

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

Volume 17 Number 45
Council Chambers, Pablo, MT

Held: May 2, 2017
Approved: May 11, 2017

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

MEMBERS ABSENT: Vernon Finley, Chairman (Tribal Energy Summit - Washington, DC).

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

The meeting was called to **order** at 9:09 a.m. Quorum established.

The meeting was opened with a **prayer** by Agnes Gunhammer.

The **Tribal Council Meeting Minutes** for April 20, 2017 were presented for approval.

MOTION by Patty Stevens to approve the Tribal Council Meeting Minutes for April 20, 2017, with corrections. Seconded by Troy Felsman. Carried, 7 for; 2 abstentions (Anita Matt and Len TwoTeeth).

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

MOTION by Patty Stevens to approve the agenda, with additions. Seconded by Anita Matt. Carried, unanimous (9 present).

Patty Stevens discussed the Women 4 Wellness change of duty. They are requesting volunteers to assist with the event and supervisors want to know if that is included in the change of duty that was approved by council.

MOTION by Patty Stevens to allow tribal employees a change of duty, with supervisor approval, to volunteer with the set up and take down of the Women 4 Wellness event and the time allotted to be at the discretion of the supervisor. Seconded by Carole Lankford. Carried, unanimous (9 present).

Carole Lankford requested that the stipend she receives from Amerind be earmarked for the Boys & Girls Club to offset fees charged to tribal members for monthly membership dues. Policy requires that the money go to the Tribes, so the request requires council action.

MOTION by Troy Felsman to earmark Carole Lankford's stipend from Amerind to go to the Boys & Girls Club to offset fees charged to tribal members for monthly membership dues. Seconded by Patty Stevens. Carried, unanimous (9 present).

Patty Stevens out of the room.

Council met in **executive session**.

Council reconvened into **regular session**.

Patty Stevens returned to the meeting.

Steve Childers requested assistance with Dire Need. **Council** directed Jennifer Trahan to contact DHRD to meet with Steve to identify any programs that can provide assistance to him.

Duane Plant and **Steve McDonald**, Tribal Forestry, requested authorization to hire a nonmember to fill the Forester position on a one year contract. The vacancy was advertised and there were no qualified tribal member applicants. The individual has a master's degree in forestry.

MOTION by Troy Felsman to authorize the hire of a nonmember to fill the Forester position on a one year contract, due to no qualified tribal member applicants. Seconded by Patty Stevens. Carried, 8 for; 1 opposed (Len TwoTeeth).

John Wheeler and **Daniel Tromp**, Kicking Horse Job Corps Center; and **Martin Charlo**, Contracts & Grants; requested approval of a mental health consultant service contract with Gena Montoya to provide services for up to 11 hours per week.

MOTION by Anita Matt to approve the mental health consultant service contract with Gena Montoya to provide services for up to 11 hours per week. Seconded by Shelly Fyant. Carried, unanimous (9 present).

Rich Janssen and **Tom McDonald**, Natural Resources Department, requested approval to purchase capital equipment consisting of a propane grill. There are sufficient funds in the budget to make this purchase. Bids were obtained from manufacturers.

MOTION by Anita Matt to approve the purchase of capital equipment consisting of a propane grill. Seconded by Carole Lankford. Carried, unanimous (9 present).

Rich Janssen and **Tom McDonald**, Natural Resources Department, discussed the joint trail signage project. May 27 is the ribbon cutting ceremony and the Polson City mayor wants the CSKT to participate.

MOTION by Leonard Gray to approve the joint trail signage event and CSKT participation. Seconded by Troy Felsman. Carried, unanimous (9 present).

Tom McDonald invited council to the River Honoring next week.

Gabe Johnson, Natural Resources Department, gave an update on the Lake County Park's Board grant to place mile markers and message signs on trails within the reservation boundaries and requested the Tribes' approval of the project. Council wants our language and history included in the messages. **Council** supported the request, and directed Gabe to draft a letter for the chairman's signature including the issues brought forward by council.

Dan Lozar, Natural Resources Department, requested authorization to purchase capital equipment consisting of a dump trailer from Don Aadsen and authorize the use of a 2003 Tribal F350 pick-up as a trade in. Bids were obtained and Don Aadsen was the low bidder.

MOTION by Carole Lankford to authorize the purchase of capital equipment consisting of a dump trailer from Don Aadsen and authorize the use of a 2003 Tribal F350 pick-up as a trade in. Seconded by Anita Matt. Carried, unanimous (9 present).

Dan Lozar, Natural Resources Department, requested approval of a modification to Contractor Agreement 17-090 with Stantec Consulting for task orders 1 and 2 for the Crow Dam Spillway and Crow Reservoir projects. Task Order 1 increases the amount by \$214,675 to produce a set of plans and specs. Task Order 2 increases the amount by \$40,000 to develop a sediment transport plan.

MOTION by Anita Matt to approve the modification to Contractor Agreement 17-090 with Stantec Consulting for task orders 1 and 2 for the Crow Dam Spillway and Crow Reservoir projects. Seconded by Ron Trahan. Carried, unanimous (9 present).

Dan Lozar announced that the highway cleanup is going on today from 10:00

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a.m. to 12:00 p.m.

Anita Matt out of the room.

Joe Durglo and **Bing Matt**, Tribal Health Department, requested approval to extend the temporary employment agreement with Lakota Matt to fill the Security Officer position for 90 days. He has been employed in this position for the past year and has done an excellent job.

MOTION by Troy Felsman to extend the temporary employment agreement with Lakota Matt to fill the Security Officer position for 90 days. Seconded by Ron Trahan. Carried, unanimous (8 present - Anita Matt out of the room).

Anita Matt returned to the meeting.

Kelly Whitworth and **Kim Lawson**, Department of Human Resources Development, requested approval of the organizational chart that was approved by council on March 14. No changes have been made to the chart since it was approved on March 14. **Len TwoTeeth** signed the organizational chart.

Kelly Whitworth and **Kim Lawson**, Department of Human Resources Development, requested approval to hire Benjamin Wright to fill the CPS Support Worker on a temporary employment agreement through September 30, 2017. Mr. Wright was originally hired on a six month contract but had to leave before completing the contract. The vacancy was not advertised because this contract is for the 54 day time span that he did not complete the last time he was employed in that position.

MOTION by Leonard Gray to approve the hire of Benjamin Wright to fill the CPS Support Worker on a temporary employment agreement through September 30, 2017. Seconded by Patty Stevens. Carried, 7 for; 2 opposed (Shelly Fyant and Len TwoTeeth).

Shelly Fyant, for the record, *“I am opposed because I’m unclear what special qualifications are needed for this position and why we didn’t advertise it for a tribal member.”*

Patty Stevens, for the record, *“It was previous action under the same conditions with the same person. That’s why I supported the request.”*

Shelly Fyant asked about the Summer Youth Employment Program. **Kelly Whitworth** explained that the workers are paid federal minimum wage of \$7.25 per hour and placements are made on a first come first served basis. There are no income guidelines to qualify for the program.

Janet Camel, Economic Development, requested approval to apply for grants to the State of Montana for a STED Commission Indian Equity Fund Grant for a small business assistance project, and a grant to the State of Montana for the Montana Indian Youth Small Business for a CSKT Youth Business Internship Program.

MOTION by Troy Felsman to approve by resolution submission of the grant application to the State of Montana for a STED Commission Indian Equity Fund Grant for a small business assistance project. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-126

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE STATE OF MONTANA FOR A STED COMMISSION INDIAN EQUITY FUND GRANT FOR A SMALL BUSINESS ASSISTANCE PROJECT

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 is the duly recognized governing body of the Flathead Reservation; and

WHEREAS, the Confederated Salish and Kootenai Tribes are committed to the sound planning and management of Flathead Reservation resources; and

WHEREAS, the Confederated Salish and Kootenai Tribes (Tribes) have directed the Office of Economic Development to fill the important need of diversification of revenues and protection of resources as the Tribes strive for self-sufficiency and planned economic development opportunities; and

WHEREAS, the Montana State Tribal Economic Development (STED) Commission is providing grant funding for Tribes to operate small grant programs, similar to the State's Indian Equity Fund grant program; and

WHEREAS, the Tribes have committed \$26,925.13 of matching Tribal funds in addition to \$57,010 held by the state and \$1,086.02 held by the Tribes from past Montana Indian Country Economic Development planning grant set-asides, with the condition that these funds be matched by the state's Small Business Credit Initiative and granted to the Tribes for management of a small business grant program for Tribal member-owned businesses;

NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation approves

the application for a \$170,042.30 STED Commission Indian Equity Fund grant from the State of Montana to complete a Small Business Assistance Project, to be managed by the Tribal Office of Economic Development, to provide small grants to Tribal member-owned businesses, as outlined in the grant proposal.

BE IT FURTHER RESOLVED that the small business grant recipients will match their grants with at least a 1:1 match of business owner assets and/or funds.

BE IT FURTHER RESOLVED that the Tribal Council Chairman and designated representative are hereby authorized to negotiate and execute the contract and any modification thereof.

MOTION by Anita Matt to approve by resolution submission of the grant application to the State of Montana for the Montana Indian Youth Small Business for a CSKT Youth Business Internship Program. Seconded by Shelly Fyant. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-127

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE STATE OF MONTANA FROM THE MONTANA INDIAN YOUTH SMALL BUSINESS PROGRAM FOR A CSKT YOUTH BUSINESS INTERNSHIP PROGRAM

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 is the duly recognized governing body of the Flathead Reservation; and

WHEREAS, the Confederated Salish and Kootenai Tribes are committed to the sound planning and management of Flathead Reservation resources; and

WHEREAS, the Confederated Salish and Kootenai Tribes (Tribes) have directed the Office of Economic Development to fill the important need of diversification of revenues and protection of resources as the Tribes strive for self-sufficiency and planned economic development opportunities; and

WHEREAS, the Montana Department of Commerce has established a Montana Indian Youth Small Business Program “designed to give Native youth (high school and college) an opportunity to intern with local businesses” in their interest area, and build “experience in managing a business, improving communication and customer service skills, and foster a better understanding and deeper appreciation of success in tribal small business. Additionally, the

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program intends to leverage the unique perspectives and skills sets of Native youth to grow and diversify operational, marketing and product development for private sector businesses”; and

WHEREAS, the Montana Indian Youth Small Business Program has grant funding available for tribes to operate this summer internship program for tribal youth; and

WHEREAS, if a local business is willing to enter into a contract with the Tribes and commit \$500 for each summer intern hired, the internship program grant funds could pay an additional \$1,500 per intern to work for 6 weeks with that business;

NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation approves the application for a \$18,750 Montana Indian Youth Small Business Program grant from the State of Montana to operate a CSKT Youth Business Internship Program, as outlined in the grant application.

BE IT FURTHER RESOLVED that the Tribal Council Chairman and designated representative are hereby authorized to negotiate and execute the contract and any modification thereof.

Shelly Fyant asked if Janet was notified by staff at Department of Commerce about the logo contest. Shelly did not see it advertised locally. **Janet Camel** received a notice but it was late. She did not have enough information or time to work on that one with the other projects she is working on.

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, discussed the correction of a mathematical error of an individual’s blood quantum to match the siblings. This issue was reviewed by the enrollment committee yesterday.

MOTION by Troy Felsman to approve the blood quantum correction to correct a mathematical error to match the siblings. Seconded by Anita Matt. Carried, unanimous (8 present – Carole Lankford out of the room).

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of a resolution authorizing the correction of an administrative error in the blood quantum of Arthur James Barber and his descendants.

MOTION by Patty Stevens to approve by resolution the correction of an administrative error in the blood quantum of Arthur James Barber and his descendants. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 1 abstention (Ron Trahan); 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-128

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF ARTHUR JAMES BARBER (203)-UO-4377 AND THEIR DESCENDANTS

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

WHEREAS, An administrative error was made in the determination of Arthur James Barber (203)-UO-4377 blood quantum. His father's BQ was not counted in his BQ. His full siblings have the correct amount of 9/16.

WHEREAS, the Confederated Salish and Kootenai Tribes until November 23, 1953, utilized all Indian blood in enrolling members who met the eligibility requirements, and

WHEREAS, documentation from the Confederated Salish and Kootenai Tribes shows he has the same parents as his siblings who are listed as 9/16
THEREFORE,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes the correction of an administrative error in the blood quantum of Arthur James Barber (203)_UO_4377 from 3/8 to 9/16, and to reflect that change on their descendants' blood quantum.

BE IT FINALLY BE RESOLVED, by the Tribal Council that any descendants whose blood quantum be corrected and made eligible for enrollment shall not receive back tribal dividend payments.

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of a resolution authorizing the correction of an administrative error in the blood quantum of Wayne McCoy and Jerome McCoy.

MOTION by Anita Matt to approve by resolution the correction of an administrative error in the blood quantum of Wayne McCoy and Jerome McCoy. Seconded by Troy Felsman. Carried, 8 for; 0 opposed; 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-129

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF WAYNE FRANCIS MCCOY (203-UO-12397), JEROME MICHAEL MCCOY (888565)

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

WHEREAS, An administrative error was made in the determination of blood quantum of Wayne Francis McCoy (203-UO-12397), Jerome Michael McCoy (888565).

WHEREAS, the Confederated Salish and Kootenai Tribes until November 23, 1953, utilized all Indian blood in enrolling members who met the eligibility requirements; and

WHEREAS, documentation from Tobacco Plains Indian Band states his mother Elizabeth McCoy (Gravelle) and his Father Jerome Mc Coy were registered as full blood. Therefore, Wayne Francis McCoy (203-UO-12397) and Jerome Michael McCoy will change from 3/8 to 4/4.

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes the correction of an administrative error in the blood quantum of, and to reflect that change on their descendants' blood quantum.

BE IT FINALLY BE RESOLVED, by the Tribal Council that any descendants whose blood quantum be corrected and made eligible for enrollment shall not receive back tribal dividend payments.

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of a resolution authorizing the correction of an administrative error in the blood quantum of Noel Morais, Antoine Morais and their descendants.

MOTION by Anita Matt to approve by resolution the correction of an administrative error in the blood quantum of Noel Morais, Antoine Morais and their descendants. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 1 abstention (Patty Stevens).

RESOLUTION 17-130

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF NOEL MORAIS (203-AO1386), ANTOINE MORAIS (203-AO1378), AND THEIR DESCENDANTS

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

WHEREAS, An administrative error was made in the determination of Noel Morais (203-AO1386), Antoine Morais (203-AO1378), and their descendants;

and

WHEREAS, the Confederated Salish and Kootenai Tribes until November 23, 1953, utilized all Indian blood in enrolling members who met the eligibility requirements; and

WHEREAS, historical documentation of the family indicate their father, Frank (Morais) Murray to be 3/4 Cree and is counted in TEAMS as so, but not on his eldest two children, Noel and Antoine.

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes the correction of an administrative error in the blood quantum from 1/2 to 7/8 for Noel Morais (203-A01386) and Antoine Morais (203-A01378) and their descendants, and to reflect the change on their descendants' blood quantum.

BE IT FINALLY BE RESOLVED, by the Tribal Council that any descendants whose blood quantum be corrected and made eligible for enrollment shall not receive back tribal dividend payments.

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of the DNA Testing Policy. **Carole Lankford** suggested educating the membership prior to approving this policy.

MOTION by Troy Felsman to approve by resolution the DNA Testing Policy. Seconded by Shelly Fyant. Carried, 7 for; 1 opposed (Carole Lankford); 1 abstention (Ron Trahan).

***Carole Lankford**, for the record, "I prefer to take enrollment issues to the membership to educate and inform."*

***Ron Trahan**, for the record, "I would like to at least have you go to the culture committees. "*

RESOLUTION 17-131

RESOLUTION AUTHORIZING THE ADOPTION OF THE AMENDED DNA TESTING POLICY IN ACCORDANCE WITH RESOLUTION NUMBER 98-76 ADOPTED BY THE TRIBAL COUNCIL ON FEBRUARY 19, 1998

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

WHEREAS, the Tribal Council has the sole authority in determining the eligibility for enrollment in the Confederated Salish and Kootenai Tribes, and

WHEREAS, in those cases where the natural/biological parent(s) are not married at the time of birth of applicant or the natural parent name is omitted from the certificate of live birth. Genetic DNA testing or court decree's which include DNA results determining paternity is required, and

WHEREAS, the Tribal Council has determined that DNA standards need to be addressed through a DNA testing policy for the purpose of enrollment into the Confederated Salish and Kootenai Tribes, now

THEREFORE BE IT RESOLVED, the Tribal Council amend the DNA Testing Policy to include avuncular testing (Aunt and Uncle) and half-sibling for the purpose of enrollment and is defining further the policy set in Resolution 98-76; and

BE IT FURTHER RESOLVED, the acceptable results for the Avuncular and half-sibling DNA test results return with a 90% or greater.

Council met in **executive session**.

Council reconvened into **regular session**.

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

Council **adjourned** at 12:25 p.m., and is scheduled to meet again on Thursday, May 4, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary