

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

Volume 17 Number 55
Council Chambers, Pablo, MT

Held: June 13, 2017
Approved: June 22, 2017

MEMBERS PRESENT: Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Carole Lankford; Patty Stevens; Leonard Gray; Shelly Fyant; and Ronald Trahan.

MEMBERS ABSENT: Anita Matt, Treasurer (USDA State Committee Meeting – Bozeman, Montana); and Dennis Clairmont (National Bison Range and Water Rights – 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 9:11 a.m. Quorum established.

The meeting was opened with a **prayer** by Carole Lankford.

The **Tribal Council Meeting Minutes** for May 1, 2017 were presented for approval.

MOTION by Patty Stevens to approve the Tribal Council Meeting Minutes for May 1, 2017, with corrections. Seconded by Ron Trahan. Carried, unanimous (8 present).

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

MOTION by Len TwoTeeth to approve the agenda, with changes. Seconded by Patty Stevens. Carried, unanimous (8 present).

Charlene Friedlander, Department of Human Resources Development, requested to meet with council in **executive session** to discuss a request.

Council reconvened into **regular session**.

MOTION by Leonard Gray to accept the recommendation of DHRD and authorize the hire of the descendant stepson, Brian Jackson, to be a personal home caregiver for James Morigeau. Seconded by Ron Trahan.

Carried, unanimous (8 present).

Melanie Piedalue, Personnel Department, presented a request from Fire Control to move Ty Salois from a temporary employment agreement to permanent furlough status to fill the Engine Operator position.

MOTION by Troy Felsman to move Ty Salois from a temporary employment agreement to permanent furlough status to fill the Engine Operator position. Seconded by Patty Stevens. Carried, unanimous (8 present).

John Neiss, Facilities Maintenance, requested acceptance of the low bid from Smith Paving & Contracting in the amount of \$63,000 to pave the Elmo Pow Wow Pavilion. **Len TwoTeeth** mentioned doing the path between the pavilions. He wants to look at options to enhance that path to accommodate the handicapped. John explained that the path could be enhanced if there is enough funding left after the carpet and bleachers are done.

MOTION by Len TwoTeeth to accept the low bid from Smith Paving & Contracting in the amount of \$63,000 to pave the Elmo Pow Wow Pavilion. Seconded by Patty Stevens. Carried, unanimous (8 present).

John Neiss, Facilities Maintenance, requested acceptance of the low bid from Big Sky Restaurant Supply in the amount of \$38,975 for the Elmo Kitchen equipment.

MOTION by Patty Stevens to accept the low bid from Big Sky Restaurant Supply in the amount of \$38,975 for the Elmo Kitchen equipment. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

John Neiss, Facilities Maintenance, discussed propane. The Tribes do not have a contract but use three vendors for that service: Dumontier/Energy Partners, Polson Propane and NorthWest Energy. John requested direction on whether it should be bid out or whether he can enter into negotiations with DuMontier/Energy Partners. **Shelly Fyant** thought it would be more economically feasible to bid it out since DuMontier is a distributor and is not a tribal preference company. It would also be more cost effective to purchase the propane directly from Energy Partners. There are currently no Indian Preference propane suppliers.

MOTION by Troy Felsman to enter into a contract with DuMontier for 15 cents above cost and negotiate a cap. Seconded by Ron Trahan. Carried, 7 for; 1 opposed (Shelly Fyant).

***Shelly Fyant**, for the record, "This isn't an Indian preference contractor and I don't know why we wouldn't just buy direct from Energy*

Partners.”

***** Break *****

Vern Clairmont, Financial Management; and **Zachary Conko-Camel**, Central Accounting; requested approval of a resolution to approve by resolution the setup and signatory authority for the bank account at Eagle Bank called Tribal CSKT T2IA Crew Account.

MOTION by Troy Felsman to approve by resolution the setup and signatory authority for the bank account at Eagle Bank called Tribal CSKT T2IA Crew Account. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-145

RESOLUTION AUTHORIZING SETUP AND SIGNATORY AUTHORITY FOR THE BANK ACCOUNT AT EAGLE BANK IN POLSON CALLED TRIBAL CSKT T2IA CREW 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 T2IA Crew Account business as the Tribe’s designated depository; and

WHEREAS, it has become necessary to authorize employee signatures for CSKT T2IA Crew Account; and

Account Name

Account Number

CSKT Tribal T2IA Crew Account

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that all CSKT T2IA Crew 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:

Patricia Clairmont	Director of Tribal Services
Devin 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, 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.

Brian Lipscomb, Energy Keepers, Inc.; **Rhonda Swaney**, Legal Department; and **Jean Matt**, Mission Valley Power General Manager; requested reauthorization of the low cost block of power to Mission Valley Power for a two-year term.

MOTION by Troy Felsman to approve reauthorization of the low cost block of power to Mission Valley Power for a two-year term. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Rhonda Swaney and **Daniel J. Decker**, Legal Department, informed council that Shane Morigeau sent out a memo on whether we need to provide counseling to employees on retirement investments. Shane determined that the Tribes should provide the counseling. The retirement company notified us that they will continue to provide that service.

Rhonda Swaney, Legal Department, requested approval of an updated organizational chart for the Legal Department.

MOTION by Shelly Fyant to approve the updated organizational chart for the Legal Department. Seconded by Leonard Gray. Carried, unanimous (8 present).

Rhonda Swaney, Legal Department, gave an update on water rights for Kerr Dam. They have not been updated since NorthWestern owned it several licenses ago. Rhonda requested three sets of state-based rights and three aboriginal rights be updated and submitted. She requested the chairman's signature on the applications.

MOTION by Ron Trahan to approve submission of the updated water rights claims for Kerr Dam. Seconded by Troy Felsman. Carried, unanimous (8 present).

Rhonda Swaney and **Daniel J. Decker**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Carole Lankford to waive policy and authorize under special circumstances additional leave sharing for Tari Shaw for 60 days. Seconded by Troy Felsman. Carried, unanimous (8 present).

Shelly Fyant asked about the berm at Smurfit Stone and requested follow-up be done. **Rhonda Swaney** will have staff follow up.

Velda Shelby, Mary Byron, Rene Dubay, and Terry Penny (by speakerphone) provided information on the Flathead Tech4Good that is scheduled at the Salish Kootenai College campus July 10-13, 2017. It is a summer computer camp for Native American high school students in the Science and Engineering fields. There will be 30 spots available. The camp will teach students skills in game design, web development, hardware, programming, and media design. Velda requested a change of duty for tribal employees who are interested in participating; and tribal sponsorship of a quarter-page advertisement in the Char-Koosta News. **Council** explained that they would need a specific list of employees requesting a change of duty, and it would require supervisor approval. Velda requested that Jennifer Trahan keep a list of the employees that want a change of duty, and then a week prior to the event have the tribal council take action on the request. **Rob McDonald**, Communications, joined the discussion. Council asked him if there are sufficient funds in the budget to pay for the advertisement. Rob could provide the advertisement on a pro bono basis with council approval. It was the **consensus** of council to provide the advertisement at no cost. **Council** directed that they return to council to request a change of duty once they have the list of employees.

Tom McDonald, Natural Resources Department, presented a request from Aspen Smith for a free group use permit at the Eva Paul Ranch for her wedding on July 15, 2017. There will be approximately 200 guests. There will be nonmember guests in attendance. Aspen is requesting a waiver of the tribal recreation permit requirement for the nontribal members.

MOTION by Len TwoTeeth to grant Aspen Smith for a free group use permit at the Eva Paul Ranch for her wedding on July 15, 2017. Seconded by Troy Felsman. Carried, unanimous (8 present).

Tom McDonald and **Les Evarts**, Natural Resources Department, requested approval of the 2017 SKQ Dam Mitigation submittals. The submittal contains the 2016 report and the 2018 budgets and work plans. **Shelly Fyant** discussed the boat inspection stations and a drive-by. The AIS Team is considering the possibility of imposing a \$10,000 fine and/or 30 day confiscation of the watercraft. Shelly wanted to know if anyone in NRD contacted the Fish, Wildlife

& Parks about the drive-by incident. Tom McDonald reported that a citizen followed the boat that drove past the boat inspection station and the vehicle was pulled over on Highway 35. Each watercraft is required to be inspected one time by a certified inspector. **Len TwoTeeth** suggested giving inspected boats a sticker and requiring boats to be inspected every 30 days. Tom gave an overview of a proposed pilot program. The program would have a boat decal and charge a fee for it. **Les Evarts** explained the process of purchasing a boat. Council already took action to purchase the capital equipment. One-half of the cost (\$143,275) needs to be paid for in fiscal year 2017, and then the second half will be paid in fiscal year 2018 to be used for the netting suppression program. Les gave an update on the fish sales. **Shelly Fyant** would like to have funding of \$200,000 prorated for this year to be set aside for the AIS Coordinator position so there will be sufficient funding for the position.

MOTION by Shelly Fyant to approve the 2017 SKQ Dam Mitigation submittals containing the 2016 report and the 2018 budgets and work plans. Seconded by Troy Felsman. Carried, unanimous (7 present – Len TwoTeeth out of the room).

***** **Lunch** *****

Dr. Blakeley Brown, University of Montana; **Virgil Dupuis** and **Alana Bahe**, Salish Kootenai College; and **Aric Cooksley**, Boys & Girls Club; requested a letter of support for the childhood obesity research, education and extension project called Growing Strong Generations to be submitted to the USDA for grant funding. Alana gave an overview of the Community Health AA Degree that is offered through Salish Kootenai College. If this grant is awarded there would be a two-year degree program established. The degree program remains unnamed at this point.

MOTION by Carole Lankford to approve a letter of support for the childhood obesity research, education and extension project called Growing Strong Generations to be submitted to the USDA for grant funding. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Virgil Dupuis invited council to a community conversation at SKC on Friday from 9:00 a.m. – 1:00 p.m.

Virgil Dupuis, Salish Kootenai College, requested permission to take the SKC research boat on the lower river to conduct research for three years to map flowering rush. Due to the size of the boat motor, the request requires council action since the boat is 90 horse power and policy allows boats up to 15 horse power. **Carole Lankford** recommended that Virgil go through the proper channels for this and obtain a permit. **No action taken.** Virgil was referred to the Natural Resources Department.

Dan Durglo and **Michael Munson**, Salish Kootenai College, requested approval to submit the ANA Language Preservation and Maintenance Grant. Discussion was held on the fee waiver.

MOTION by Shelly Fyant to approve by resolution submission of the ANA Language Preservation and Maintenance Grant. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-146

TRIBAL COUNCIL RESOLUTION APPROVING THE SUBMITTAL OF A GRANT TO ANA BY THE SALISH KOOTENAI COLLEGE

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

WHEREAS, the Confederated Salish and Kootenai Tribes (CSKT) support the preservation of native tribal languages and culturally based education programs; and

WHEREAS, the Tribal Council supports the development of exemplary educational practice to improve the educational systems of language immersion schools; and

WHEREAS, the ANA Language Preservation and Maintenance grant will support the Salish Language Educator Development (SLED) Program and create a strong foundation in Salish and Pend d' Oreille language teacher preparation;

WHEREAS, the Council supports the submittal of the three year grant from August 2017 through July 2020; **NOW, THEREFORE**,

BE IT RESOLVED THAT, the Confederated Salish and Kootenai Tribes support the concept presented and the awarding of the grant to Salish Kootenai College.

Kevin Howlett, Tribal Health Department; **Marley Tanner**, **Mariah Hamel**, **Stephanie McDonald**, **Sierra Brinsell**, **Flower Gopher**, **Morgan Malatare**, Summer Scholar Participants; **Zachary Camel** and **Adessa Durglo**, Summer Youth Coordinators; gave an overview of the Summer Scholar program and had the participants introduce themselves to council.

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, requested permission to hire Ashley Gilman on a three-year contract to fill the Community Health Registered Nurse position for the Polson Clinic. The

vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Carole Lankford to authorize the hire of Ashley Gilman on a three-year contract to fill the Community Health Registered Nurse position for the Polson Clinic, due to no qualified tribal member applicants. Seconded by Ron Trahan. Carried, unanimous (8 present).

Kevin Howlett, Anna Whiting-Sorrell and **Adessa Durglo**, Tribal Health Department, requested permission to have a closed Facebook page for the Youth Leadership Program.

MOTION by Patty Stevens to authorize a closed Facebook page for the Youth Leadership Program. Seconded by Troy Felsman. Carried, unanimous (8 present).

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, requested approval of the final draft proclamation for suicide prevention. **No action taken.** Council requested a copy of the proclamation for review.

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, handed out an invitation to the Arlee Community Intervention June 25-29, 2017, from 9:00 a.m. to 4:00 p.m. at the Arlee Community Center. **Troy Felsman** would like THD to contact Wade McGee to get involved. Anna will make contact with Wade to be involved with youth activities.

Shelly Fyant discussed the Jette Timber Sale (Stasso Mountain). When it was going through the IDT process, the Kootenai Elders spoke out against it. Forestry said they went through that process but did not tell council that the Kootenai Elders were against it. **Len TwoTeeth** reported that the Elders directed Daniel to submit a letter to the Superintendent and Forestry department head stating their objection to the timber sale. There was also discussion with the other elders about moving forward with it. Len had explained the process and that we need to address it when we review the forest management plan to remove Jette from the forest harvest. Shelly thought timber sales had a checklist when those requests came to council. This documentation is no longer provided to council when the requests are made. Len wants Jim Durglo to meet with council to provide the history and present options.

Shelly Fyant discussed the Kootenai National Forest Liaison position being vacant for quite some time. Shelly just became aware of it. She had wanted to meet with the KNF since the Tribes pay a portion of that salary. **Len TwoTeeth** said there has been discussion with Preservation since Kevin Askan has been addressing that.

Shelly Fyant informed council that the Intertribal Buffalo Council grant is due this week. She asked if Leonard followed up with Melissa Martin. **Leonard Gray** told her that it is unlikely that the grant will be done by Friday so he will attempt to get an extension.

Shelly Fyant informed council that the San Manuel Tribal Council was going to be at Paws Up on June 28 and there was a possibility of future funding with that tribe. She is going to a food sovereignty event so she wanted to know if anyone from council could go in her place.

Troy Felsman discussed the \$300 bond that Clayton Malatare is required to pay for a softball tournament. **No action taken.**

Renee Joachim, Personnel Department, discussed the Tribal Education Department Acting Department Head. She asked if the vacancy will be advertised.

MOTION by Patty Stevens to advertise the Tribal Education Department Head vacancy. Seconded by Ron Trahan. Carried, unanimous (7 present – Carole Lankford out of the room).

MOTION by Patty Stevens to adjourn the meeting. Seconded by Ron Trahan. Carried, unanimous (7 present - Carole Lankford out of the room).

Council **adjourned** at 2:56 p.m., and is scheduled to meet again on Thursday, June 15, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary