

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

Volume 17 Number 56
Council Chambers, Pablo, MT

Held: June 15, 2017
Approved: July 6, 2017

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

MEMBERS ABSENT: Ronald Trahan (Personal Time Off); and Dennis Clairmont (National Bison Range/Water Rights - Washington, DC).

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

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

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

The **Tribal Council Meeting Minutes** for June 8, 2017 were presented for approval.

MOTION by Len Twoteeth to approve the Tribal Council Meeting Minutes for June 8, 2017, with corrections. Seconded by Troy Felsman. 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 Troy Felsman. Carried, unanimous (8 present).

Jordan Thompson and **Rhonda Swaney**, Legal Department, requested education leave modification of 30 hours.

MOTION by Anita Matt to approve education leave for an accumulation to provide 6 weeks of educational leave beginning June 10, 2017 through July 27, 2017 in accordance with Part 7 of the Rules and Regulations on completing the program. Seconded by Leonard Gray. Carried, 7 for; 1 abstention (Carole Lankford).

Kyle Felsman, Tribal Member, invited council to his wedding at KwaTaqNuk on Saturday, June 17, 2017.

Jamie Finley, **Steven Bigcrane** and **Garrett Finley**, Tribal Members, are here on behalf of their mother, children, grandchildren and her father who is from the Yakima Nation and requested \$300 for additional food and paper products. It was the **consensus** of council to approve the request.

***Carole Lankford** commented on how well she knew Jamie and wanted to approve the non-member burial assistance and sent her condolences for her father.*

***Vernon Finley** commented that the original request was from the wife of the deceased for a small wake kit. Len Twoteeth stated that was all that was originally requested for her husband, Clyde Sampson.*

Council met in **executive session**.

Council reconvened into **regular session**.

Rodney Bird, Two Eagle River School; and **Martin Charlo**, Contracts & Grants; requested permission to apply for the Indian Education Discretionary Grants Programs-Native American Language (NAL@ED) Program. Two Eagle River School is continuously looking for funding for its cultural programs and this is an opportunity to help fund the language program at the school.

MOTION by Patty Stevens to approve by resolution submission of the grant application to the Indian Education Discretionary Grants Program and approval of the letter. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-147

RESOLUTION APPROVING THE SUBMISSION OF GRANT APPLICATION TO THE INDIAN EDUCATION DISCRETIONARY GRANTS PROGRAM BY TWO EAGLE RIVER SCHOOL

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

WHEREAS, the Two Eagle River School was established as an alternative school for Native American students, provides Native languages and a culturally relevant curriculum in a safe healthy environment of the Flathead Indian Reservation; and

WHEREAS, there is a need to implement the rights and freedom of Native Americans to use, practice, maintain and revitalize their languages per the Native American Languages Act of 1990; and

WHEREAS, the Tribes has sufficient Native language speakers with Class 7 state certification to provide language education at Two Eagle River School; and

WHEREAS, Department of Education Native American Language funds are available to provide financial assistance of \$125,000 to assist with the development, maintenance, improvement and expansion of CSKT language programs; and

NOW, THEREFORE, BE IT RESOLVED, the Two Eagle River School is authorized to apply for the Indian Education Discretionary Native American Language Grant and submit proposal documents with its updates and revisions to further carryout the purposes of the funds request, and to integrate and assist the language program at Two Eagle River School.

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the Two Eagle River School proposal documents and authorizes the Tribal Chair and his designated representative to negotiate and sign all documents and execute this contract on behalf of the Tribes.

Elizabeth DeRoche, Nkwusm, requested approval to submit the Administration for Native American Language Preservation and Maintenance Grant. A grant application was submitted last year, and they are resubmitting to partner with SKC to create a language teacher program to increase funding possibilities.

MOTION by Troy Felsman to approve by resolution submission of the Administration for Native American Language Preservation and Maintenance Grant. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-148

TRIBAL COUNCIL RESOLUTION APPROVING THE SUBMITTAL OF A GRANT TO ANA BY THE NKWUSM SALISH LANGUAGE SCHOOL

BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBE 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 the improve the educational systems of language immersion schools; and

WHEREAS, the ANA Esther Martinez Initiative grant will support the Salish Language Teacher training project and create a strong foundation in Salish and Pend d' Oreille Language and teacher professional development; and

WHEREAS, the Council supports the submittal of the three years 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 the Nk^wusm Salish Language School.

Council met in **executive session**.

Council reconvened into **regular session**.

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

Jennifer Harrington, UM Connect, requested permission from Tribal Council to conduct interviews with Tribal members for her research of the characterization of the Smurfit Stone mill site in Frenchtown. She was recently awarded a summer research grant and needs the interviews completed before the end of July. She has been researching the mill site for the last two years and feels that the current Administrative Order of Consent is not allowing for consultation nor tribal involvement in the testing and characterization phase thus far. The goal is to see if through the interviews and talking circles to develop recommendations for the characterization and restoration of the Clark Fork River flood plan information by tribal consultation and involvement. It was the **consensus** of council to authorize Jennifer to conduct interviews.

Kelly Parker, Department of Human Resources Development, requested authorization to enter in a memorandum of understanding with Salish Kootenai College to do the billing for the last two months of the Field and Home grant. The original MOU ended on April 30, 2017. This MOU would cover the last two months of the grant period and the MOU will be for \$8,754.96.

MOTION by Anita Matt to enter into an MOU with Salish Kootenai College for the last two months of the Field and Home Grant. Seconded by Troy Felsman. Carried, unanimous (8 present).

Kelly Parker and **Roxanna Colman**, Department of Human Resources Development, gave an update on the development of the Court Appointed Special Advocates (CASA) Program within DHRD Social Services. In past years, the CSKT has had a CASA program. There is now effort to revitalize the program. There was earlier tribal council action to modify an existing grant to be used to set up and improve a CASA program. The program hopes to have 5-12 CASA volunteers in place. In 2018 the program would like the Tribes to consider providing funding to sustain the program. Their grant writer is researching funding agencies to submit grants to fund the program.

MOTION by Troy Felsman to approve sending the letter to Stan Speaks. Seconded by Carole Lankford. Carried, unanimous (8 present).

Zach Johnson gave a presentation on growing industrial hemp through a Montana Department of Agriculture pilot program. Through the 2014 Federal Farm Bill, any states that allow the growing of industrial hemp are allowed to cultivate a hemp crop through University research or a pilot program. In 2001 the Montana Legislature approved the Senate Bill 261 which allowed for the production of industrial hemp. His business partner has obtained an Industrial Hemp Pilot Program License through the Montana Department of Agriculture and would like to grow up to an acre of industrial hemp this year on a leased farm outside of Ronan. **Shelly Fyant** commented that the CSKT needs to make its own codes and suggested that we develop a task force to explore this potential economic development endeavor. **Carole Lankford** suggested that Zach contact the Natural Resources Department, Tribal Lands Department, and the Legal Department.

Carolee Wenderoth, Tribal Lands Department; and **Vern Clairmont**, Financial Management; requested to meet with council in **executive session** to discuss land issues.

Council reconvened into **regular session**.

Carolee Wenderoth and **Mark Couture**, Tribal Lands Department, presented a request from Sherry Clairmont to negotiate a five-year agricultural lease on Lease No. 1016 at \$2.00/acre. Lease 1016 is located southeast of Ronan on Timberlane Road. This is an allotment parcel and no bids were received during the spring bid. It was turned back during the last cycle.

MOTION by Len Twoteeth to accept the negotiated offer from Sherry Clairmont and approve a five-year agricultural lease on Lease No. 1016 at \$2.00/acre. Seconded by Patty Stevens. Carried, unanimous (7 present – Carole Lankford out of the room).

Vernon Finley left the room.

Carolee Wenderoth and **Mark Couture**, Tribal Lands Department, presented a request from Vernon Finley to negotiate a five-year agricultural lease on Lease No. 1004 at \$2.00/acre. Lease 1004 is located southeast of Turtle Lake on Mountain View Road. This is an allotment parcel and no bids were received during the spring bid. The current lessee no longer wanted this lease.

MOTION by Anita Matt to accept the negotiated offer from Vernon Finley and approve a five-year agricultural lease on Lease No. 1004 at \$2.00/acre. Seconded by Shelly Fyant. Carried, unanimous (6 present – Carole Lankford and Vernon Finley out of the room).

Vern Clairmont, Office of Financial Management, requested approval of a resolution approving modification 10 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget.

MOTION by Anita Matt to approve by resolution modification 10 to the fiscal year 2017 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Leonard Gray. Carried, 6 for; 0 opposed; 2 not voting (Carole Lankford and Vernon Finley out of the room).

RESOLUTION 17-149

RESOLUTION APPROVING MODIFICATION 10 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 Temporary Assistance for Needy Families (TANF) of \$524,297 has been awarded and needs to be allocated to the budget; and

WHEREAS, the fourth quarterly advance for General Assistance (\$28,000) and Child Welfare (\$122,000) need to be allocated to the budget pending award of final FY 2017 funding; and

WHEREAS, the budget will be allocated as follows:

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
13-502-4703	Child Welfare Assistance	342,600.00	122,000	464,600.00
13-502-4770	DHRD 477 Program	2,925,987.09	552,297	3,478,284.09
	TOTAL INCREASE/(DECREASE)		674,297	

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 \$22,496,311.39 to \$23,170,608.39.

Vernon Finley returned to the meeting.

Vern Clairmont, Financial Management, discussed the terms of the Schall property contract.

MOTION by Troy Felsman to pay off the Schall property contract. Seconded by Patty Stevens. Carried, 4 for (Troy Felsman, Patty Stevens, Len TwoTeeth, and Vernon Finley); 2 opposed (Shelly Fyant and Anita Matt); 1 abstention (Leonard Gray); 1 not voting (Carole Lankford out of the room).

Leonard Gray, for the record, "I voted no because this wasn't on the agenda and I wanted more time to talk about it, especially with Ron."

Anita Matt, for the record, "I was opposed for the same reason. I wanted more information on the pros and cons."

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

Rich Janssen, Natural Resources Department, requested permission to hire a nontribal member to fill the AIS Coordinator position. This is dependent upon funding from SKQ Dam Mitigation and other sources. Implementation of this contract will provide for the timely coordination of all AIS activities. The vacancy was advertised twice and there were no qualified tribal member applicants. A tribal member will hopefully be out of school and be able to apply for this position after the five-year period.

MOTION by Leonard Gray to accept the department's recommendation and approve the hire of a nontribal member to fill the AIS Coordinator position under a 5-year contract. Seconded by Shelly Fyant. **MOTION NOT CARRIED**, 4 for (Leonard Gray, Shelly Fyant, Carole Lankford, and Anita Matt); 4 opposed (Vernon Finley, Len Twoteeth, Troy Felsman, and Patty Stevens).

Vernon Finley, for the record, "I am opposed because of the length of the contract. I'd like to see more opportunity for a tribal member to be in there before that date."

Dan Lozar and **Seth Makepeace**, Natural Resources Department, requested

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approval of modification 2 to Contract Agreement 16-107 with Red Plains Professionals in an amount not to exceed \$5,000 to finalize the 2017 Roads Inventory and meet BIA deadlines for revisions to the inventory. The contract end date will remain the same.

MOTION by Patty Stevens to approve modification 2 to Contract Agreement 16-107 with Red Plains Professionals in an amount not to exceed \$5,000 and the contract end date to remain the same. Seconded by Anita Matt. Carried, unanimous (8 present).

Dan Lozar and **Seth Makepeace**, Natural Resources Department, requested approval of a letter of support to the Bureau of Reclamation for funding to install Agrimet weather stations and approval of the access agreement for the four locations for the BOR staff to place and operate the Agrimet weather stations. This would be at no cost to the Tribes. The Legal Department reviewed the access agreement. The department will receive concurrence of the Preservation Office for the four locations.

MOTION by Troy Felsman to approve the letter of support to the Bureau of Reclamation for funding to install Agrimet weather stations. Seconded by Patty Stevens. Carried, unanimous (8 present).

MOTION by Anita Matt to approve the access agreement for the four locations for the Bureau of Reclamation staff to place and operate Agrimet weather stations. Seconded by Leonard Gray. Carried, unanimous (8 present).

Dan Lozar, Natural Resources Department, gave an update on the Highway 200 Paradise East Reconstruction project. The design and reconstruction has been on hold since the 2000's. The environmental assessment finding of no significant impact was signed on June 27, 2000, but no work has been completed since. **Len TwoTeeth** asked about the reservation boundary signs. Dan responded that the signs will be ahead of this. It was the **consensus** of council to move forward and have the resource staff review the document and develop a list of concerns, if any, and make recommendations to tribal council.

Dan Lozar, Natural Resources Department, gave an update on the following major highway construction projects that will commence in 2017: (1) Highway 93 – turn lanes north of Polson (bottom of Jette Hill) bid letting in September 2017 and construction in 2018. Vernon Finley thought the Pablo Pass should have been a higher priority. Dan commented that this project was already in the works prior to all the fatalities at the Pablo Pass location. (2) Highway 382 – Markle Hill south of Hot Springs guardrail and slope flattening bid letting. (3) Highway 2 – Hungry Horse Bridge Replacement across South Fork Flathead River construction will begin in 2017.

Dan Lozar, Dan Lipscomb and **Evan Smith**, Natural Resources Department, discussed a land offer from the Montana Department of Transportation for the Cynthia Woods property to go towards the 60 wetland credits. MDT would like to acquire wetland restoration credits for the purchase. This property is viewed as a wetland of special concern and MDT would like to purchase it with the intent to gain wetland mitigation crediting through preservation. MDT would need a letter of support from the Tribes to proceed with the purchase. It was the **consensus** of council to move forward with negotiations.

MOTION by Carole Lankford to show interest. Seconded by Troy Felsman. Carried, unanimous (8 present).

Dan Lozar and **Art Soukkala**, Natural Resources Department; **Dan Decker** and **Jordan Thompson**, Legal Department; and **Holly Hitchcock**, Tribal Lands Department; gave an update on negotiations regarding the Ronan Urban Project. Dan Lozar responded about the area for stone water treatment included in the Ronan North project and horizontal and vertical graded and the Tribal Health Facility. It was the **consensus** of council to move forward with negotiations.

Dan Lozar and **Art Soukkala**, Natural Resources Department; **Dan Decker**, Legal Department; and **Holly Hitchcock**, Tribal Lands Department; gave a presentation on Ashley Creek out of the SKQ Mitigation for the Creek. Dan Lozar advised that part of this comes out MDOT and topographic map.

MOTION by Troy Felsman to approve the conceptual design to relocate Ashley Creek. Seconded by Leonard Gray. Carried, unanimous (8 present).

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

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, requested approval to join the Tribes of Hope partnership. Tribes of Hope is a commitment of tribal leadership to partner with the American Indian Cancer Foundation to end cancer in Indian country. There are no financial or contractual obligations to join. It was the **consensus** of council to join the Tribes of Hope partnership.

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, presented for approval a Proclamation to bring our communities together and support all aspects of wellness. **No action taken.** Council will make edits to the document.

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, requested approval of the Suicide Prevention Task Order to implement

Governor Bullock's major initiative.

MOTION by Troy Felsman to approve by resolution the Suicide Prevention Task Order. Seconded by Patty Stevens. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-151

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

WHEREAS, the Confederated Salish and Kootenai Tribes have organized and adopted a health department; and

WHEREAS, on November 25, 2015, the Tribal Council declared the health and wellness of the people the number one priority; and

WHEREAS, the Tribal Health Department (TH) manages multiple funding sources to provide a comprehensive array of health care services; and

WHEREAS, Governor Steve Bullock made Native American Youth Suicide Prevention one of his major initiatives. He formed a state-wide coalition that developed the Montana Native Youth Strategic Plan to reduce suicide. The recommendations in the Strategic Plan are now being implemented; and

WHEREAS, the State of Montana is providing TH with funding to assist in the implementation of the Montana Native Youth Strategic Plan recommendations including travel costs of sending four representatives to the two-day Zero Suicide Academy;

NOW, THEREFORE, BE IT RESOLVED, the Tribal Council authorizes that the Tribal Council Chairman and his designated representative to negotiate and execute the Task Order #17105017430 between the Montana Department of Public Health and Human Services and the CSKT and any amendments thereto.

Kevin Howlett and **Anna Whiting-Sorrell**, Tribal Health Department, presented and requested approval of the publication of the manuscript from the research partnership between the University of Montana and CSKT that focused on precision medicine and pharmacogenetics research.

MOTION by Troy Felsman to approve the publication of the manuscript from the research partnership between the University of Montana and CSKT that focused on precision medicine and pharmacogenetics research. Seconded by Patty Stevens. Carried, unanimous (8 present).

Council met in **executive session**.

Council reconvened into **regular session**.

John Harrison, Tribal Legal Department, gave an update on the upcoming Tribal Leaders meeting.

Council met in **executive session**.

Council reconvened into **regular session**.

Shelly Fyant requested a resolution appointing Shelly Fyant as delegate and Len Twoteeth as alternate to the State Tribal Economic Development Commission for the remainder of the year until December 31, 2017.

MOTION by Anita Matt to approve by resolution the appointment of Shelly Fyant as delegate and Len TwoTeeth as alternate to the State Tribal Economic Development Commission for the remainder of the year until December 31, 2017. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 17-150

RESOLUTION TO APPOINT REPRESENTATIVE TO THE STATE TRIBAL ECONOMIC DEVELOPMENT COMMISSION (STEDC)

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

WHEREAS, the Confederated Salish and Kootenai Tribes wish to become a member tribe in good standing in the State Tribal Economic Development Commission (STEDC); and

WHEREAS, the Confederated Salish and Kootenai Tribes fully support the efforts and activities of the STEDC; **NOW, THEREFORE,**

BE IT RESOLVED, to appoint Shelly Fyant as the official delegate and Len TwoTeeth as the alternate to represent and vote for the Confederated Salish and Kootenai Tribes in the meetings of the STEDC.

MOTION by Anita Matt to adjourn the meeting. Seconded by Leonard Gray. Carried, unanimous (8 present).

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Council **adjourned** at 4:40 p.m., and is scheduled to meet again on Thursday, June 22, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary