

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

Volume 17 Number 62
Council Chambers, Pablo, MT

Held: July 11, 2017
Approved: July 18, 2017

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

MEMBERS ABSENT: Shelly Fyant (Innovate Montana Symposium - Billings, Montana); and Patty Stevens (UNITY Conference – Denver, Colorado).

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

The meeting was called to **order** at 9:07 a.m. Quorum established.

The meeting was opened with a **prayer** by Johnny Arlee.

The **Tribal Council Meeting Minutes** for June 27, 2017 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for June 27, 2017, with corrections. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

The **Tribal Council Meeting Minutes** for June 29, 2017 were presented for approval.

MOTION by Ron Trahan to approve the Tribal Council Meeting Minutes for June 29, 2017, with corrections. Seconded by Troy Felsman. Carried, 6 for; 1 abstention (Leonard Gray).

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

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

Francis McDonald, Jr. requested an air conditioner from the Elders program and he was told that the LIHEAP program purchased them, but he was not on

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the LIHEAP program. **Rachael Bigsam**, Department of Human Resources Development, informed council that Fuss does not qualify for the air conditioner or the program. The Elder program did not budget for the purchase of an air conditioner. Dire Need pays for food and shelter, and it did not qualify for emergency assistance. **Carole Lankford** suggested purchasing one through the Tribal Health Department. **Jennifer Trahan** contacted Tribal Health and reported that THD will not purchase one since it is not medically necessary. **Council** directed that Fuss be provided an air conditioner through the Dire Need Program due to his medical condition and the extreme heat this summer.

Chairman Finley joined the meeting.

Johnny Arlee and **Shandine Pete** requested \$2,000 for the Elders and Youth Gathering taking place July 19-23 in Arlee.

MOTION by Ron Trahan to donate \$2,000 to the Elders and Youth Gathering. Seconded by Troy Felsman. Carried, unanimous (8 present).

George Garcia thanked council for honoring the veterans last week. He owns 10 acres of land in St. Ignatius. George has paid water on it for the past 20 years but has no water due to having no delivery point. **Carolee Wenderoth**, Tribal Lands Department, informed council that irrigation is not a land issue. Landowners must pay O&M and water delivery is not a guarantee. Carolee referred him to Pete Plant. George does not want to follow the right of way process, which requires an appraisal and survey. The land committee recommended not allowing the easement since George did not agree to pay the Tribes compensation as required by the CFR. Discussion stalled at that point since Mr. Garcia was not willing to agree to the terms. **Len TwoTeeth** suggested issuing Mr. Garcia a revocable use permit. Mr. Garcia is on a fixed income and wants the Tribe to finance the project. **Council** directed Carolee to meet with George Garcia and Pete Plant to come up with proposed solutions to this matter and report back to the Land Committee.

Susan Dowdall and **Justin Dowdall** discussed a water issue and showed council what the water looks like that comes through the faucet. Susan lives on a lease lot at Finley Point. The water has so much chlorine in it that the family cannot drink it or shower in it. She lives on a fixed income and pays \$40 for water each month that she cannot use. The Salish Kootenai Housing Authority has been taking water samples there for the past year and over-chlorinated the water due to a bug. **Council** directed Carolee Wenderoth to follow up with the Housing Authority.

Susan Dowdall and **Justin Dowdall** requested to meet with council in **executive session** to discuss a personal matter.

Judy Best and **Jim Best** requested to meet with council in **executive session** to discuss a personal matter. **Jim Durglo**, Tribal Forestry, joined the discussion.

Council reconvened into **regular session**.

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

Carole Lankford left the meeting for the remainder of the day.

Kelly Parker, Department of Human Resources Development, requested spending authority in the amount of \$5,000 until the Title III contracts are received.

MOTION by Troy Felsman to grant spending authority in the amount of \$5,000 until the Title III contracts are received. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

Jim Durglo, **Steve McDonald** and **Duane Plant**, Tribal Forestry, discussed timber sale planning in the Jette Management Area. Timber sale planning efforts have been determined in that area due to unresolved concerns identified by members of the Kootenai community about potential negative impacts to cultural resources. There were also discussions and community meetings in Elmo about timber sales in the south half of the management area. **Len TwoTeeth** commented that at the last meeting the Kootenai Culture Committee Director was directed to write a letter acknowledging that they are against any further logging in the Jette Management Area. Forestry plans on following up with the KCC Director on what can be done with fuel reductions. Explaining what the treatment would be the benefits of the treatment may help the elders get on board with the plan. The next step is to meet with the KCC Director and the Elders. **Len TwoTeeth** relayed a message from the elders that they want to continue holding meetings throughout the summer months. **Chairman Finley** will meet with Daniel Stiffarm. **Clayton Matt** was directed to keep abreast of this issue and keep council updated.

Carolee Wenderoth, Tribal Lands Department; and **Wenonah Neuman** presented a request from Wenonah Neuman to sublease her home located on a homesite lease in the Evaro area to a nontribal member. In 2015 the request was presented to council and no action was taken. Ms. Neuman has been subleasing her home since 2015 which goes against policy without council approval. Ms. Neuman is currently in violation of her homesite lease. Lands found out from the property management company that the property was being subleased without tribal council approval. If the request is approved, then the Lands staff recommended that the Tribes receive compensation. Wenonah's son will always have medical issues which prevents her from living there at this

time. **Council** suggested that Wenonah sell the home if she is unable to live there. There are people on the homesite waiting list in the Evaro area. Tribal homesite lease lots are not intended to be a source of income for individuals. If she refuses to comply with the regulations then cancellation is the next step in the process. She has been collecting rent on this homesite since January 2015 in the amount of \$1,055 per month.

MOTION by Leonard Gray to go with option two and deny the request to sublease the homesite. Seconded by Ron Trahan. Carried, unanimous (7 present).

Carolee Wenderoth, Tribal Lands Department, presented a request from NRD to place an AIS billboard sign at the Marvin Camel building in Ronan under a revocable permit at a cost less than the appraised value.

MOTION by Troy Felsman to approve option one and grant NRD a one year revocable permit for an AIS billboard sign at a cost less than the appraised value. Seconded by Ron Trahan. Carried, unanimous (7 present).

Carolee Wenderoth, Tribal Lands Department, requested approval of a resolution authorizing the purchase of Allotment 1093-I and 1093-J, located on Mud Lake Trail.

MOTION by Troy Felsman to approve by resolution the purchase of Allotment 1093-I from Pamela Houle at appraised value. Seconded by Len TwoTeeth. Carried, 4 for (Troy Felsman, Len TwoTeeth, Vernon Finley, and Dennis Clairmont); 2 opposed (Anita Matt and Leonard Gray); 1 abstention (Ron Trahan).

Anita Matt, for the record, "The only reason I opposed, it's not that I don't want to buy further property, it's just we have no plan for the property and improvements."

RESOLUTION 17-163

RESOLUTION AUTHORIZING THE PURCHASE OF FLATHEAD ALLOTMENT NO. 1093-I

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

WHEREAS, the Tribal Land Acquisition Program was approved by the Act of July 18, 1968 (PL 90-402); and

WHEREAS, Pamela Houle has offered to sell her surface rights only in her interest in Flathead Allotment No. 1093-I, described as follows: A portion of the S½SE¼NW¼NW¼ of Section 32, Township 22 North, Range 19 West, P.M.M., Lake County, Montana, described as follows: The true point of beginning being the C-W-NW 1/16 corner of said Section 32; thence N. 00°11'15"E., 329.71 feet; thence S. 89°54'06"E., 403.76 feet; thence S. 12°48'17"W., 338.61 feet; thence N. 89°47'46"W., 329.79 feet to the point of beginning, containing 2.78 acres, more or less.

WHEREAS, Pamela Houle has offered her Flathead Allotment at the negotiated price; and

WHEREAS, Pamela Houle and The Confederated Salish and Kootenai Tribes have accepted the negotiated price; and

WHEREAS, the Tribal Council has agreed to purchase the above mentioned Flathead Tract; and

BE IT RESOLVED that the Chairman of the Tribal Council, or his delegated representative is authorized to execute the transactional documents necessary to complete the conveyance for real property situated in Lake County, Montana.

MOTION by Troy Felsman to approve by resolution the purchase of Allotment 1093-J from Pamela Houle at appraised value. Seconded by Len TwoTeeth. Carried, 4 for (Troy Felsman, Len TwoTeeth, Vernon Finley, and Dennis Clairmont); 2 opposed (Anita Matt and Leonard Gray); 1 abstention (Ron Trahan).

RESOLUTION 17-164

RESOLUTION AUTHORIZING THE PURCHASE OF FLATHEAD ALLOTMENT NO. 1093-J

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

WHEREAS, the Tribal Land Acquisition Program was approved by the Act of July 18, 1968 (PL 90-402); and

WHEREAS, Pamela Houle has offered to sell her surface rights only in her interest in Flathead Allotment No. 1093-J, described as follows: A portion of the S½SE¼NW¼NW¼ of Section 32, Township 22 North, Range 19 West, P.M.M., Lake County, Montana, described as follows: The true point of beginning being the C-S-N- NW 1/256 corner of said Section 32; thence S.

00°09'25"W., 142.70 feet; thence N. 87°10'11"W., 286.22 feet; thence N. 12°48'17"E., 132.30 feet; thence S. 89°54'06"E., 256.94 feet to the point of beginning, containing 0.85 acres, more or less.

WHEREAS, Pamela Houle has offered her Flathead Allotment at the negotiated price; and

WHEREAS, Pamela Houle and The Confederated Salish and Kootenai Tribes have accepted the negotiated price; and

WHEREAS, the Tribal Council has agreed to purchase the above mentioned Flathead Tract; and

BE IT RESOLVED that the Chairman of the Tribal Council or his delegated representative is authorized to execute the transactional documents necessary to complete the conveyance for real property situated in Lake County, Montana.

Lynn Ducharme, Natural Resources Department, requested to meet with council in **executive session** to discuss a land offer.

Council reconvened into **regular session**.

Laurence Kenmille, Enrollment Office, presented a request from Pamela Mandan (203-UO8783) to relinquish enrollment in the CSKT.

MOTION by Ron Trahan to approve by resolution the relinquishment of Pamela Mandan (203-UO8783) from the CSKT rolls. Seconded by Anita Matt. Carried, 6 for; 0 opposed; 1 not voting (Len TwoTeeth out of the room).

RESOLUTION 17-165

RESOLUTION AUTHORIZING THE RELINQUISHMENT OF PAMELA MANDAN (203-UO8783)

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

WHEREAS, Pamela Mandan has requested in writing relinquishment of membership from the Confederated Salish and Kootenai Tribes of the Flathead Reservation, MT.; and

WHEREAS, Article II, Section 5 (1) of the Tribes' Constitution provides that membership in the Tribe may be lost by resignation in writing to the Tribal Council; **NOW, THEREFORE**,

BE IT RESOLVED, that Pamela Mandan has relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits
3. All Hunting and Fishing now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes.

BE IT FURTHER RESOLVED, that the request for relinquishment of Pamela Mandan is hereby approved;

BE IT FURTHER RESOLVED, that any individual who has relinquished their rights or membership voluntarily in the Confederated Salish and Kootenai Tribes shall not be entitled to reinstatement or re-adoption;

BE IT FINALLY BE RESOLVED, that the Office of Records Management and Enrollment of the Confederated Salish and Kootenai Tribes must be in receipt of documentation that Pamela Mandan has become an official member of the Fort Berthold Tribe before she is relinquished from the Confederated Salish and Kootenai Tribes.

Laurence Kenmille, Enrollment Office, presented a request from the parents of Jordan Floyd Mathias (203-UO13014) to relinquish enrollment in the CSKT.

MOTION by Troy Felsman to approve by resolution the relinquishment of Jordan Floyd Mathias (203-UO13014) from the CSKT rolls. Seconded by Anita Matt. Carried, 6 for; 0 opposed; 1 not voting (Len TwoTeeth out of the room).

RESOLUTION 17-166

RESOLUTION AUTHORIZING THE RELINQUISHMENT OF JORDAN FLOYD MATHIAS (203-UO013014) MINOR

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

WHEREAS, The parents of Jordan Floyd Mathias have requested in writing relinquishment of membership from the Confederated Salish and Kootenai Tribes of the Flathead Reservation, MT.; and

WHEREAS, Article II, Section 5 (1) of the Tribes' Constitution provides that membership in the Tribe may be lost by resignation in writing to the Tribal Council; **NOW, THEREFORE**,

BE IT RESOLVED, that Jordan Floyd Mathias has relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits
3. All Hunting and Fishing rights now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes.

BE IT FURTHER RESOLVED, that the request for relinquishment of Jordan Floyd Mathias is hereby approved;

BE IT FURTHER RESOLVED, that any individual who has relinquished their rights or membership voluntarily in the Confederated Salish and Kootenai Tribes shall not be entitled to reinstatement or re-adoption. A minor who is relinquished is eligible for reinstatement into the tribes when he/she reaches the age of majority;

BE IT FINALLY BE RESOLVED, that the Office of Records Management and Enrollment of the Confederated Salish and Kootenai Tribes are in receipt of documentation that Jordan Floyd Mathias will become an official member of the Muckleshoot Indian Tribe when he is relinquished from the Confederated Salish and Kootenai Tribes.

Laurence Kenmille, Enrollment Office, requested approval of a resolution approving the removal of Phillip Barnaby, Jr. from the CSKT rolls.

MOTION by Troy Felsman to approve the resolution removing Phillip Barnaby, Jr. from the CSKT rolls. Seconded by Leonard Gray. Carried, 5 for; 0 opposed; 2 not voting (Len TwoTeeth and Anita Matt out of the room).

RESOLUTION 17-167

RESOLUTION AUTHORIZING THE REIMBURSEMENT TO THE CONFEDERATED SALISH AND KOOTENAI TRIBES ALL ASSETS DISBURSED TO INDIVIDUALS' IIM ACCOUNT AND/OR HOLDING ACCOUNT WHO WERE ENROLLED ERRONEOUSLY

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

WHEREAS, Documents have been provided to the Tribal Council which provide evidence that Phillip A. Barnaby Jr. (203-UO9462) had formally requested removal from the Confederated Salish and Kootenai Tribes; and

WHEREAS, action by the Tribal Council was made for the removal of Phillip A. Barnaby Jr., Resolution No. 96-114 on April 2, 1996, and was enrolled into the Colville Tribe, Res. # 1996-161; and

WHEREAS, Article II, Amendment II, Section 5 (4) of the Tribes' Constitution provides that membership in the Tribe may be lost (1) by resignation in writing to the Tribal Council, subject to appeal to the Secretary of Interior, whose decision shall be confined to the record made in such proceedings which, if supported by substantial evidence, shall be binding; **NOW, THEREFORE**,

BE IT RESOLVED, that Phillip A. Barnaby, Jr. be removed from the tribal rolls and relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits
3. All hunting and fishing rights now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes

BE IT FURTHER RESOLVED, that all funds provided into the IIM/Holding account of the individuals removed shall be returned to the Confederated Salish and Kootenai Tribes effective from the date accepted for enrollment into the Colville Tribe. Any person who is removed from membership voluntarily from the Confederated Salish and Kootenai Tribes is not eligible for reinstatement in the future.

Laurence Kenmille, Enrollment Office, requested approval of a resolution removing Gail Jackson and authorizing the reimbursement to the CSKT all assets disbursed to individuals' IIM Account and/or Holding Account who were enrolled erroneously.

MOTION by Troy Felsman to approve the resolution removing Gail Jackson. Seconded by Dennis Clairmont. Carried, 6 for; 0 opposed; 1 not voting (Len TwoTeeth out of the room).

RESOLUTION 17-168

RESOLUTION AUTHORIZING THE REIMBURSEMENT TO THE CONFEDERATED SALISH AND KOOTENAI TRIBES ALL ASSETS

DISBURSED TO INDIVIDUALS' IIM ACCOUNT AND/OR HOLDING ACCOUNT WHO WERE ENROLLED ERRONEOUSLY

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

WHEREAS, Documents have been provided to the Tribal Council which provide evidence that Gail Lynn Jackson (203-UO8843) had formally requested removal from the Confederated Salish and Kootenai Tribes; and

WHEREAS, action by the Tribal Council was made for the removal of Gail Lynn Jackson, Resolution No. 03-137 on April 29, 2003 and was enrolled into the Nez Perce Tribe, Res. # 03-479; and

WHEREAS, Article II, Amendment II, Section 5 (4) of the Tribes' Constitution provides that membership in the Tribe may be lost (1) by resignation in writing to the Tribal Council, subject to appeal to the Secretary of Interior, whose decision shall be confined to the record made in such proceedings which, if supported by substantial evidence, shall be binding; **NOW, THEREFORE**,

BE IT RESOLVED, that Gail Lynn Jackson be removed from the tribal rolls and relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits
3. All hunting and fishing rights now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes

BE IT FURTHER RESOLVED, that all funds provided into the IIM/Holding account of the individuals removed shall be returned to the Confederated Salish and Kootenai Tribes effective from the date accepted for enrollment into the Nez Perce Tribe. Any person who is removed from membership voluntarily from the Confederated Salish and Kootenai Tribes is not eligible for reinstatement in the future.

Council discussed a request for a small wake kit for a descendant. **Council** authorized \$600.

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

Chairman Finley left the meeting for the remainder of the day.

Council met in **executive session** to conduct interviews for the Preservation

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Department Head vacancy.

Council reconvened into **regular session**.

MOTION by Leonard Gray to adjourn the meeting. Seconded by Ron Trahan. Carried, unanimous (6 present – Chairman Finley out of the room).

Council **adjourned** at 4:17 p.m., and is scheduled to meet again on Thursday, July 13, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary