

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

Volume 19 Number 44
Council Chambers, Pablo, MT

Held: April 2, 2019
Approved: April 11, 2019

MEMBERS PRESENT: Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Shelly Fyant, Secretary; Anita Matt, Treasurer; Dennis Clairmont; Charmel Gillin; Myrna DuMontier; Leonard TwoTeeth; and Carole Lankford.

MEMBERS ABSENT: Fred Matt (Inter-Tribal Timber Council Meeting – Milwaukee, WI).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:04 a.m. Quorum established.

The meeting was opened with a **prayer** by Chairman Trahan.

The **Tribal Council Meeting Minutes** for March 12, 2019 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for March 12, 2019, with corrections. Seconded by Dennis Clairmont. Carried, 7 for; 2 abstentions (Shelly Fyant and Charmel Gillin).

The **Tribal Council Meeting Minutes** for March 14, 2019 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for March 14, 2019, with corrections. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Charmel Gillin).

Charmel Gillin, for the record, “My concern is, the reason I asked Abby to look into this and hear the recording of these minutes is because I felt I was put in a position of defending myself and, therefore, when I submitted the redlined edits, I asked her to go back to the recording and put in the words that were actually said because I felt in a position of defense. Without having those comments in there, the comments left by other people continued to put a light on it

that I may have to defend at some point. That is my concern with the minutes. They removed my comments.”

Len TwoTeeth was contacted yesterday by an enthusiastic group in Elmo that wants to begin cleanup efforts today and asked if the Tribes could donate garbage bags. He requested to have garbage bags donated from Property & Supply and get them delivered to the hall this morning. **Carole Lankford** said that the Salish Kootenai Housing Authority gets large dumpsters, so maybe they could donate the dumpsters and garbage bags. It was the **consensus** of council to donate the garbage bags. **Council** directed Jennifer Trahan to follow up.

The **agenda** was presented for approval. No conflicts of interest were identified. Changes were made to the agenda.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Rick Eneas, Financial Management, requested approval of modification 9 to the fiscal year 2019 Bureau of Indian Affairs Self-Governance Compact Budget.

MOTION by Dennis Clairmont to approve by resolution modification 9 to the fiscal year 2019 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 19-111

RESOLUTION APPROVING MODIFICATION 9 TO THE FY 2019 BIA SELF-GOVERNANCE COMPACT BUDGET

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

WHEREAS, earmarked FY 2019 funding for 1st and 2nd quarters Child Care Discretionary and Child Care Mandatory has been awarded and needs to be allocated to the budget; and

WHEREAS, earmarked FY 2017 funding for Safety of Dams has been awarded and needs to be allocated to the budget; and

WHEREAS, budgets will be allocated as follows:

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
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13-502-4770	DHRD 477 Program	2,813,256.88	1,241,026	4,054,282.88
13-503-4511	Safety of Dams	17,226,078.40	3,000,000	20,226,078.40
	TOTAL INCREASE/(DECREASE)		4,241,026	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2019 BIA Self-Governance Compact Budget as reflected above; and

BE IT FURTHER RESOLVED that prior year unexpended BIA funds shall be made available to provide for the expenditure of the FY 2019 BIA Self-Governance Compact Budget pending final Congressional appropriations and subsequent obligations of funds; and

BE IT FURTHER RESOLVED that the FY 2019 BIA Self-Governance Compact Budget is increased from \$32,964,583.00 to \$37,205,609.

Gabe Johnson, Natural Resources Department, requested authorization to sell scrap metal at the SOD/Roads office and place the funds back into the respective program.

MOTION by Anita Matt to authorize the Natural Resources Department to sell scrap metal at the SOD/Roads office and place the funds back into the respective program. Seconded by Shelly Fyant. Carried, unanimous (9 present).

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

Pat Matt, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to support the request of Earl Patrick Matt and direct the Tribal Legal Department to draft a letter requesting clemency to the Montana Board of Pardons and Parole. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Carole Lankford).

Amanda Bourdon, Natural Resources Department, presented a request from Israel Umphrey, descendant, to be granted a free-use group recreation permit for his wedding ceremony at the Mission Dam Campground on June 21, 2019. The permit would only be for the wedding ceremony; the reception will take place at a different location. Mr. Umphrey is expecting about 100 guests. If a free-use group permit is denied then he is requesting a prorated fee.

MOTION by Carole Lankford to approve with parameters discussed and a donation clause. Seconded by Leonard Gray. Carried, unanimous (9 present).

Joe Durglo and **Patricia Buffalo**, Tribal Health Department; and **Melanie Piedalue**, Personnel Department; requested approval to hire Casey Sorrell to fill the Chemical Dependency Counselor position (number 1124) through the OJT program as a contract employee. The Licensed Addiction Counselor position has been advertised three times and has been difficult to fill. Tribal Health makes every attempt to hire tribal members.

MOTION by Myrna DuMontier to support the request and approve the hire of Casey Sorrell to fill the Chemical Dependency Counselor position (number 1124) through the OJT program as a contract employee. Seconded by Anita Matt. Carried, unanimous (9 present).

Janet Camel, Economic Development Office, requested approval of a revised organizational chart. EDO received a Vibrant Tribal Economies Grant from the Northwest Area Foundation for two years, with the potential for an additional three years, for a 2/3 FTE Economic Development Office Assistant. EDO has the funding needed to cover the other 1/3 FTE salary and fringe.

MOTION by Anita Matt to approve the revised organizational chart for the Economic Development Office to add a Vibrant Tribal Economies/EDO Assistant position. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Dennis Clairmont presented a request from Jack Clapp, Polson Rural Fire Department, to do training at Buffalo Bridge. The request will be directed to the Natural Resources Department. **Council** did not object to the request.

John Carter and **Christina Courville**, Legal Department, requested to meet with council in **executive session** to discuss a legal matter. **Rhonda Swaney** and **Dan Decker**, Legal Department, were present for discussion.

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

Council reconvened into **regular session**.

Dan Decker, Legal Department, gave a legislative update. **Shelly Fyant** asked about the letter of support for the Assiniboine Sioux Tribes. Dan advised that he made edits and the letter should be in the process of getting sent out if it hasn't already.

Rhonda Swaney, Legal Department, informed council of a request from the Sitka Tribe for monetary support for a case they are involved in. Legal has no funding available to contribute. **No action taken.**

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

Council **recessed** the regular meeting at 1:35 p.m. to conduct an Energy Keepers, Inc. shareholder representative meeting.

Council **reconvened** into the regular meeting at 2:15 p.m.

Brian Lipscomb, Energy Keepers, Inc., requested approval of a letter to nominate Ron Trahan and Brian Lipscomb as the Tribes' representatives to serve on the Indian Country Energy And Infrastructure Working Group. They were appointed to this work group in 2016.

MOTION by Anita Matt to approve the letter nominating Ron Trahan and Brian Lipscomb to serve on the Indian Country Energy And Infrastructure Working Group. Seconded by Leonard Gray. Carried, unanimous (9 present).

Myrna DuMontier thanked Brian Lipscomb for being at the MSU blessing. **Brian Lipscomb** had met with the Dean of Nursing.

Chairman Trahan discussed the council meeting of March 28, 2019 when a tribal member came in and stated a complaint against a tribal council member on the Code of Conduct. We took it under advisement. At this time, he wants to entertain a motion for a hearing so the council has an opportunity to answer all the allegations that were made. **Len TwoTeeth** asked about the process and how long do we have. Ron said we need five days. He wants to get the information out to everyone. It is five working days. If we do it now it would be next Thursday that we have the hearing.

MOTION by Len TwoTeeth to hold a hearing. Seconded by Dennis Clairmont. Carried, 5 for; 1 abstention (Charmel Gillin); 3 opposed (Anita Matt, Shelly Fyant and Myrna DuMontier);

Chairman Trahan will provide everyone a copy of the transcript that was done. **Charmel Gillin** had a question regarding the action taken. She wanted to know if the hearing is open and what the context of the hearing is. Ron said if she wants it open it can be; or it can be in executive if she wants it to be. **Len TwoTeeth** thought it should be a council decision to decide whether it is open or executive session. **Rhonda Swaney**, Legal Department, advised that it is a council decision; they make their own rules on the hearing. In the past, they have been held in executive session. Ron will give council a copy of the guidelines

that will be used to conduct this hearing. The hearing is April 11, 2019. Dennis is gone that day. Ron said we need to give Charmel at least five days.

***Charmel Gillin**, for the record, "I would appreciate having that documentation before the end of the day since my time is starting today to defend myself."*

Leonard Gray informed council that he is looking at having a two-day get together for the council to work with Jennie to help us work together. **Chairman Trahan** wants it set for a Wednesday and Thursday and the proposed dates are April 17 and 18; or May 1 and 2. The location is undetermined at this time.

Len TwoTeeth discussed a request from a tribal member. He hopes council had a chance to look at the email Vern sent out about the tribal member's Tribal Credit file regarding the student loan, the loan amount, and the amount paid to date. He wants to write off this loan so he can get his per capita check tomorrow. **Anita Matt** thought we were going to look at all those educational loans where people are in the same situation so this waiver would be for all of them in this situation instead of just one person. **Chairman Trahan** will follow up with Rick Eneas.

Vern Clairmont joined the discussion. **Council** told Vern the request is to release the tribal member's per capita tomorrow. Vern requested information from Credit to see if there are other people that have paid an amount of interest that is twice the amount of the original loan. Credit staff has to go into each loan manually to see if people fit this criterion so he does not have this information yet.

MOTION by Len TwoTeeth to write off the educational loan for a tribal member elder. Seconded by Anita Matt. Carried, 6 for; 2 abstentions (Myrna DuMontier and Charmel Gillin); 1 not voting (Shelly Fyant out of the room).

Len TwoTeeth asked if the tribal member would receive his per capita check tomorrow. **Vern Clairmont** informed council that the per capita was already held to Tribal Credit, and he can have Tribal Credit refund the money back to the tribal member.

***Myrna DuMontier**, for the record, "The reason I voted the way I did was because I need to understand the impact of this decision and I want a discussion on what this means to the total budget."*

MOTION by Len TwoTeeth to adjourn the meeting.

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Council **adjourned** at 2:36 p.m., and is scheduled to meet again on Thursday, April 4, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary