

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

Volume 17 Number 27
Council Chambers, Pablo, MT

Held: February 9, 2017
Approved: February 16, 2017

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

MEMBERS ABSENT: Vernon Finley, Chairman.

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

The meeting was called to **order** at 9:10 a.m. Quorum established. Leonard Gray will join the meeting later this morning.

The meeting was opened with a **prayer** by Ron Trahan.

The **Tribal Council Meeting Minutes** for January 24, 2017 were presented for approval.

MOTION by Troy Felsman to approve the Tribal Council Meeting Minutes for January 24, 2017, with corrections. Seconded by Patty Stevens. Carried, unanimous (8 present).

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

MOTION by Anita Matt to approve the agenda, with additions. Seconded by Troy Felsman. Carried, unanimous (8 present).

Blaise Richard informed council that his mother, Donna Richard Balibrera, had a fall and is unable to care for herself. He requested approval to be her personal home caregiver for 40 hours per week until her cast is removed, which should be five weeks to six weeks. Donna already receives home caregiving services of 80 hours per pay period, which is the maximum allowed through the policy. Blaise requested that she be provided an additional 40 hours per week due to the circumstances. Council would need to waive policy in order to accommodate the request. **No action taken.** Council explained that they would not waive policy. There are many tribal elders that need care but there are

limited resources to provide the care.

Leonard Gray joined the meeting.

Vern Clairmont, Financial Management, requested approval of modification 4 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget. Fiscal Year 2017 earmarked funding for Forest Development has been awarded and needs to be allocated to the budget.

MOTION by Anita Matt to approve by resolution modification 4 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Shelly Fyant. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-072

RESOLUTION APPROVING MODIFICATION 4 TO THE FY 2017 BIA SELF-GOVERNANCE COMPACT BUDGET

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

WHEREAS, FY 2017 earmarked funding for Forest Development has been awarded and needs to be allocated to the budget; and

WHEREAS, the budget will be allocated as follows:

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
13-510-4507	Forest Development	524,855.62	290,700	815,555.62
	TOTAL INCREASE/(DECREASE)		290,700	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 BIA Self-Governance Compact Budget as reflected above; and

BE IT FURTHER RESOLVED that the FY 2017 BIA Self-Governance Compact Budget is increased from \$21,187,619.39 to \$21,478,319.39.

Carolee Wenderoth, Tribal Lands Department, presented a request from Jim and Wendy Halvorson for a 25-year extension on their homesite lease at White Swan Villa. Policy allows a lease maximum of 50 years, so the request requires council action. The Lands Department recommended approval of the request.

MOTION by Anita Matt to grant Jim and Wendy Halvorson a 25-

year extension on their homesite lease at White Swan Villa. Seconded by Patty Stevens. Carried, unanimous (9 present).

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

Laurence Kenmille, Enrollment Office, requested approval of a resolution authorizing the April 5, 2017 per capita distribution.

MOTION by Patty Stevens to approve by resolution the April 5, 2017 per capita distribution. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 1 not voting (Shelly Fyant out of the room).

RESOLUTION 17-073

RESOLUTION AUTHORIZING THE APRIL 5, 2017 PER CAPITA DISTRIBUTION

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

WHEREAS, The Tribal Council established policy by Resolution 96-83 to make per-capita payments to tribal members three times annually during the months of December, April and August for each fiscal year; and

WHEREAS, said policy states that three equal per capita payments of \$400.00 will be made annually and that one-half (1/2) of each per capita distribution for each minor child enrolled in the Tribes is to be issued to said minor's parent or legal guardian and the other one-half (1/2) is to be placed in a trust account with the Bureau of Indian Affairs to accumulate and earn interest until said minor has reached legal age; and **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Northwest Regional Director is requested to authorize the \$400.00 per capita distribution to be made during the month of April 2017; and

BE IT FURTHER RESOLVED, that the Director of Financial Management is directed and authorized to request sufficient tribal monies on deposit in the United States Treasury to be advanced to local status to effect said distribution; and

BE IT FURTHER RESOLVED, that the Superintendent, Flathead Agency, and the Director of Financial Management are authorized to apply these funds to judgments held by Tribal Court, to assignments through Tribal Credit, and voluntary child support and to those accounts under the control of the

Tribal Council Meeting Minutes
February 9, 2017

Superintendent; and

BE IT FURTHER RESOLVED, that the April 5, 2017 per capita distribution will be made to those members enrolled in the Tribes as of March 16, 2017, at 5:30 p.m.; and

BE IT FINALLY RESOLVED, that the deadline for claims to be withheld from individuals' April 5, 2017 per capita for judgments, assignments and IIM holds through the Superintendent and Director of Financial Management shall be no later than March 16, 2017, at 5:30 p.m.

Mike Durglo and **Dan Lipscomb**, Natural Resources Department, requested to meet with council in **executive session** to discuss funding issues. Tom McClure, Chris McDonald, Chauncey Means, Randy Ashley, and Paula Webster joined the discussion.

Council reconvened into **regular session**.

Mike Durglo, Natural Resources Department, requested approval of a letter of support addressed to Representative Zinke to keep the Bears Ears National Monument intact.

MOTION by Troy Felsman to approve the letter of support addressed to Representative Zinke to keep the Bears Ears National Monument intact. Seconded by Shelly Fyant. Carried, unanimous (9 present).

Mike Durglo, Natural Resources Department, encouraged the council to attend the aquatic invasive species meeting at the Flathead Valley Community College this evening and a meeting next Tuesday evening at Salish Kootenai College. There is also an internal meeting at the Natural Resources Department office at 2:30 p.m. today. Mike also confirmed meetings scheduled for March 14 in Missoula, March 21 at Salish Kootenai College, and March 28 at KwaTaqNuk.

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

Patty Stevens out of the room.

Jennifer Finley, Reason to Live Coordinator; **Joe Durglo** and **Brenda Bodnar**, Tribal Health Department; requested approval of a memorandum of understanding with the Suicide Prevention Program and the Salish Institute in the amount of \$52,500.

MOTION by Anita Matt to approve the memorandum of understanding with the Suicide Prevention Program and the Salish Institute in the amount of \$52,500. Seconded by Leonard Gray. Council continued the

discussion in **executive session**. Council reconvened into **regular session**. **Council** requested that they reach out to Lydia Hewankorn and Junior Caye and also look at providing activities in other communities, as well. Carried, 7 for; 1 abstention (Troy Felsman); 1 not voting (Patty Stevens out of the room).

Patty Stevens returned to the meeting.

Lisa Holly and **Joe Durglo**, Tribal Health Department, introduced Lisa, who is the certified coder. Lisa has been training employees to be certified coders and getting the coding up to standards. THD has made \$5.6 million in revenue this fiscal year so far. The increased revenue is due to THD doing a better job at billing for services. **Council** acknowledged Lisa for her outstanding work.

Lisa Holly and **Joe Durglo**, Tribal Health Department, requested authorization to purchase a coding software package for approximately \$12,000 for the first year.

MOTION by Troy Felsman to authorize the purchase of a coding software package for approximately \$12,000. Seconded by Anita Matt. Carried, unanimous (9 present).

Joe Durglo, Tribal Health Department; and **Jeanne Christopher**, Early Childhood Services; requested approval of a memorandum of agreement with Early Childhood Services to provide speech therapy services.

MOTION by Patty Stevens to approve a one year memorandum of agreement with the Tribal Health Department and Early Childhood Services for speech therapy services. Seconded by Leonard Gray. Carried, unanimous (9 present).

Kelly Whitworth, Department of Human Resources Development, requested approval of a modification to the maintenance contract with Axiom IT Solutions, Inc. to increase the amount by \$26,110, due to changes in the scope of work for the TANF database. There are sufficient funds in the TANF budget to pay the cost of this modification.

MOTION by Troy Felsman to approve the modification to the maintenance contract with Axiom IT Solutions, Inc. to increase the amount by \$26,110, due to changes in the scope of work for the TANF database. Seconded by Anita Matt. Carried, unanimous (8 present – Patty Stevens out of the room).

Kelly Whitworth, Department of Human Resources Development, requested approval to enter into a three-year contractor agreement with Roxanna Colman Herak to provide child advocacy services at a rate of \$60,000 per year.

MOTION by Shelly Fyant to enter into a three-year contractor agreement with Roxanna Colman Herak to provide child advocacy services at a rate of \$60,000 per year. Seconded by Troy Felsman. Carried, 8 for; 1 opposed (Leonard Gray – wants it advertised).

Kelly Whitworth, Department of Human Resources Development, requested review and input of the Dire Need application, policies and procedures. Shelly had concerns about snowplowing, mileage and woodcutting. Kelly advised that those would need to go to Renee Pierre. Len suggested discussing issues with the department head.

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

Council reconvened into **regular session**.

Anita Matt received a call from Francis Cahoon regarding the Elderly woodcutting program. Some elders have not received any wood. Francis requested that woodcutters be hired to clear roads and cut wood for those elders in need. Forestry doesn't allow skidders in the buffer zone, but there is dead wood in the buffer zone and Forestry doesn't allow skidders or equipment in the buffer zone so council would have to approve special permission. **Len TwoTeeth** received the same call from Mr. Cahoon. There is funding available in the Disaster Emergency Services budget that could be utilized. **Arlene Templer**, Department of Human Resources Development, joined the discussion. The program is down to about 60 cords of wood. There is too much snow for the woodcutters to cut wood. She received a call from Francis Cahoon. He wants to break in a road so woodcutters can cut some wood. She has also tried to work with Gale Eneas but he will not provide workers compensation that is required. The program is allowing the elders to purchase wood from nonmembers that offer it for sale and then reimbursing the elders for it, but has received a lot of complaints for doing that. The program also has gone through all of the prison wood. There is a shortage of firewood due to the weather. She has tried to work with Forestry about the shortage of wood but has not received a response from the department head. **Clayton Matt**, Tribal Services, joined the discussion. Council directed him to coordinate with Jim Durglo and Arlene Templer to identify solutions to use some of our unemployed loggers to get some firewood for LIHEAP and elders. Shelly Fyant brought up a concern of workman's comp; the loggers have been out of work so they cannot afford that. The elders do not have funding to purchase any wood. Forestry has heavy equipment to clear the roads. Forestry is putting individual tribal members out of work with that heavy equipment. If Forestry would clear the roads then the tribal members could go back to work. Council told Clayton to

Tribal Council Meeting Minutes
February 9, 2017

follow up with Forestry/Fire Control about the work they did in the Valley Creek area and putting that tribal member logger out of work. Arlene informed council that there is a shortage of snowplowers because the council requires them to have workers compensation. She asked council to waive that requirement, but they wouldn't, so she is having difficulty getting people to bid on snowplowing. People have to wait two or three days to get plowed out. Shelly told Arlene to add Phyllis Benoist to the snowplowing list. Troy requested that Stephen Smallsalmon receive snowplowing services. Council wants Forestry to clear the roads so the tribal member loggers can go cut wood.

Carole Lankford discussed the Amerind Cell Commission. Since the CSKT is a charter tribe they get a seat on the Cell Commission and a delegate needs to be selected. Carole is currently the delegate and Jason Adams is the alternate. Carole recommended that Jason Adams serve as the delegate. **No action taken.** Council preferred a council member to serve as delegate. Carole will remain the delegate.

Shelly Fyant asked if council was available on March 15 to meet with the Missoula City Council about the memorandum of agreement.

Shelly Fyant reported that Blackfeet has a state of emergency and she was tagged on Facebook on whether other nations are helping. **Council** commented that we have our own emergencies to deal with here.

Patty Stevens discussed the resolution for the murdered and missing indigenous women that Legal was drafting. Legal will be reminded to present it next week.

MOTION by Ron Trahan to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (9 present).

Council **adjourned** at 12:53 p.m., and is scheduled to meet again on Tuesday, February 14, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary