

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

Volume 17 Number 21
Council Chambers, Pablo, MT

Held: January 6, 2017
Approved: January 12, 2017

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

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

The meeting was called to **order** at 9:06 a.m. Quorum established.

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

The **Buckshot Singers** sang a flag song and buffalo calling song.

Chairman Finley welcomed the membership to the first quarterly council meeting of 2017.

Dennis Clairmont told the joke of the day.

The floor was opened for comments from the elders.

Stephen Smallsalmon shared some stories and discussed his concerns about losing the language and traditional ways. He wished there were more teachers and elders. Stephen apologized for offending anyone last year. He was raised to respect the elders and the elders being the boss.

Pat Pierre expressed his gratitude for the new year. Pat apologized if he hurt anyone's feelings last year. He will be 88 years old on January 28. Pat shared a story about his grandmother. He tries to live a good life and helps others. There are a lot of people that struggle and are homeless. He worries about the language disappearing. There are a lot of young people who are lost and do not know their identity.

Dorene Vallee wished everyone a happy new year. Dorene is happy to see 4 women serving on the tribal council. She hopes everyone makes every day

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count.

Phyllis Benoist wants council to pull in all their CEOs and department heads and hold a prayer ceremony for them.

Travis Benoist told a joke.

Joe McDonald expressed his concerns about Mr. Zinke being in his new position as Secretary of Interior. He congratulated the Tribes on their lobbyist and he hopes the Tribes are informed of any upcoming hearings. Joe is proud of how well the tribal council works together.

Kevin Howlett is worried about the future. The next couple of years will be difficult. It is important to listen to people and to try to improve their lives. Kevin appreciated the privilege of growing up poor because it taught him to share and people learned that they need to depend on each other. The Tribes need to invest in our people. Our Tribes need to identify our goals and remain focused on accomplishing those goals. He wished everyone good health and success this new year.

Bill Kehoe wanted people to respect others as they expect to be respected.

The floor was opened for updates from the tribal council members.

Len TwoTeeth wished everyone a happy new year and thanked the membership for attending today's meeting. It is important for him to see who he works for. It has been a challenging year for everyone. Len has kept his traveling to a minimum and stayed focused on helping tribal members. A lot of our people are struggling and hurting. Len feels privileged to be in this position and he never forgets who he works for.

Troy Felsman thanked everyone for being here today. It has been a challenging year both personally and professionally for the council. He asked everyone to remember the elders that have passed on. A piece of our history passes on with them. The energy markets were a big challenge last year, but energy prices have come back up. Troy has learned a lot being on council. Council does what they can to best serve the membership.

Shelly Fyant thanked the elders for their words today. We are out of balance and have taken on the invaders' ways which is not our native ways. That is not doing us any good for our nation. Shelly thanked the drum for the songs and thanked everyone for attending today. This is a time of great change for us. Shelly attended the legislative summit in Helena. Mark Trahan was the keynote speaker at the summit. Mark speaks a lot about austerity. The federal dollars are going to go away and we need to find a way to survive. She learned

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about the state budget and how it affects the membership through programs. Indian Equity Grants are available to tribal member small business owners or aspiring business owners for up to \$14,000. A Tribal Business Planning grant was received to do a feasibility study on the Camas Bathhouse. The Native American Collateral Support Program addresses native businesses that do not have equity to obtain business loans. The Montana Indian Language Program supports language preservation. There is a report that shows Indian country makes contributions to the economic health of the state and the 2003-2009 report showed that tribes made a difference of \$6 billion. Flathead contributed nearly \$2 billion of that during that time period. She learned how a bill becomes a law and how to get involved in that process. We drafted a bill to get funding for Indian schools that are tribally controlled schools. Shelly will help coordinate the testimony for that bill. The Two Eagle River School Board studied different models and considered developing a memorandum of understanding with other reservation schools. The draft bill currently only asks for 3 areas of funding when TERS should actually qualify for 6-7 areas of state funding, so the bill is very conservative and a huge compromise on CSKT's part. Written testimony is being collected and anyone wanting to submit comments should contact Shelly.

Dennis Clairmont thanked everyone for attending today, the drum for the songs and Pat for the prayers. He went to DC with Legal to help strategize to move the water compact and the Bison Range forward. He provided testimony on the water compact while he was in Billings, but it is on hold at this point due to the results of the presidential election. Dennis is involved with the Inter-Tribal Bison Committee. Council met in Chico regarding bison issues because some of our sister tribes are trying to be part of the bison hunt. The pros and cons are being weighed on Lake County's intent to withdraw from Public Law 280. Retrocession is a kickback of the tax issue and Lake County does not feel they have enough money to take care of tribal members. Council will come up with the best decision to move forward.

Carole Lankford thanked everyone for being here, and the drum for singing. She has a very ill grandson, and she is happy he is making progress. Letting the elders speak first this morning is a good way to begin the meeting. We have a lot going on with Congress and the legislature. We are a strong tribe and do not back down. Carole gives council thanks today for allowing her to take time off to be with her family. We are all family and she thanked everyone for their prayers. Carole wished everyone a happy new year.

Ron Trahan was happy to see everyone here today and to hear the kind words. He thanked Pat for the prayer and the drum for the songs. It is an honor for Ron to serve on the tribal council and to work with his colleagues. He discussed the new administration; the Indian programs are the first cuts that are made so we will need to continue to fight. Council needs to do a better job

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with our programs to help our people, but the council also needs to help our people become responsible for themselves and become a contributor to the Tribes. Ron wished everyone a happy new year.

Anita Matt was thankful for the new year. She thanked Pat and Stephen for their words this morning, and she thanked the drum for the songs. It was a year of learning. She worries about the health, drug addiction and CPS cases. Anita thanked everyone for placing the tribal council in their positions and she looks forward to doing a better job. She has not travelled that much this past quarter and she concentrated on inter-tribal agricultural meetings. Anita encouraged the membership to attend the district meetings. January 25 is the next Dixon district meeting. There will be presentations on the water in Dixon and the Post & Pole Yard.

Leonard Gray welcomed everyone to the meeting and he appreciated hearing all the good words. He reflects and looks back and gives thanks for 2016. It seems we lost a lot of good people in 2016. We will grow stronger from those challenges. The Two Eagle River School students got to go to New York to display their photography art. They raised their own funds to go there. The tribal council receives a lot of compliments on how well the Tribes do, and that is due to the tribal employees. The Natural Resources Department initiated a program which developed the buffalo hunt, and that was good for this Tribe. We brought 200 buffalo home last year for the people. The education of our young people will be the first bill that Shane Morigeau will carry to the legislature.

Patty Stevens thanked the drum group and the elders for being here today. Donald Stanger is a member of the drum group and he is Frank's son. He is 19 years old. Llewellyn Michel is 18. She acknowledged these two young men because they have never touched alcohol, and she admires that in them. She encourages the young people. Boo has an incredible education opportunity ahead of him. Patty thanked the staff that takes care of her at work. She went to a meth awareness training in November; the Native American Indian Housing Council meeting in December; and the bison meeting in Chico with council. Patty continues to hold district meetings in Mission. Patty attends the health and wellness meetings on Wednesdays. She also attends the budget committee and land committee meetings. Our youth are our most important resource. She spent a day at Nkwusm making gingerbread houses with the preschoolers. Council attended the annual brunch at Nkwusm. The Tribal Health Department Health and Wellness Program held activities during the holidays for the youth throughout the communities. The events were successful. She hopes that the change to the services provided to the elders for wood and snowplowing regardless of income will help them. Senator Tester will be here tomorrow to meet with the tribal council and then has a meeting in St. Ignatius to discuss health care. The annual Woodcock/Incashola memorial will

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be held on January 17. The coyote stories that the Salish Institute does will be on February 11. The Go Red event is February 17, which brings awareness to women's heart issues. She works daily on the Salish language and continues her sobriety by doing contemporary and cultural activities. Patty brought some language dictionaries if the membership wants one and she will get any tribal member a dictionary if they want one.

Chairman Finley commented that it has been a great pleasure to work with his colleagues. Their opinions are varied and get voiced during discussions. He is pleased to hear the elders this morning. Vernon encouraged the membership to take time to listen to the coyote stories. They tell us what we are about and what our values are. Our people have always been able to adapt to whatever occurred and we will continue to do so. Adaptation is one of the most valuable lessons we learned from our ancestors. He hopes 2017 brings everything to everyone that they want and he wished everyone a happy and healthy life. Vernon asked the drum group to sing an honor song.

The **Buckshot Drum Group** sang an honor song.

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

Brian Lipscomb, Energy Keepers, Inc., gave an update. The first section of the bridge was done. The other section will get done this spring. The rotor and stator should be good for another ten years. The exciter needed to be rebuilt and EKI is pursuing a new exciter. Brian gave an overview of the water supply and production for the fourth quarter. All-time records of water were set in Hungry Horse and West Glacier. Four to five feet of additional water flowed into the lake. The lake levels are back to average. Generation was higher than average. Revenue should double compared to last year if the levels remain. Zebra mussels are a threat to the lake and can clog the pipes at the dam. They came from Asia and infested the Great Lakes by ships. Infected boats need to be stopped from entering the continental divide.

Kevin Askan and **Kyle Felsman**, Preservation Office, gave an update and overview of projects. They submitted their annual report to the National Park Service. The office reviewed 450 projects. The department issues a cultural clearance for any project on the reservation. They conducted 130 clearances. 300 of the projects were done off the reservation but were within our ceded aboriginal territory. The Preservation Office had submitted a Northwestern Energy Cultural Resource Treatment Plan for the Hot Springs-Anaconda transmission line. The staff attended the national tribal preservation meeting hosted by the Standing Rock Sioux Tribal Historic Preservation Officer to gather insight about the Dakota Access Pipeline. The staff keeps the culture and elder committees updated on projects. The interoffice data base is a key component of the office and they keep that updated. **Len TwoTeeth** requested

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a report on the Chief Cliff mining site and whether the Preservation Office continues to monitor that site. Kevin explained that it was Francis Auld's project and the Preservation staff will have to monitor it. They are limited on the amount of monitoring they can do since it is located on private property. The University of Montana is interested in returning some of our artifacts. The Tribes do not have a sufficient system in place to take artifacts. Salish Kootenai College has an agreement to curate artifacts, and that agreement expires this year.

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

Prayer offered by Pat Pierre

Ryan Rusche, Legal Department, gave an update on PL 280 and a legislative update. The Board of Lake County Commissioners will conduct a public hearing on January 11, 2017, at 10:00 a.m., for the purpose of taking public comment on the Commissioners' resolution of intent to withdraw from Public Law 280. The County indicated that the reasoning for its desire to withdraw is financial in nature, in addition to obligation under Marcy's Law which has placed upon Lake County significant constitutional obligations to victims of crimes. However, the County has no unilateral authority to withdraw from PL 280. State withdrawal of PL 280 would eliminate state (county) jurisdiction concerning crimes committed by or against Indians on the Flathead Reservation. In order for state withdrawal to occur, the County must have a bill successfully introduced and passed by the majority of both houses of the Montana Legislature and signed by the Governor. The withdrawal would then go to the Secretary of Interior to accept or reject it, and the Attorney General of the United States must be consulted. The Secretary of Interior is obligated to consult with the Tribes and its membership prior to making a decision under Executive Order 13175. It is important for the tribal council to be aware of all implications if the withdrawal goes forward. The tribal council set up a meeting with appropriate programs and departments that would be affected by the withdrawal for January 18, 2017, at 9:00 a.m. The public will be invited and encouraged to attend.

The Montana Legislature is now in session. Set for hearing today are 4 bills pertaining to tribal programs (language program immersion, college reimbursement statute, a bill to allow Indian language immersion program funding to be used as matching grant funding, and technical changes to the Indian Language Preservation Program). The Tribes will be indicating their support for those bills.

If withdrawal from PL 280 occurs, the Tribes and federal government would have jurisdiction over felony crimes committed against Indians by Indians on the reservation. Lake County's resolution resolves that the County shall work with the 2017 Montana Legislature to address the funding issues encountered;

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address the long-term facilities requirements; make a determination regarding continued County participation; and if the decision is to withdraw, do so by October 1, 2017. There are federal acts that limit the Tribes' jurisdiction over felony crimes. The Legal Department works to enhance and defend tribal sovereignty.

Jimmy O'Neill gave a presentation on Providing a Future regarding internet services. Jimmy attended the University of Montana Masters of Science Business Analytics. He showed a map of the community broadband network. The fiber optic line was built by a \$13.9 million grant. He discussed the advantages and disadvantages to the Tribes purchasing Ronan Telephone Company.

Louie Plant, Jr. announced a ballet event taking place next week in Missoula. Group competitions will take place. The gala is on Saturday evening. The awards ceremony is at 2:00 p.m. on Saturday. There will be two film festivals and a cultural event featuring a fashion show. There will also be a health seminar.

MOTION by Patty Stevens to adjourn the meeting. Seconded by Carole Lankford. Carried, unanimous (9 present – Shelly Fyant out of the room).

Council **adjourned** at 2:11 p.m., and is scheduled to meet again on Tuesday, January 10, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary