receive a full pow wow report. She thanked the committee for their efforts to put on the pow wow celebration in Elmo. Kevin explained the miscommunication with the tribal member vendors to provide garbage services. The committee thought the total charge was \$1,300.00, but then later found out that the vendor was charging \$1,300.00 per person to provide the service. The committee should have had a written contract with the garbage vendor to prevent the over-expenditures from occurring. **Council** asked the pow wow committee to work with Rick Eneas to get these bills paid. Mike attended other pow wows to get comments on our pow wow. There are some people that have not been to our pow wow for about five years due to circumstances from the past and the pow wow scene in Elmo. Mike got the word out there that it was a good pow wow, and now people plan on attending it in the future.

**Mike Kenmille** discussed the house he lives in. Last year he put in a request to meet with the Tribal Lands department head and now he is working with Mark Couture. The request from council back then was for the Lands Department to

Tribal Council Meeting Minutes  
October 17, 2019

go to Mike's house but due to the weather, the department head did not go. Mike took pictures for her, and that is where it left off. Mike is putting that in the form of a request. **Mark Couture**, Tribal Lands Department, advised that this was supposed to be scheduled on the Land Committee agenda for Mike and the Culture Preservation staff to be there, and that never happened according to the notes Mark found in the files. The compliance officer was able to view the outside of the house and structures, and Mike took pictures of the interior of the home. A time will be scheduled for a tour of the house and property. This matter will be scheduled for the Land Committee. **Leonard Michel** commented that Sandra Kenmille came in to meet with council last week about a water leak, and that leak should be looked into right away. **Mark Couture** will have a compliance officer go check out the house on Friday.

**Mike Kenmille** informed council that there was an incident where we have people crying out for help out there. He asked Shelly Fyant to visit with DJ. It is getting close to the kids at Two Eagle River School. DJ was trying to keep the issue in our people and our department. He called Law & Order to get an officer to meet them and help with the issue to keep it within our grip. They told him no. He thought our Tribal Law & Order was there to protect and serve, and it is not right that they said no. It took Ravalli County law enforcement five minutes to respond.

**August Lefthand** told council that Junior willed his house to him. He has been over there and all he hears is you are not paying taxes so we do not do anything. He is tired of hearing that. He is hauling Junior's trash and has 15 license plates, so he takes it to Proctor. That is all he ever hears in Hot Springs and he is mad. **Len TwoTeeth** thanked August for bringing this to our attention. Other tribal members have brought up these issues, and it is time we get a meeting with the Sanders County Commissioners to deal with this. His brother Junior Lefthand left him the ranch in Niarada and it is a lot of responsibility to take care of the ranch, and he lives alone. Len wants to get the Elders crew or Tribal Lands Department fencing crew out there to assist August with some of these things that need taken care of. The culvert has been an issue for a long time and floods each year. There are also issues with the barn and noxious weeds. He wants the weeds sprayed. **Council** took the issues under advisement.

**Joe Durglo**, Tribal Health Department, informed council that he started employment at Tribal Health in 2014. He shows up for work every day, shows up early, and works when he does not need to. He answers the tribal council's phone calls at all hours of the day and night. Joe feels like it is not good enough for the council. Based on their selection of the department head, Joe feels the tribal council has no confidence in his work effort so he resigned from his position. **Leonard Gray** wished Joe would not take this political stuff personally. He knows Joe is a good worker. Leonard wished Joe would have taken a couple of days to think about it before making that decision, but he understands Joe's

Tribal Council Meeting Minutes  
October 17, 2019

decision to resign. **Fred Matt** sees where there is no gratitude for what Joe has done. He appreciated Joe stepping up. We were put into a difficult situation when Teresa resigned and Joe kept the department afloat. Fred does agree that Joe cannot really feel any other way. **Joe Durglo** responded that it is hard not to take it personal at this point. He has been the Acting Department Head twice and has done everything the tribal council had asked of him, and it's not good enough. **Len TwoTeeth** commented that Joe has done an outstanding job as the Acting Department Head. There are numerous times where Joe assisted the membership. He appreciates what Joe has done. Len is saddened by Joe's decision to resign and he hopes he would reconsider. Joe brought a lot to the Tribal Health Department. He has led the department on an acting basis twice now. Len appreciates that hard work. **Wilbert Michel** thanked Joe for his hard work. He has talked to Joe about his health and the direction Tribal Health was moving and dragging their feet. He had to go to all the appointments they asked him to. Wilbert gave up, and then he talked to Joe. Joe assured him not to worry about it and he took care of it. Joe deserves more than the Tribes offered him. We are losing a good man.

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

**Len TwoTeeth** left the meeting.

**Tony Incashola, Jr.** and **James Lozeau**, Tribal Forestry, found 66 boxes of conifers. They want a modification to the contract with Glacier Cone Company to include the planting of 13,200 seedlings of 44 acres at 84 cents, for a total of \$11,088.00. **Charmel Gillin** questioned if it conflicts with the procurement policy. Tony responded that it was reviewed by Contracts & Grants, Financial Management, and the Legal Department and it was not brought up as an issue.

**MOTION** by Charmel Gillin to approve the modification to the contract 20-027 as requested by the department head. Seconded by Anita Matt. Carried, unanimous (8 present – Len TwoTeeth out of the room).

**Grey Don Johnson**, Ksanka Interactive Story App-Native Voices Endowment Grant, requested a resolution or a letter of concurrence to procure a grant from the Native Language Endowment to support language workshop opportunities. He will be meeting with the Kootenai Culture Committee Director next Monday. The Kootenai Tribe of Idaho provided a letter of concurrence. **No action taken.** **Council** requested a copy of the resolution and letter of concurrence. Grey will email council a copy of the resolution and letter.

**Lynn Ducharme**, Natural Resources Department, requested approval of a letter addressed to the Northwest Power Planning Council providing the CSKT's comments on the Draft Columbia River Basin Fish & Wildlife Program. The letter was reviewed by the Legal Department.

**MOTION** by Anita Matt to approve the letter, with corrections, to the Northwest Power Planning Council providing the CSKT's comments on the Draft Columbia River Basin Fish & Wildlife Program. Seconded by Charmel Gillin. Carried, unanimous (8 present – Len TwoTeeth out of the room).

**Greg Wilson**, Natural Resources Department, requested approval of a modification to the employee agreement with Trevor Bras, Safety of Dams Engineer, to allow for the 2.9% COLA, to be effective October 6, 2019. The current agreement does not include a cost of living adjustment.

**MOTION** by Fred Matt to approve a modification to the employee agreement with Trevor Bras, Safety of Dams Engineer, to allow for the 2.9% COLA, to be effective October 6, 2019. Seconded by Dennis Clairmont. Carried, 7 for; 1 opposed (Myrna DuMontier); 1 not voting (Len TwoTeeth out of the room).

**Chairman Trahan**, for the record, *“I would like to get something out that any of these contracts make that statement at the time you make the contract that they either are included or they are not included, so we get away from these individual actions.”*

**Willie Keenan** and **Tabitha Espinoza**, Natural Resources Department, requested approval to submit a grant application through the Environmental Protection Agency for Multipurpose Grant Program funding for fiscal year 2020.

**MOTION** by Shelly Fyant to approve by resolution the submission of the Multipurpose Grant Program funding for fiscal year 2020 through the Environmental Protection Agency. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 1 not voting (Len TwoTeeth out of the room).

## **RESOLUTION 20-006**

### **RESOLUTION OF SUPPORT FOR THE MULTIPURPOSE GRANT FOR FY 2020**

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

**WHEREAS**, the Tribal Council of the Confederated Salish and Kootenai Tribes strongly support protecting natural resources and the environment; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes consider the waters and air of the Flathead Indian Reservation to be amongst its most valuable natural resources; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes, in conjunction with the U.S. Environmental Protection Agency, have developed an effective framework for reducing impacts from water and air pollution by developing the CSKT Water Quality and Air Quality programs; and

**WHEREAS**, the Tribes have committed and continue to commit considerable financial resources to protecting, enhancing and restoring water quality and protecting air quality on the Flathead Indian Reservation; **NOW, THEREFORE**,

**BE IT RESOLVED** that the Tribal Council supports the submittal of the proposed Multi-Purpose Grant; and

**BE IT FURTHER RESOLVED** that the proposed work plan will be submitted to the EPA for review and possible funding.

**Leonard Gray** left the meeting to go to a medical appointment.

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Leslie Cutfinger.

**MOTION** by Anita Matt to renew the home caregiver contract with Leslie Cutfinger. Seconded by Shelly Fyant. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Vicky Hitchcock.

**MOTION** by Charmel Gillin to renew the home caregiver contract with Vicky Hitchcock. Seconded by Anita Matt. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Savannah Smith.

**MOTION** by Dennis Clairmont to renew the home caregiver contract with Savannah Smith. Seconded by Fred Matt. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Arthur Mendoza, Jr.

**MOTION** by Shelly Fyant to renew the home caregiver contract with Arthur Mendoza, Jr. Seconded by Charmel Gillin. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Adam Schwarz.

**MOTION** by Myrna DuMontier to renew the home caregiver contract with Adam Schwarz. Seconded by Dennis Clairmont. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Camaleigh Old Coyote.

**MOTION** by Anita Matt to renew the home caregiver contract with Camaleigh Old Coyote. Seconded by Myrna DuMontier. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested approval to renew a home caregiver contract with Jeremy Rice.

**MOTION** by Charmel Gillin to renew the home caregiver contract with Jeremy Rice. Seconded by Shelly Fyant. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Patricia Courchane** and **Constance Morigeau**, Department of Human Resources Development, requested to meet with council in **executive session** to discuss departmental matters.

Council reconvened into **regular session**.

**MOTION** by Myrna DuMontier that the income eligibility be reduced to 70 years of age, no income requirements for individuals 70 years or older. Seconded by Anita Matt. Carried, unanimous (7 present – Len TwoTeeth and Leonard Gray out of the room).

**Rhonda Swaney** and **John Harrison**, Legal Department, informed council that the Forest Service leadership will be here on the 22nd and would like council participation from 11:00 a.m. - 4:00 p.m.

**Rhonda Swaney**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Ryan Rusche** (by speakerphone),

**John Harrison, Brian Upton, Dan Decker, Shane Morigeau, and Mary Price,** Legal Department, were present for discussion.

Council reconvened into **regular session.**

**Anita Matt** asked about the Montana Department of Transportation agreement. **Dan Decker**, Legal Department, discussed the council action to work on a supplemental right-of-way agreement to move the two modular units from the Ronan site. We are finalizing the easement document for the Ronan urban project, and then the main agreement will get signed. The supplemental agreement will lay out the terms. The white house discussion will happen when Carole Lankford is present. **Dennis Clairmont** told Dan Decker that an access lane would be needed if the startup daycare center happens by Jore.

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

**Leonard Gray** returned to the meeting.

**Len TwoTeeth** returned to the meeting.

**Pete White**, Tribal Credit Program; **Rick Eneas**, Financial Management; and **Dan Decker**, Legal Department; discussed foreclosed properties owned by Tribal Credit. Pete requested that the tribal council consider allowing Tribal Credit to sell foreclosed fee properties on the open market when tribal members have shown no interest in them and allow the Credit Manager and/or Director of Financial Management to sign closing documents when foreclosed Tribal Credit properties are sold. **Len TwoTeeth** was not in favor of selling our property to nontribal members. The Tribal Credit program was not set up to make a profit off our membership, so even if they lose money they should sell the homes to the tribal membership. Pete explained that the maintenance costs are more than what the properties are worth over time and is causing Tribal Credit to lose money. The program wants to try to recover the costs associated with foreclosures so they will have money to lend to the membership. **Charmel Gillin** understands that Tribal Credit needs to make money to lend out money. **Myrna DuMontier** wants the fee properties offered to tribal members for 30 days prior to selling to nontribal members. **Chairman Trahan** suggested selling the foreclosed properties as is. **Anita Matt** asked if the program has to follow the one-year right of redemption period before selling a foreclosure. She suggested filling out a fee-to-trust application at the time the property is sold. **Dan Decker** explained that Tribal Credit follows the tribal law, which is a 90-day right of redemption period. Council recommended that parcels containing 2.5 acres or more be offered to the tribal government or tribal programs. Rick commented that Tribal Credit would have at least one year of unsecured lending if they do the fee-to-trust application at the time of the loan, since there cannot be a mortgage on the property during the transfer from fee to trust.

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

**Chairman Trahan** left the meeting for the remainder of the day.

**Rick Eneas**, Financial Management; and **Amerra Webster Yaqui**, Climate Change Fellow; requested to meet with council in **executive session**.

Council reconvened into **regular session**.

**Council** reviewed the letter of concurrence drafted by Grey Don Johnson. **Leonard Gray** recommended having legal review the letter. He wants to ensure that the Tribes are not held liable for any parts of the grant and make it clear that this is not a tribal project. **No action taken**. Jennifer Trahan was directed to send the letter to the Legal Department for review.

**Anita Matt** noticed that Carole forwarded the letter to Rick from Loretta Hoots on receiving information on the Elders program and budget. She did not know if anyone spoke to Rick about it.

**MOTION** by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 3:24 p.m., and is scheduled to meet again on Tuesday, October 22, 2019, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

\_\_\_\_\_  
Shelly R. Fyant  
Tribal Secretary