

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

Volume 17 Number 51
Council Chambers, Pablo, MT

Held: May 25, 2017
Approved: June 1, 2017

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

MEMBERS ABSENT: Patty Stevens (ATNI – Portland, Oregon).

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

The meeting was called to **order** at 9:03 a.m. Quorum established. Leonard Gray is attending a bison meeting and will join the meeting later today.

The meeting was opened with a **prayer** by Shelly Fyant.

The **Tribal Council Meeting Minutes** for May 18, 2017 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for May 18, 2017, with corrections. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

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

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

Crickie Old Coyote requested authorization for her daughter, Camaleigh Old Coyote, to be a personal home caregiver for Crickie's mother for up to 8 hours per day this summer in Crickie's home.

MOTION by Troy Felsman to authorize Camaleigh Old Coyote to be Crickie Old Coyote's mother's personal home caregiver for up to 8 hours per day this summer in Crickie's home, based upon meeting all the requirements. Seconded by Anita Matt. Carried, unanimous (8 present).

Vern Clairmont, Financial Management; and **Rhonda Swaney**, Legal Department; requested to meet with council in **executive session**. **Clayton Matt**, Tribal Services, was present for discussion.

Council reconvened into **regular session**.

MOTION by Len TwoTeeth to turn the former Fangsrud property back over to the Salish Kootenai Housing Authority. Seconded by Troy Felsman. Carried, 5 for (Ron Trahan, Anita Matt, Vernon Finley, Len TwoTeeth, and Troy Felsman); 3 opposed (Dennis Clairmont, Carole Lankford and Shelly Fyant).

***Carole Lankford**, for the record, "It would have simply been easier to call Housing and have a discussion before we spent twenty minutes talking about it."*

***Dennis Clairmont**, for the record, "I didn't want to turn the whole property back. We still have the Ronan Community Center and I still want to proceed with that. If we turn the property back we still have to look for a property somewhere in the future."*

***Shelly Fyant**, for the record, "We had ten years to make a decision to deal with the Ronan Community Center property."*

MOTION by Troy Felsman to require the 3 individuals who have not paid back the extra payment into direct deposit to have the money paid back in full by Tuesday, May 30, 2017, or the money will be withheld from future paychecks until paid in full; appropriate disciplinary action taken; and those employees are removed from the direct deposit option. Seconded by Anita Matt. Carried, 7 for; 1 abstention (Ron Trahan).

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

Bob McCrea and **Ron Swaney**, Division of Fire; and **Melanie Piedalue**, Personnel Department; requested permission to hire 5 nontribal members to fill the type 2 IA crew, due to a lack of tribal member applicants. The qualified tribal member applicants were hired. There are ten members on the crew and three are tribal members.

MOTION by Ron Trahan to authorize the hire of Israel Umphrey on a two-year contract to fill the type 2 IA crew at the Division of Fire. Seconded by Anita Matt. Carried, unanimous (8 present).

MOTION by Anita Matt to authorize the hire of Shane Gehring on a two-year contract to fill the type 2 IA crew at the Division of Fire. Seconded by

Ron Trahan. Carried, unanimous (8 present).

MOTION by Troy Felsman to authorize the hire of Lydell Shepherd on a two-year contract to fill the type 2 IA crew at the Division of Fire. Seconded by Shelly Fyant. Carried, unanimous (8 present).

MOTION by Ron Trahan to authorize the hire of Caleb Dotson on a two-year contract to fill the type 2 IA crew at the Division of Fire. Seconded by Shelly Fyant. Carried, unanimous (8 present).

MOTION by Shelly Fyant to authorize the hire of Kyler Rutz on a two-year contract to fill the type 2 IA crew at the Division of Fire. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Brian BigSam, James Steele, Jr., and Steve McDonald, Tribal Gaming Commission; **Renee Joachim**, Personnel Department; and **Jordan Thompson**, Legal Department; discussed proposed Amendment 11 to Ordinance 92D to change the qualifications of the Executive Director position. The Gaming Commission met with the tribal council on March 30 to request the conversion of an individual from contract to permanent full-time status to fill the position. Council had directed that the position be advertised since the individual did not meet the minimum qualifications as required by Ordinance 92D and the current director has been working without a contract for one year. If the qualifications are amended the vacancy would need to be advertised. Council wanted to know if the language contained in the position description was required as part of the Indian Gaming Regulatory Act. Mr. Steele informed council that the IGRA does not require a degree for that position and the Gaming Commission does not want to advertise the position. They want the current individual to remain in the position.

MOTION by Anita Matt to approve Amendment 11 to Ordinance 92D. Seconded by Shelly Fyant. Carried, 8 for; 0 opposed; 0 not voting.

ORDINANCE 92-D, AMENDMENT 11

BE IT ENACTED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT AMENDMENT NUMBER ELEVEN SHALL AMEND ORDINANCE 92D AS FOLLOWS:

Section 3.01(3), is rescinded in its entirety and replaced with a new Section 3.01(3) as follows:

- (3) The Executive Director must have at least five (5) years of responsible administrative experience in gaming, public or business administration;

or possess broad management skills and at minimum a Bachelor's degree in business education in a business related field.

Brian BigSam, James Steele, Jr. and **Steve McDonald**, Tribal Gaming Commission; and **Renee Joachim**, Personnel Department; requested authorization to convert Tara Matt from contract to permanent full-time status to fill the Executive Director position.

MOTION by Carole Lankford to go along with the recommendation of the Gaming Commission and authorize Tara Matt to be moved from contract to a permanent position. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

Shelly Fyant left the meeting to attend a funeral.

Kevin Howlett, Anna Whiting-Sorrell and **Joe Durglo**, Tribal Health Department; and **Jan Gardipe**, Personnel Department; requested authorization to extend the temporary employment agreement with Shanley Nicolai as a Mental Health Therapist for one year.

MOTION by Troy Felsman to extend the temporary employment agreement with Shanley Nicolai as a Mental Health Therapist for one year. Seconded by Anita Matt. Carried, unanimous (7 present).

Kevin Howlett, Anna Whiting-Sorrell and **Joe Durglo**, Tribal Health Department, requested approval to enter into a three-year contract with Amber Burdeau as a Relief Pharmacist. Amber is resigning her position as Pharmacist but would like to be hired as a Relief Pharmacist.

MOTION by Troy Felsman to enter into a three-year contract with Amber Burdeau as a Relief Pharmacist. Seconded by Ron Trahan. Carried, unanimous (7 present).

Kevin Howlett, Anna Whiting-Sorrell and **Joe Durglo**, Tribal Health Department; and **Jan Gardipe**, Personnel Department; requested authorization to enter into a one-year temporary employment agreement with Cameron Neiss as a Student Scholar Program Participant. Council informed THD that they received a call about Marly Tanner, a tribal member, applying but was not accepted. Anna received the applications and no tribal members applied. Jan spoke to Marly and told him to notify THD. Kevin assured council that if Marly wants to be a summer scholar that THD will hire him.

MOTION by Anita Matt to enter into a one-year temporary employment agreement with Cameron Neiss as a Student Scholar Program Participant. Seconded by Carole Lankford. Carried, unanimous (7 present).

Kevin Howlett, Anna Whiting-Sorrell and **Joe Durglo**, Tribal Health Department, requested approval of a revised Proclamation. **Council** requested that edits be made.

Council **reconvened** the meeting at Ninepipes.

Leonard Gray joined the meeting.

Council **recessed** the regular meeting to hold a health committee meeting.

Council **reconvened** into the regular meeting.

Council met in **executive session**.

Council reconvened into **regular session**.

Len TwoTeeth discussed assistance needed for a tribal member. **Council** directed that Clayton Matt follow up on what programs may be able to provide assistance.

Leonard Gray reported on the treaty tribe meeting that took place this morning. There needs to be a means to ensure a safe hunt at Beatie Gulch. There will be a policy makers council meeting next month in Worley.

Chairman Finley presented a request from Jordan Thompson for approval of a resolution and a letter to apply for an emergency court funding grant.

MOTION by Len TwoTeeth to approve the resolution and letter to apply for the emergency court funding grant. Seconded by Troy Felsman. Carried, 7 for; 0 opposed; 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-137

A RESOLUTION TO REQUEST EMERGENCY COURT FUNDING AND APPROVE SUBMISSION OF FUNDING PROPOSAL

BE IT RESOLVED by the Council of the Confederated Salish and Kootenai Tribes that:

WHEREAS, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

WHEREAS, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

WHEREAS, pursuant to the Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Article VI, Section 1 (l), the Tribal Council, in its role as primary governing body of the Flathead Nation, is empowered under the Tribal Constitution to promulgate and enforce ordinances governing the conduct of Tribal members and providing for the maintenance of law and order and the administration of justice by the establishment of an Indian Court, and defining its powers and duties; and

WHEREAS, the Tribal Council, as part of its effort to provide law and order and the administration of justice, are soliciting funding from Tribal Justice Support, Office of Justice Affairs, for a court assessment, law clerk consultant, court staff trainings and a case management system;

NOW, THEREFORE, BE IT RESOLVED, the Tribal Legal Department is authorized to submit the emergency funding and court assessment proposal to further carryout the purposes of the funds request; and

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the emergency funding and court assessment proposal and authorizes its execution by the Chairman and the Tribal Secretary.

MOTION by Len TwoTeeth to adjourn the meeting. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Council **adjourned** at 3:20 p.m., and is scheduled to meet again on Tuesday, May 30, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary