

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

Volume 17 Number 54
Council Chambers, Pablo, MT

Held: June 8, 2017
Approved: June 15, 2017

MEMBERS PRESENT: Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Carole Lankford; Dennis Clairmont; Patty Stevens; and Leonard Gray.

MEMBERS ABSENT: Anita Matt, Treasurer (USDA INCA – Bozeman, Montana); Shelly Fyant (Native Nations – Las Vegas, Nevada); and Ronald Trahan (USDA INCA – Bozeman, Montana).

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.

The meeting was opened with a **prayer** by Jeremiah Bitsoi.

Jeremiah Bitsoi, Terry Bennett and **Christos Marafatsos**, Diversity Coalition, discussed opportunities and an upcoming infrastructure bill.

Judy Gobert requested permission for her nontribal member son to cut firewood for her personal use during the months of July and August. Judy needs six cords of wood and a set of teepee poles.

MOTION by Len TwoTeeth to authorize Loga Fixico to cut six cords of firewood and a set of teepee poles for Judy Gobert's personal use during the months of July and August and require Judy to accompany him. Seconded by Troy Felsman. Carried, unanimous (7 present).

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

MOTION by Dennis Clairmont to approve the Tribal Council Meeting Minutes for May 30, 2017, with corrections. Seconded by Troy Felsman. Carried, unanimous (7 present).

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

MOTION by Dennis Clairmont to approve the agenda, with changes. Seconded by Patty Stevens. Carried, unanimous (7 present).

Clayton Matt, Tribal Services; and **Renee Joachim**, Personnel Department; gave an update on the Tribal Education Department. **Patty Stevens** questioned why an acting department head was being appointed and whether the vacancy will be advertised. **Clayton Matt** recommended appointing Miranda Burland as the acting department head.

MOTION by Leonard Gray to go along with the recommendation and appoint Miranda Burland as the Acting Department Head of the Tribal Education Department. Seconded by Dennis Clairmont. Carried, 6 for; 1 opposed (Patty Stevens).

Carole Lankford asked when the department head of the Tribal Health Department vacancy would be advertised. **Renee Joachim** submitted the position description for comments and only received comments from one council member. Carole wanted it to focus on tribal health and suggested edits. **Patty Stevens** recommended appointing an interim department head since the vacancy will not be filled by the time the current department head vacates the position. The issue will be rescheduled when full council is present for discussion.

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from RT Hendrickson for a one-year revocable permit for the Arlee Rodeo Grounds. RT would be required to acquire and show proof of commercial liability insurance for \$1 million for personal injury and property damage; acquire and show proof of fire and vandalism insurance for \$140,000 jointly naming the Tribes and tenant; indemnify the CSKT and BIA for any loss, damage or injury arising from the use of the premises; manage noxious weeds on the premises; pay irrigation O&M on 6.5 acres and all utility charges; and maintain the existing improvements. The staff recommended approval of the permit as long as all the requirements of the permit are met, including a rental payment of \$110; required insurance; verification that all O&M charges are current; and verification that all weeds are being managed properly.

MOTION by Leonard Gray to grant RT Hendrickson a one-year revocable permit for the Arlee Rodeo Grounds, as long as all the requirements of the permit are met, including a rental payment of \$110, required insurance, verification that all O&M charges are current, and verification that all weeds are being managed properly. Seconded by Patty Stevens. Carried, unanimous (7 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented the bids for the summer and winter fireworks sales and requested that the Ronan

site be awarded to Ginger Carpentier. Ginger was the only bidder for the Ronan site. No bids were received for the Polson, St. Ignatius and Arlee sites.

MOTION by Patty Stevens to accept the bid and award the Ronan site to Ginger Carpenter to sell fireworks. Seconded by Troy Felsman. Carried, unanimous (7 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented the bid for the fireworks sales at the Mission Mart site. The site was advertised and Hong Kong Harry was the only bidder.

MOTION by Carole Lankford to accept the bid and award the Mission Mart site to Hong Kong Harry to sell fireworks. Seconded by Patty Stevens. Carried, unanimous (7 present).

Patty Stevens asked about the Clinkenbeards selling fireworks. **Tara Irvine** reported that the Clinkenbeards will sell fireworks but decided not to have a fireworks show this year due to the cost of insurance. **Troy Felsman** wanted to know if the Clinkenbeards had contacted S&K Gaming for assistance to pay the insurance premium. **Carolee Wenderoth** advised that the parking would have to be across the highway. The fireworks show would be close to the gas station and RV spots. S&K Gaming offered to make a donation toward the event. It is up to the tribal council to waive the insurance requirement.

Carolee Wenderoth, Tribal Lands Department, requested continued support of the Montana State University SNAP-Ed Program and approval of a letter of support.

MOTION by Troy Felsman to approve the letter of support for the Montana State University SNAP-Ed Program. Seconded by Leonard Gray. Carried, unanimous (7 present).

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of a resolution authorizing the August 2, 2017 per capita distribution.

MOTION by Troy Felsman to approve by resolution the August 2, 2017 per capita distribution. Seconded by Len TwoTeeth. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 17-141

RESOLUTION AUTHORIZING THE AUGUST 2, 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 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; **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 August 2, 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 Superintendent; and

BE IT FURTHER RESOLVED that the August 2, 2017 per capita distribution will be made to those members enrolled in the Tribes as of July 13, 2017 at 5:30 p.m.; and

BE IT FINALLY RESOLVED that the deadline for claims to be withheld from individuals' August 2, 2017 per capita for judgments, assignments and IIM holds through the Superintendent and Director of Financial Management shall be no later than July 13, 2017, at 5:30 p.m.

Laurence Kenmille and **Alberta Bertsch**, Enrollment Office, requested approval of a resolution authorizing the correction of an administrative error in the blood quantum of Joseph Scon Ca Nah Deschamps and his descendants.

MOTION by Leonard Gray to approve by resolution the correction of an administrative error in the blood quantum of Joseph Scon Ca Nah

Deschamps and his descendants. Seconded by Dennis Clairmont. Carried, 6 for; 0 opposed; 1 abstention (Patty Stevens).

RESOLUTION 17-142

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF JOSEPH SCON CA NAH DESCHAMPS (203)-A0-779 AND HIS 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 Joseph Scon Ca Nah Deschamps (203) - A0-779 and his descendants;

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 family and Enrollment Records from the Eastern Shoshone Tribe indicate his full brother to be 4/4 with enrollment #282-A00083c;

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 Joseph Scon Ca Nah Deschamps (203) -A0-779 from 1/2 to 4/4 and to reflect that change on his 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 Alfred Matt, Frank Matt and their descendants.

MOTION by Dennis Clairmont to approve by resolution the correction of an administrative error in the blood quantum of Alfred Matt, Frank Matt and their descendants. Seconded by Troy Felsman. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 17-142

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM ALFRED MATT (203) - A0298, AND FRANK MATT (203)-A0299 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 Alfred Matt (203) - A0298, and Frank Matt (203)-A0299 and their descendants;

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 family and historical records indicate Joseph Matt to be of Metis Blood and to be considered Metis a person was considered 1/2 or more. He was considered white in determining descendants' blood degree. He is the brother of Louis Matt Sr. and the father of Alfred Matt (203) - A0298 and Frank Matt (203)-A0299;

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 Joseph Matt and his descendants, and to reflect that change on their descendants' blood quantum. Joseph Matt corrected from 0 to 1/2 degree and Alfred Matt (203) - A0298, and Frank Matt (203)-A0299 from 1/2 to 3/4.

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, Enrollment Office, discussed a dual enrollment. The individual needs to be removed by resolution. Council needs to decide whether they will seek reimbursement of per capita payments since 1996 or waive it. **Patty Stevens** commented that the individual had requested to be removed from CSKT so he could remain enrolled in the Colville Tribe. **Carole Lankford** did not think an appeal time should be offered since he requested relinquishment and suggested that the Tribes request reimbursement of per capita payments made to him. **No action taken**. Council requested additional information and documentation.

Kelly Parker, Department of Human Resources Development, requested approval of a resolution authorizing updated signatory authority for the bank account at Eagle Bank called Quicksilver Express Operating.

MOTION by Patty Stevens to approve by resolution the updated signatory authority for the bank account at Eagle Bank called Quicksilver Express Operating. Seconded by Leonard Gray. Carried, 5 for; 0 opposed; 2 abstentions (Carole Lankford and Troy Felsman).

RESOLUTION 17-144

RESOLUTION REAUTHORIZING SIGNATUORY AUTHORITY FOR THE BANK ACCOUNT AT THE EAGLE BANK IN POLSON CALLED QUICKSILVER EXPRESS OPERATING

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 QuickSilver Express Operating business and designated employees authorization to sign checks on said accounts; and

WHEREAS, it has become necessary to reauthorize employee signatures for QuickSilver Express Operating; and

<u>Account Name</u>	<u>Account Number</u>
QuickSilver Express Operating	5000468

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that all QuickSilver Express Operating checks drawn on said accounts from the Eagle Bank, at Polson, MT, from the approved date of this resolution will be signed by two of the following:

Corky Sias, Kelly Parker, Carrie Antoine, or Arlene Templer

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, 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.

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

Brian Upton, Legal Department; and **Daniel Glick**, Film Maker; discussed film work at the National Bison Range and showed the trailer of the film called *Our Last Refuge*. Daniel would like to support the Tribes' effort to manage the Bison Range and deliver the Tribes' message. It was the **consensus** of council to have Brian Upton pursue options on how to proceed.

Tom McDonald, Natural Resources Department, presented a request for a scientific collection permit to the Notre Dame University for the purpose of sweep netting grasshoppers and collecting invertebrates on the National Bison Range.

MOTION by Dennis Clairmont to grant a scientific collection permit to the Notre Dame University for the purpose of sweep netting grasshoppers and collecting invertebrates on the National Bison Range. Seconded by Leonard Gray. Carried, unanimous (7 present).

Tom McDonald, Natural Resources Department, presented a request for a scientific collection permit to Salish Kootenai College for surface and groundwater sources in Pablo and Ronan.

MOTION by Leonard Gray to grant a scientific collection permit to Salish Kootenai College for surface and groundwater sources in Pablo and Ronan. Seconded by Patty Stevens. Carried, unanimous (7 present).

Tom McDonald, Natural Resources Department, gave an update on the boat inspections. The Flathead Lakers want to recognize the Tribes for their EIS work at an event in Kalispell. Tom will email the details.

Tom McDonald, Natural Resources Department; and **John Harrison**, Legal Department; gave an update on bison issues. The June 15 meeting in Idaho will be tentatively rescheduled for the week of June 26. **Chairman Finley** suggested hosting the meeting here on June 30 and invite the participants to the Arlee Pow Wow. **Tom McDonald** suggested having Germaine White facilitate the meeting instead of hiring a facilitator. **Council** had no objection to the recommendation.

Jeanne Christopher and **Jody Jones**, Early Childhood Services; and **Martin Charlo**, Contracts & Grants; requested authorization to purchase a new bus for Early Head Start. The bus would be purchased with Office of Head Start Expansion funds. The cost would be approximately \$60,000.

MOTION by Patty Stevens to authorize the purchase of capital equipment consisting of a new bus for Early Head Start, to be purchased from Office of Head Start Expansion funds. Seconded by Carole Lankford. Carried,

unanimous (7 present).

Chairman Finley reported that Mignon was looking for a bus to transport children to an event. Two Eagle River School is unable to do it. **Jeanne Christopher** commented that Early Childhood Services may be able to provide that service.

Jeanne Christopher and **Jody Jones**, Early Childhood Services; and **Martin Charlo**, Contracts & Grants; requested approval of a facilitator contract with Nicole Peterson in the amount of \$5,000 to provide coaching training to the Education Managers this summer.

MOTION by Carole Lankford to approve a facilitator contract with Nicole Peterson in the amount of \$5,000 to provide coaching training to the Education Managers this summer. Seconded by Patty Stevens. Carried, unanimous (7 present).

Jeanne Christopher and **Jody Jones**, Early Childhood Services; and **Martin Charlo**, Contracts & Grants; discussed a letter that was received from the State of Montana regarding the Montana Preschool Development Grant. The CSKT Early Childhood Services requested authorization to use \$40,000 from their 2016-17 grant allocation to secure the contract with Side-By-Side Consulting for the 2017-2018 year.

MOTION by Patty Stevens to authorize the CSKT Early Childhood Services requested authorization to use \$40,000 from their 2016-17 Montana Preschool Development Grant allocation to secure the contract with Side-By-Side Consulting for the 2017-2018 year. Seconded by Carole Lankford. Carried, unanimous (7 present).

Jeanne Christopher and **Jody Jones**, Early Childhood Services, discussed a facilitator agreement with Anne Garfinkle that was approved by tribal council. Jeanne requested the chairman's signature on the facilitator agreement. The agreement was reviewed by Contracts & Grants. **Chairman Finley** signed the facilitator agreement.

Jeanne Christopher and **Jody Jones**, Early Childhood Services, informed council that Jeanne sent council a copy of the program improvement questionnaire that the staff was asked to complete. Jeanne received a lot of feedback.

Brian Upton, Legal Department; and **Tom McDonald**, Natural Resources Department; requested to meet with council in **executive session** to discuss bison issues.

Council reconvened into **regular session**.

Len TwoTeeth presented a request from Francis Cahoon to haul firewood in log lengths in the Valley Creek area. Council took action to allow Art Caye and Gale Eneas to do this in the past. **Troy Felsman** commented that it is ironic that we were short multiple cords of wood for elders this last season so for that reason he is supporting this request.

MOTION by Len TwoTeeth to authorize Francis Cahoon to haul firewood in log lengths. Seconded by Troy Felsman. Carried, 4 for; 2 opposed (Leonard Gray and Carole Lankford); 1 abstention (Patty Stevens).

Joe Durglo and **Travis Fisher**, Tribal Health Department, requested authorization to modify the contract with Aimee Gustafson to promote Aimee to the Dental Clinic Division Manager/Staff Dentist position in the Polson Clinic and renew the contract for three years with an increase in responsibilities and salary; and requested authorization to modify the contract with Sarin McKenna to promote Sarin to the Dental Clinic Division Manager/Staff Dentist position in the St. Ignatius Clinic and renew the contract for three years with an increase in responsibilities and salary. The positions are exempted from classification and require a license. The positions have been on the organizational chart for quite some time.

MOTION by Carole Lankford to modify the contract with Aimee Gustafson to promote Aimee to the Dental Clinic Division Manager/Staff Dentist position in the Polson Clinic and renew the contract for three years with an increase in salary. Seconded by Patty Stevens. Carried, unanimous (7 present).

MOTION by Leonard Gray to modify the contract with Sarin McKenna to promote Sarin to the Dental Clinic Division Manager/Staff Dentist position in the St. Ignatius Clinic and renew the contract for three years with an increase in responsibilities and salary. Seconded by Patty Stevens. Carried, unanimous (7 present).

Joe Durglo, Tribal Health Department, requested approval of a contract with Access Montana to implement the fiber connection to St. Patrick Hospital for EPIC. **Renee Camel**, Information Technologies, supported the request.

MOTION by Dennis Clairmont to approve a contract with Access Montana to implement the fiber connection to St. Patrick Hospital for EPIC. Seconded by Leonard Gray. Carried, unanimous (7 present).

Joe Durglo, Tribal Health Department, requested authorization to hire additional summer youth leadership participants. The assistant leaders are

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Billy Fisher, Frankie Wright, Kaden Burke, Aleese Fowler, and Jordan Matt; and the leader is Salisha Johnson.

MOTION by Len TwoTeeth to authorize the hire of Billy Fisher. Seconded by Patty Stevens. Carried, unanimous (7 present).

MOTION by Patty Stevens to authorize the hire of Frankie Wright. Seconded by Troy Felsman. Carried, unanimous (7 present).

MOTION by Leonard Gray to authorize the hire of Kaden Burke. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

MOTION by Troy Felsman to authorize the hire of Aleese Fowler. Seconded by Patty Stevens. Carried, unanimous (7 present).

MOTION by Patty Stevens to authorize the hire of Jordan Matt. Seconded by Leonard Gray. Carried, unanimous (7 present).

MOTION by Dennis Clairmont to authorize the hire of Salisha Johnson. Seconded by Carole Lankford. Carried, unanimous (7 present).

Joe Durglo, Tribal Health Department, discussed the memorandum of understanding between the Tribal Health Department and the Ksanka Aqlsmaknik Language School to provide daily youth activities in the Elmo community. Len had signed the MOU already so Joe needed to know whether council action is required. Len advised that it needed to be changed to Alternative Solutions since Leslie works for Tribal Health.

MOTION by Len TwoTeeth to change the memorandum of understanding with Tribal Health from the Ksanka Aqlsmaknik Language School to Alternative Solutions. Seconded by Troy Felsman. Carried, unanimous (7 present).

Chairman Finley discussed the certified coder positions. Vernon's daughter said that job could be done remotely and she is interested in applying. **Joe Durglo** explained that although the work can be done remotely, the coders are required to be at work in person at certain times.

Patty Stevens discussed an issue and requested clarification regarding the MOU between the CSKT and Salish Institute with Reason to Live and the hunting camp that happened in October. The Salish Institute keeps calling Patty; which is their resistance to do anything further with Tribal Health since they can't get paid. The MOU was signed and agreed to the hunting camp in October and the MOU did not get signed until after the hunting camp, so THD cannot reimburse Salish Institute since it was signed after the hunting camp.

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The hunting camp is included in the MOU. Jennifer Finley had told Patty that they could be paid after the fact but the process changed. Jennifer submitted the invoice to OAB but the payment was denied. Joe explained that the payment requires council action.

MOTION by Len TwoTeeth to pay the outstanding invoice of \$6,000 owed to Salish Institute for the hunting camp that occurred in October. Seconded by Tory Felsman. Carried, 5 for; 2 opposed (Leonard Gray and Carole Lankford).

Carole Lankford, for the record, *“I want to see the documentation prior to taking action. We should know what happened before we authorize more money.”*

Patty Stevens, for the record, *“I appreciate this. We attempted to take care of it outside of council and couldn’t get it done. The Salish Institute met with Contracts & Grants and could not get this paid.”*

MOTION by Patty Stevens to adjourn the meeting. Seconded by Carole Lankford. Carried, unanimous (7 present).

Council **adjourned** at 12:03 p.m., and is scheduled to meet again on Tuesday, June 13, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary