

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

Volume 20 Number 8
Council Chambers, Pablo, MT

Held: October 22, 2019
Approved: November 5, 2019

MEMBERS PRESENT: Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Anita Matt, Treasurer; Carole Lankford; Dennis Clairmont; Fred Matt; Leonard TwoTeeth; and Myrna DuMontier.

MEMBERS ABSENT: Shelly Fyant, Secretary (National Congress of American Indians Conference – Albuquerque, New Mexico); and Charmel Gillin (National Congress of American Indians Conference – Albuquerque, New Mexico).

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 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Vernon Finley.

The **Tribal Council Meeting Minutes** for October 10, 2019 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for October 10, 2019, with corrections. Seconded by Fred Matt. Carried, unanimous (8 present).

The **agenda** was presented for approval.

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

Len TwoTeeth informed council that the Blixt family lost their father, who was a nontribal member, and they are requesting access to the nontribal member burial assistance fund of \$600 and have it paid directly to the Lake Funeral Home. It was the **consensus** of council to authorize burial assistance.

Jim Taylor, Tribal Prosecutors Office, requested approval to enter into a temporary employment agreement with Emily Bolan through May 28, 2020 to assist in implementing the new practice management software. She is a

University of Montana Law School Student and has been working with the department since May 2019.

MOTION by Anita Matt to approve a temporary employment agreement with Emily Bolan through May 28, 2020 to assist with the implementation of the new practice management software. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Len TwoTeeth discussed issues going on at Tribal Health and suggested that Dr. Garry Pitts be appointed as the Acting Tribal Health Department Head until the new department head gets on board, due to Joe Durglo resigning as the Acting Department Head last week. **No action taken.** Council will verify when Joe Durglo's last day of employment is.

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

Council met in **executive session** to discuss personnel matters.

Council reconvened into **regular session**.

Mike Durglo, Preservation Office; **Vernon Finley**, Kootenai Culture Committee; and **Tony Incashola, Sr.**, Salish Pend d'Oreille Culture Committee; discussed the importance of the NAGPRA Coordinator position and recommended a solution by having three positions. One position would be placed at the Preservation Department and there would be one position at each Culture Committee. Vernon recommended that the tribal council rescind their previous action to move the NAGPRA Coordinator to the Preservation Department so the position would remain at the Kootenai Culture Committee. Mike suggested adding one Coordinator to the SPCC organizational chart. Mike said there would be no Coordinator in the Preservation Department. **Rick Eneas**, Financial Management, understood that this would be phase one and eventually there would be potentially three positions once funding is identified.

MOTION by Len TwoTeeth to rescind past action to the move the NAGPRA Coordinator position to the Preservation Department. Seconded by Anita Matt. Carried, unanimous (7 present – Carole Lankford out of the room).

Germaine White, **Kelsey Stamm Jemeniz** and **Sophie Martinez**, University of Montana, introduced the Fall 2019 Young South East Asian Leadership Initiative Professional Fellows hosted by the University of Montana Mansfield Center. The program is designed to promote mutual understanding, enhance leadership and professional skills, and build sustainable partnerships between emerging leaders from foreign countries and the United States. The group took a photo with the tribal council.

Jeanne Christopher, Early Childhood Services, requested approval to hire Mitchell Parker on a three-year contract to fill the Teacher Aide in Training position. The vacancy was advertised and there were no qualified tribal member applicants. All qualified tribal member applicants were hired.

MOTION by Leonard Gray to approve the hire of Mitchell Parker on a three-year contract to fill the Teacher Aide in Training position. Seconded by Fred Matt. Carried, 6 for; 1 abstention (Len TwoTeeth); 1 not voting (Carole Lankford out of the room).

Jeanne Christopher, Early Childhood Services, requested approval to hire Shiyanne Parker on a three-year contract to fill the Teacher Aide in Training position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Fred Matt to approve the hire of Shiyanne Parker on a three-year contract to fill the Teacher Aide in Training position. Seconded by Anita Matt. Carried, unanimous (7 present – Carole Lankford out of the room).

Jeanne Christopher, Early Childhood Services, requested approval to hire Nicole Jensen on a three-year contract to fill the Substitute Teacher position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Dennis Clairmont to approve the hire of Nicole Jensen on a three-year contract to fill the Substitute Teacher position. Seconded by Leonard Gray. Carried, 6 for; 1 abstention (Myrna DuMontier); 1 not voting (Carole Lankford out of the room).

Jeanne Christopher, Early Childhood Services, requested approval to hire Frankie Wright on a three-year contract to fill the Teacher Aide position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Anita Matt to approve the hire of Frankie Wright on a three-year contract to fill the Teacher Aide position. Seconded by Leonard Gray. Carried, unanimous (7 present – Carole Lankford out of the room).

Rhonda Swaney, Ryan Rusche, Yolanda Page, and Jordan Thompson, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Leanne Marten, Regional Forester, Northern Region; **Carolyn Upton**, Lolo National Forest; **Matt Anderson**, Bitterroot National Forest; **Cheri Ford**, Beaverhead/Deerlodge National Forest; **Anthony Botella**, Custer/Gallatin National Forest; **Chad Benson**, Kootenai National Forest; **Bill Avery** and **Michael Stansberry**, Helena/Lewis & Clark National Forest; **Chip Weber**, Flathead National Forest; **Jeanne Higgins**, Idaho Panhandle National Forest; **John Harrison**, Legal Department; **Adrian Leighton**, Salish Kootenai College; **Mike Durglo** and **Kyle Felsman**, Preservation Department; **Vernon Finley**, Kootenai Culture Committee; **Tony Incashola, Sr.**, Salish Pend d'Oreille Culture Committee; **Tony Incashola, Jr.**, Tribal Forestry; **Tom McDonald** and **Rich Janssen**, Natural Resources Department; **Miranda Burland**, Tribal Education Department; **Jim Durglo**, Inter-Tribal Timber Council; and **Mark Couture**, Tribal Lands Department; met with council for the Forest Service Leadership meeting with the Tribes. Dr. Leighton gave an overview of the Salish Kootenai College and educational programs that are offered. The college has approximately 700 students. 75 percent of the student population is made up of Native Americans from 50 tribes, and 25 percent are non-Native students. SKC has partnerships with the Forest Service. There was discussion on the memorandum of understanding between Salish Kootenai College, the Forest Service and the CSKT. **Miranda Burland** gave an overview of the Scholarship program. The Tribal Education Department provides funding for tribally enrolled students in any accredited programs. The department funds undergraduate and graduate level students and has students from all over the United States. Miranda works with the Forest Service looking for students in the forestry field. **Bill Avery** mentioned that the Forest Service has been in the process of revising the Forest Plan, which he hopes will be completed within the next year. The Forest Service appreciates the good working relationship and the consideration and thoughtfulness in which the Tribes deal with them.

Chad Benson reported that the Kootenai National Forest has some pertinent things going on right now. The KNF makes an effort to send consultation letters and request feedback from the Tribes, and Mr. Benson welcomes any questions or comments. Chronic Wasting Disease has been a challenge. They continue working on the Heritage Program and want to work on a path to get that relationship back on track. **Carolyn Upton** has been in her current position for six months. Kate was hired in the Public Affairs Office to fill the Tribal Liaison position. They are looking at how to build and maintain projects, such as the Reserve Treaty Rights program. The resources are valuable to get the work done and the Forest Service wants to use tribal crews and hire tribal members on these projects whenever possible.

Chip Weber announced that he is retiring on December 31, 2019. He feels privileged for the years he has worked with the CSKT. Mr. Weber commented on the quality of the folks at CSKT. He has learned so much from the work that he has done with the Tribes and is grateful for the opportunity. There is a new

Forest Plan. He thanked the Tribes for the information they provided during that process. Chip is proud that they got to the point of signing a new Forest Plan and thanked the Tribes for being part of the process. The Mid Swan project is a 250,000 landscape in the Swan Valley. A host of treatments will be done for prescribed fire, timber harvest, aquatics work, and road system improvements. They are working on cold-water refugia for bull trout. He is working with the National Forest Foundation to employ tribal youth in a shared crew to do trails and stewardship work in wilderness areas. They should know if the funding will be awarded by the first of the year. Mr. Weber discussed future recruitment for the Tribes.

Anthony Botella reported that the Custer/Gallatin National Forest is at the end of a multiyear process to update the Forest Plan and Mary Erickson will meet with the tribal council in the spring to discuss the preferred alternative. They appreciate the Tribes' comments and are appreciative of the outstanding and cooperative working relationship with CSKT. He appreciates working with the Tribes on the bison hunt. The CSKT has been a leader in those hunts. The Forest Service is working on multiple veg and mineral projects. They value the government-to-government and staff-to-staff relationships. **Matt Anderson** commented that the Bitterroot National Forest could not be as successful without the relationship and consultation with the Tribes to co-manage these lands. The Forest Service appreciates any help or ideas the Tribes have to offer. There are many landscape projects coming up in the Bitterroot. **Cheri Ford** has served as the Forest Supervisor since December. She enjoys learning about the CSKT and what is in our treaty rights and how we work with neighboring forests and lands. She appreciates being able to consult and engage with the Tribes. They have veg, fire, and fuels projects coming up. Fish and wildlife habitat is an important part of those. The Forest Service will also be doing some research projects.

Jeanne Higgins has been the Forest Supervisor for the Idaho Panhandle National Forest for about one year. She thanked the tribal council for hosting Deputy Kim Pearson when she gave a presentation on the Shared Stewardship program earlier this year. These gatherings are important to jumpstart the relationship and learn the history. Jeanne used to work on the Kootenai National Forest and worked with the Kootenai Culture Committee. She was grateful for that relationship and it helped her to understand the history, and she is appreciative for the staff-to-staff relationship with the Culture Committees. On the Shared Stewardship discussion, we were consulting on the possibility of priority landscapes under the Shared Stewardship Agreement. It was designated by the governor in the summer. Jeanne has a map of those and will share it with the tribal council. They are starting the conversation around the work to do in those priority landscapes to restore forest conditions and reduce risks of catastrophic fires on those landscapes. They are looking at working cross-boundary so there are opportunities to work together. There are some good

authorities in the Farm Bill, such as the Good Neighbor Authority, that allow us to work together in an effective way. They want to protect cultural interests as well as improving forest conditions.

Tom McDonald commented that his perception of the Good Neighbor Authority in the Farm Bill is that the Tribes are not considered an equal partner and the states can do more than Indian tribes can. **Leeann Marten** commented that the update to the Farm Bill is new and she would be happy to have those conversations to figure it out. There is some work to be done on the language stating that the revenue would remain with the governor and the State instead of the Tribes; that was not the intent because it does affect tribal timber sales. **Jim Durglo** explained that the Inter-Tribal Timber Council is trying to move this forward. There was a technical discrepancy in the law that would not allow tribes to retain receipts associated with the Good Neighbor Authority. ITC is working on a technical correction to that language so tribes could retain receipts, and that work is still ongoing.

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

Leeann Marten discussed the Shared Stewardship, Good Neighbor Authority and cross-boundary resource management. She encouraged that we continue working together to keep the Tribes engaged in the process. There are many things we can be doing and there are tools other than the Good Neighbor Authority to work together in a government-to-government capacity. Leeann wants to expand our working relationship and sharing the stewardship of the resources for the communities and people from that standpoint for the entire region.

Rich Janssen explained that the Natural Resources Department encompasses Environmental Protection, Shoreline Protection, Engineering and Water Resources, Road Building, 24/7 Dam Monitoring Center, Water Rights, and the Wildlife Division. **Tom McDonald** expressed his gratitude for the relationship with the Forest Service. His division has fisheries, wildlife, game wardens, and the Aquatic Invasive Species program. AIS is very important to protect our waterbodies. We are so invested with the landscape that it is critical that we know what is at risk. The Tribes run boat check stations on the reservation and do it the best in the country. Flathead Lake is a natural lake and it is critical to prevent aquatic mussels. The Tribes want to make boat check stations permanent in the state of Montana. Tom would like the Forest Service to be a partner in this effort. Permanent shelters need to be built for the workers. When a new highway project comes up, the State Highway Department could also be a partner. Fish habitat and climate change is also very important. We have always had a relationship with the Gallatin National Forest and they do an outstanding job. We always hunted bison in the Gallatin area. We witnessed additional forest regulations that was concentrating on bison once we began bison hunting over

there. Our membership can see that as restricting our hunting rights. Our hunters are compliant with those regulations. That is an issue Tom would like to see go away. The Forest Service acquiring and trading lands is important to the Tribes to allow the membership to exercise their treaty rights. The Ranger District Office staff could be an asset for inspecting boats and he would like the Forest Service to consider partnering with the State AIS.

Mark Couture was just hired as the Tribal Lands Department Head two days ago. The department manages range units and works hand in hand with Tribal Forestry to bridge a gap that has slipped through. We have worked with Fire under the RTRL. It is difficult for the Tribal Lands Department to help with the weed control aspect of it because the department has limited staff to do weed treatments and site inspections. There is a need for education outreach for the agricultural producers. In addition to range units, the department does probates, business leasing, land acquisition, fee to trust, homesites, agricultural leasing, and works with the State Forestry program DNRC for road permits.

Mike Durglo serves as the Cultural Preservation Department Head. That position was formerly occupied by his father. His father passed away and Mike is now in his father's position and is in his old office. Mike protects our resources in his current position. The department can do cultural resource surveys and monitoring, and is gearing up to do a traveling trunk to provide cultural awareness training. It is important for the department to be notified of any plan in advance so it allows time for consultation. Mike appreciates the Forest Service for listening to us. It is possible that we can transplant or plant camas and bitterroot off the reservation. There are areas being affected by climate change. The sacred sites are important to us and the spiritual items need to be put back to the right place. **Kyle Felsman** thinks all of us in this room together is a good foundation. He appreciates the working relationship we have with the Forest Service. We have been able to tap into some of the RTRL funding last year and cooperative agreements. The staff is Secretary of Interior certified and can contract services out.

Tony Incashola, Jr. has been the Forest Manager for the last year and a half. The department has done many forest and fire partnerships with the Forest Service. Tony gave an overview of the various projects the department has done. The CSKT is the leading tribe in RTRL projects (16,000 acres this year off the reservation). Tony would like to do additional RTRL projects. He appreciates the partnership and hopes it continues into the future. **Vernon Finley** was recently hired as the Kootenai Culture Committee Director. Vernon exercises his treaty rights in the Idaho Panhandle. The Kootenai National Forest used to have a Liaison that was funded through a cost share between the Kootenai National Forest and the CSKT. The Kootenai Culture Committee would like that position to be restored. **Tony Incashola, Sr.** thanked everyone for their efforts; we all have the same responsibility. The resources are our greatest asset and we are the resource protectors. We all want a good life for our future generations. Tony

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has worked at the Salish Pend d'Oreille Culture Committee for 44 years and he is thankful for the opportunity to work with all of his elders during that time. Each place has its own history and its own story. Laws and policies were created due to mistrust. We should want to work together since we all want the same thing.

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

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary