

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

Volume 17 Number 41
Council Chambers, Pablo, MT

Held: April 11, 2017
Approved: April 20, 2017

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

MEMBERS ABSENT: Patty Stevens (UNAHA - Denver, Colorado).

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

The meeting was called to **order** at 9:05 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for March 30, 2017 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for March 30, 2017, with corrections. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Dennis Clairmont told the joke of the day.

Troy Felsman provided information to council that he obtained from a medical provider regarding issues at Tribal Health that could improve services.

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

MOTION by Leonard Gray to approve the agenda, with additions. Seconded by Carole Lankford. Carried, unanimous (9 present).

Kelly Whitworth, Department of Human Resources Development, discussed a contract agreement with John Dibattista for services rendered in January. The services were performed but the contract did not get processed through the system properly. Kelly requested authorization to pay the outstanding invoice in the amount of \$4,650.

MOTION by Carole Lankford to authorize payment of the outstanding invoice in the amount of \$4,650 to John Dibattista for services rendered in January. Seconded by Troy Felsman. Carried, unanimous (9 present).

Jim Morigeau requested to meet with council in **executive session**. **Kelly Whitworth**, Department of Human Resources Development, was present for discussion.

Council reconvened into **regular session**.

MOTION by Anita Matt to approve the request for \$800 for vehicle repairs and have DHRD pay the difference to get the transmission fixed, due to special circumstances. Seconded by Shelly Fyant. Carried, unanimous (9 present).

Carolee Wenderoth, Tribal Lands Department, presented for approval a resolution authorizing the sale of T4022-A to Elmer "Sonny" Morigeau.

MOTION by Ron Trahan to approve by resolution the sale of T4022-A to Elmer "Sonny" Morigeau. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 1 abstention (Carole Lankford).

RESOLUTION 17-113

RESOLUTION AUTHORIZING THE CONVEYANCE OF TRUST LAND LOCATED IN SANDERS COUNTY

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

WHEREAS, The Tribal Land Acquisition Program was approved by the Act of July 18, 1968 (PL 90-402); and

WHEREAS, the Tribes acquired all right, title and interest in Tribal Trust Tract No. T4022, further described as Part of NW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 8, township 18 North, Range 21 West, P.M.M., Sanders County, Montana, (Metes and Bounds) Beginning at one-sixteenth corner 20 chains North 00°04' West and 20 chains West of Section corner common to Sections 8, 9, 16 and 17, Township 18 North, Range 21 West, thence South 00°04' West 20 chains, East 7.12 chains to highway, thence Southwesterly along the arc of segment of a circle whose cords extends South 17°54' West 20.98 chains and whose altitude is .51 chains, thence West .72 chains to point of beginning, containing 7.15 acres, more or less.

WHEREAS, through an Exchange with The Confederated Salish and Kootenai Tribes, Elmer “Sonny” Morigeau acquired Flathead Tract No. 4022-A, for the exchange of his interests in Allotment Numbers 2281-A and 2663-B; and

WHEREAS, Elmer “Sonny” Morigeau, desires to acquire the property at appraisal price, a Tribal asset, from the Tribes; and

WHEREAS, Tribal Council policy is not to sell real property; and

WHEREAS, the Tribal Council has determined that a special circumstance exists pursuant to 25 CFR 152.25(d) that warrants the Secretary of Interior’s approval of the conveyance as Elmer “Sonny” Morigeau is the owner of Flathead Tract No. 4022-A, and Tribal Tract No. T4022 provides the access to said ownership of Mr. Morigeau’s property, and satisfies Mr. Morigeau’s intent of his 1996 land exchange with the Tribes; **NOW, THEREFORE**,

BE IT RESOLVED that the Chairman of the Tribal Council, or his delegated representative is authorized to execute the transactional documents necessary to complete the land conveyance for real property situated in Sanders County, Montana.

Carolee Wenderoth, Tribal Lands Department, presented a request from Lucy Vanderburg Skipton to gift deed her one-fifth ownership in Allotment 1268 to her daughter Marsha Lefthand.

MOTION by Dennis Clairmont to authorize Lucy Vanderburg Skipton to gift deed her one-fifth ownership in Allotment 1268 to her daughter Marsha Lefthand. Seconded by Carole Lankford. Carried, unanimous (9 present).

Carolee Wenderoth, Tribal Lands Department, presented a request from Martin Papin for a revocable permit on his agricultural lease Tribal Tract TR6047 Lease No. 1-02511-15-19 for security purposes. A \$10 administrative fee would be required.

MOTION by Troy Felsman to grant Martin Papin a revocable permit on his agricultural lease Tribal Tract TR6047 Lease No. 1-02511-15-19 for security purposes and require a \$10 administrative fee. Seconded by Anita Matt. Carried, unanimous (9 present).

Council met in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

Troy Felsman presented a request from Bing Matt for a group donation in the amount of \$250 for the Arlee Community Easter dinner.

MOTION by Len TwoTeeth to approve a \$250 donation for the Arlee Community Easter dinner. Seconded by Anita Matt. Carried, unanimous (9 present).

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

Kevin Howlett and **Joe Durglo**, Tribal Health Department, requested renewal of a two-year contract with Brittany Ironmaker to fill the Dental Assistant position. The last time the vacancy was advertised there were no qualified tribal member applicants.

MOTION by Troy Felsman to approve renewal of a two-year contract with Brittany Ironmaker to fill the Dental Assistant position. Seconded by Ron Trahan. Carried, unanimous (9 present).

Kevin Howlett and **Joe Durglo**, Tribal Health Department, requested approval of changes to the organizational structure to better serve the billing department: (1) Move the Data Entry Specialist position to Patient Accounts Representative. (2) Change the title of the Data Entry Specialist position to Certified Medical Coder. (3) Create a Bookkeeping Specialist position in the Finance Division. (4) Move the MR/QA Patient Representative to Paid Healthcare Patient Accounts Representative. The discussion continued in **executive session**.

Council reconvened into **regular session**.

MOTION by Troy Felsman to change the title of the Data Entry Specialist position to a Certified Medical Coder. Seconded by Leonard Gray. Carried, unanimous (9 present).

MOTION by Ron Trahan to change the title of the Data Entry Specialist position to a Certified Medical Coder. Seconded by Anita Matt. Carried, unanimous (9 present).

MOTION by Anita Matt to create a Bookkeeping Specialist position in the Finance Division. Seconded by Ron Trahan. Carried, unanimous (9 present).

MOTION by Leonard Gray to move the MR/QA Patient Representative to Paid Healthcare Patient Accounts Representative. Seconded by Troy Felsman. Carried, unanimous (9 present).

Ann Sherwood, Ciara Hansen and Desiree Pierre Fox, Defenders Office, requested approval to analyze and publish past, current and future data collected by the Flathead Reservation Reentry Program.

MOTION by Carole Lankford to approve by resolution the Defenders Office to analyze and publish past, current and future data collected by the Flathead Reservation Reentry Program. Seconded by Troy Felsman. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-114

RESOLUTION TO APPROVE ANALYSIS AND PUBLICATION OF PAST, CURRENT AND FUTURE DATA OBTAINED BY THE TRIBAL DEFENDERS OFFICE AND THE FLATHEAD RESERVATION REENTRY PROGRAM.

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 have implemented the Flathead Reservation Reentry Program (FRRP) to increase public safety through integrated care services for adult offenders with co-occurring substance abuse and mental health disorders who are returning to the reservation from tribal jail, county, state, or federal correctional institutions.

WHEREAS, the FRRP through the Tribal Defenders Office is collecting data to determine what predictive factors contribute to the overrepresentation of CSKT and native people in the criminal justice system. That data will lead to developing practices that will assist tribal members to be more successful after incarceration.

WHEREAS, the Tribal Council for the Confederated Salish and Kootenai Tribes is satisfied the protocol for informed consent and the de-identification of raw data pertaining to individual participants will protect any vulnerable population and the tribal community involved in the study.

WHEREAS, the Tribal Council for the Confederated Salish and Kootenai Tribes is satisfied identification of the CSKT community and the Flathead Reservation are necessary to accurately analyze and report data and, participants who provide written, informed consent may identify themselves to share their stories for purposes of explaining study results.

WHEREAS, the Tribal Council for the Confederated Salish and Kootenai Tribes is satisfied FRRP and the Tribal Defenders will submit notification when the study is complete or if the study is abandoned, will present their research to

the Flathead Reservation community, and will provide a copy of all publications to the Tribal Council.

NOW, THEREFORE, the Tribal Defenders Office may collect, analyze and publish data pertaining to predictive factors of recidivism and methods that contribute to success after incarceration according to the protocol approved by the Tribal Council. The Tribal Defenders Office may identify the community and project area, the Confederated Salish and Kootenai Tribes and the Flathead Reservation. Individual program participants may identify themselves with written and informed consent for purposes of explanation of study results.

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Flathead Reservation Reentry Program and the Tribal Defenders Office may collect, analyze and publish past, current and future data pertaining to their study of the predictive factors related to recidivism and success for those tribal members involved in the criminal justice system.

Ann Sherwood reported that 186 intakes were taken for the Reentry program. 55% of the clients suffer from trauma (PTSD) and 67% live in an unstable housing situation.

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

Rich Janssen, Natural Resources Department, presented a request from the Yellow Bay Biological Station (University of Montana) for a collection permit for education purposes to live trap small mammals (predominantly rodents) on the Bio Station grounds and use minnow (gee) traps adjacent to the dock at Yellow Bay.

MOTION by Troy Felsman to grant the Yellow Bay Biological Station (University of Montana) a collection permit for education purposes to live trap small mammals (predominantly rodents) on the Bio Station grounds and use minnow (gee) traps adjacent to the dock at Yellow Bay. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Art Soukkala, Natural Resources Department, requested approval of an invasive species management contract with Western Weed Control to manage invasive species on wildlife mitigation lands. The procurement policy was followed and only bid was received.

MOTION by Anita Matt to approve an invasive species management contract with Western Weed Control to manage invasive species on wildlife mitigation lands. Seconded by Ron Trahan. Carried, unanimous (9 present).

Mike Durglo, Natural Resources Department, requested authorization to purchase capital equipment consisting of an AIS decontamination unit, to be funded by grant funding.

MOTION by Shelly Fyant to authorize the purchase of capital equipment consisting of an AIS decontamination unit, to be funded by grant funding. Seconded by Troy Felsman. Carried, unanimous (9 present).

Tom McDonald, Natural Resources Department, discussed dam mitigation funding and requested approval of a proposed budget modification.

MOTION by Troy Felsman to approve by resolution modification 1 to the fiscal year 2017 Selis' Ksanka Qlispe Dam Mitigation Budget. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-115

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2017 SELIS KSANKA QLISPE DAM MITIGATION BUDGET

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

WHEREAS, the Department of the Interior has approved an increase in the budget for implementing quagga and zebra mussel prevention efforts and for increased expense of a gill netting boat, a capital acquisition that was previously approved when the FY 2017 budget was enacted; and

WHEREAS, Resolution 16-242 enacted the FY 2017 Selis' Ksanka Qlispe Dam Mitigation Budget for a total of \$3,694,875 which included capital equipment at duplicated amounts, which requires correction to the total budget; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
26-503-5000	Fish and Wildlife Implementation Strategy (FWIS) Escrow	2,727,033	(55,000)	2,672,033
	TOTAL INCREASE/(DECREASE)		(55,000)	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 Selis' Ksanka Qlispe Dam Mitigation Budget as reflected above; and

BE IT FURTHER RESOLVED that the FY 2017 Selis' Ksanka Qlispe Dam Mitigation Budget is decreased from \$3,694,875 to \$3,639,875.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of modification 8 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget.

MOTION by Dennis Clairmont to approve by resolution modification 8 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-116

RESOLUTION APPROVING MODIFICATION 8 TO THE FY 2017 BIA SELF-GOVERNANCE COMPACT BUDGET

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

WHEREAS, earmarked FY 2017 funding for Weed Management, Endangered Species, and Real Estate Appraisals 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
13-503-4503	Weed Management	38,758.13	12,979.00	51,737.13
13-503-4516	Threatened and Candidate Species	19,403.87	80,470.00	99,873.87
13-503-4581	Real Estate Appraisals	9,353.74	1,832.00	11,185.74
	TOTAL INCREASE/(DECREASE)		95,281	

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 \$22,276,030.39 to \$22,371,311.39.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution authorizing the setup and signatory authority for a new bank account at Eagle Bank in Polson called Tribal Elders Assistance

Account.

MOTION by Troy Felsman to approve by resolution the setup and signatory authority for a new bank account at Eagle Bank in Polson called Tribal Elders Assistance Account. Seconded by Shelly Fyant. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-117

RESOLUTION AUTHORIZING SETUP AND SIGNATORY AUTHORITY FOR THE BANK ACCOUNT AT EAGLE BANK IN POLSON CALLED TRIBAL ELDERS ASSISTANCE ACCOUNT

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

WHEREAS, the Confederated Salish and Kootenai Tribes designate Eagle Bank of Polson to conduct day to day CSKT Tribal Elders Assistance Account business as the Tribe's designated depository, and

WHEREAS, it has become necessary to authorize employee signatures for CSKT Tribal Elders Assistance Account, and

Account Name

Account Number

CSKT Tribal Elders Assistance Account

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that all CSKT Tribal Elders Assistance Account activity on said accounts from Eagle Bank, at Polson, MT, from the approved date of this resolution will be signed by two of the following:

Clayton Matt	Director of Tribal Services
Jane Clairmont	Director of Administrative Services
Vern L. Clairmont	Director of Financial Management
Zachary Conko Camel	Accounting Manager

whose signatures shall be duly certified to said bank, and that no checks against said accounts shall be valid unless so signed,

BE IT FURTHER RESOLVED, that said bank is hereby authorized and directed to honor and pay any checks whether such checks be payable to the order of any such person signing and/or countersigning said checks, or to the individual credit or any of the other officers or not. This resolution shall continue forth in the Certification of an authorized representative,

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accompanying a copy of this resolution when delivered to said bank or in any similar subsequent Certificate until written notice to the contrary is duly served on said bank.

Vern Clairmont and **Ruth Swaney**, Financial Management, presented the fiscal year 2017 second quarter financial report.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of the values fund-by-fund for the fiscal year 2018 budget.

MOTION by Shelly Fyant to accept the projected revenue and budget for 2018 and request from the programs a budget reflecting essential services only for fiscal year 2018. Seconded by Leonard Gray. Carried, 8 for; 1 abstention (Carole Lankford).

Sika made a presentation of unity and provided lunch to tribal council.

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

Council reconvened into **regular session**.

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

Glenda Weasel, **Karen Allen**, **Jake Arrowtop**, **Ray Kingfisher**, **Stacy Thacker**, **Melissa Hammett**, and **Rebecca Bearcub**, Missoula County Public Schools, met with council as required by Title VI. They gave an overview of their program. The graduation rate for Native American students from the Missoula School District is 86%.

Brian Upton, Legal Department, informed council that this Thursday the Missoula County Board of Commissioners has a meeting at 2:00 p.m. and will be considering the CSKT's resolution request for support for the Bison Range to be turned over to the Tribes. **Council** will be going to the Medicine Tree, but will try to get back in time to attend the meeting.

Shelly Fyant commented that at the Rocky Mountain Tribal Leaders in Helena we brought up the fact that if one tribe is banning drug dealers from their reservation where are they going to go. The Blackfeet Tribe is going to ban drug dealers and we are the closest reservation to Browning. Shelly asked Len and Anita to follow up on this request at the RMTLC meeting next week and find out if Executive Director William Snell has identified the statewide network that existed in the tribal judicial systems in the past so that banned drug dealers from MT reservations can be communicated to other reservations law enforcement personnel.

Shelly Fyant commented that the Tribal Council's recent action to divest from Wells Fargo warrants a press release by the Communications Director. It was the **consensus** of council to issue a press release.

Troy Felsman discussed a request from a tribal member.

Carole Lankford requested funding to purchase 15 tables and 6 chairs per table for the Ronan Community Center. **Council** did not object to the request. Carole will follow up with Jane Clairmont. **Shelly Fyant** commented that the table and chairs in the dining hall at the Long House need to be replaced. Carole suggested putting funds in the budget for furniture replacement in all the community centers. The couches are old and need to be replaced.

MOTION by Carole Lankford to adjourn the meeting. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Council **adjourned** at 2:55 p.m., and is scheduled to meet again on Tuesday, April 18, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary