

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

Volume 19 Number 27
Council Chambers, Pablo, MT

Held: January 22, 2019
Approved: January 29, 2019

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

MEMBERS ABSENT: Myrna DuMontier; and Carole Lankford.

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 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Dennis Clairmont.

The **Tribal Council Meeting Minutes** for January 15, 2019 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for January 15, 2019, with corrections. Seconded by Anita Matt. Carried, 7 for; 1 abstention (Shelly Fyant).

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 Leonard Gray. Carried, unanimous (8 present).

Jim Clairmont, Tribal Member, informed council that he had sent a letter to Senator Tester about 18 months ago regarding the National Bison Range and Big Medicine. A second albino buffalo was born at the Bison Range. The caretaker had cut the wires on the bales of hay and threw them in the hay; the young bull ate those and died. That bull is mounted in the Smithsonian Museum in Washington, DC. Big Medicine was skinny and had much of its fur missing. The Bison Range had pictures of him, so they killed a bigger bull and bleached its fur and mounted it in Helena at the Museum of the Rockies. Jim saw three different herds of buffalo in Alaska at various locations. The Bison Range sold the gene

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pool of the white buffalo to the state of Alaska in Delta Junction. Big Medicine had bred with some cows and the Bison Range sold those buffalo to the state of Alaska. Hunting tags are being issued for those three herds of buffalo. He wants council support. He wants Senator Tester to go to congress and stop hunting in that herd that contains the gene pool; and if that herd could be rounded up and put into a sanctuary so it could not be hunted by people or predators. Mr. Clairmont requested the Tribes' support. **Chairman Trahan** advised that he had referred this issue to the Inter-Tribal Buffalo Council to look into it, and he is waiting to hear back from the organization. Mr. Clairmont informed council that there are several hundred acres in Moiese that was sold to a guy that was manufacturing drugs. The DEA confiscated the land and gave it to the Bison Range. He wanted to know why they gave it to the Bison Range instead of the Tribes.

Lisa Charlo Nomee; and **Danielle Lefthand**, Department of Human Resources Development; informed council that Lisa has been taking care of her mother, Clara Charlo, since September, and Lisa requested that she be hired as her mother's caretaker. There is currently a hiring freeze in place due to the federal government shutdown. **Council** directed Rick Eneas to report to council. **Rick Eneas**, Financial Management, joined the discussion. The request would require council action due to the hiring freeze. **No action taken**. Rick will review the program and report back to council this afternoon with an exception request.

Leonard Michel, Tribal Member; and **Danielle Lefthand**, Department of Human Resources Development; requested to meet with council in **executive session** to discuss a personal matter. **Sandra Kenmille** was present for discussion.

Wilbert Michel and **Leonard Michel**, Tribal Members, requested to meet with council in **executive session** to discuss a personal matter. **Sandra Kenmille** was present for discussion.

Council reconvened into **regular session**.

Rick Eneas and **Ruth Swaney**, Financial Management, requested approval of a resolution approving modification 6 to the fiscal year 2019 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2019 funding for Community Service Block Grants has been awarded and needs to be allocated to the budget.

MOTION by Dennis Clairmont to approve by resolution modification 6 to the fiscal year 2019 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Charmel Gillin. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-076

RESOLUTION APPROVING MODIFICATION 6 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 Community Service Block Grants 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
13-502-4770	DHRD 477 Program	2,260,346.71	19,183	2,279,529.71
	TOTAL INCREASE/(DECREASE)		19,183	

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 \$32,385,851.53 to \$32,405,034.53.

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

Council met in **executive session** to conduct interviews for the S&K Technologies Board of Directors vacancies. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Anita Matt to accept the results of the ballot and appoint Jean Matt and Kevin Howlett to the S&K Technologies Board of Directors for a three-year term. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Len TwoTeeth informed council that a tribal member has offered some artwork to the Tribes.

Len TwoTeeth followed up on last week's discussion about the Kootenai Culture Committee Director position. Len has been approached by some community members about wanting the tribal council to show interest in moving forward with the advertisement and hiring. Len wants this directed to Rick Eneas for a determination to move forward. **Chairman Trahan** explained that the vacancy can be advertised and interviews can be conducted, but the position cannot be filled until the federal government shutdown is over.

Len TwoTeeth informed council that last week it was brought to his attention that the AIS boat inspection site in Elmo will be relocated to Plains. He is troubled by that. We will manage that through DNRC funding, and Len wants to keep it in the Elmo area. It is an ideal location for boat inspections. Len wants the Tribes to advocate to keep it on the reservation. **Dennis Clairmont** advised that this issue was not addressed at yesterday's meeting. The intent of having the check station located in Plains is to catch the traffic coming from the west. Dennis will bring it up at tomorrow's Montana Invasive Species Council meeting and will advocate that it remain in Elmo.

Anita Matt asked council's opinion about tribal buildings and staff needs. She wondered about getting department heads or their supervisors to look at office space and what our needs are. She wants information brought back on what we actually need; that would help the council make a decision on the current proposal. She wants Rick, Dallas and Clayton to have their program managers or department heads look at what their current needs are for office space. That would help us make a decision on some of the upcoming proposals. **Charmel Gillin** agreed with Anita. There has been discussion about facility needs. She wants that incorporated in the budget discussion. We have work plans we are asking departments to develop based on priorities. Now we are in the midst of the shutdown and determining essential services and meeting our priorities is an important part of this, such as program efficiencies and service efficiencies. Charmel wants the budget committee to review this and make a recommendation.

Daniel Decker and **Stu Levit**, Legal Department, asked if Legal counsel was needed at this afternoon's meeting with the EKI Board of Directors. Council told Stu that it is a meeting with the board members only, and no legal counsel is necessary. Stu gave an update with the federal executives last week about the NEPA process in the Columbia River. Stu will continue to provide updates to council.

Daniel Decker and **Christina Courville**, Legal Department, gave an update on the *Helen Camel vs. CSKT* wrongful discharge lawsuit that was filed against the Tribes in December. The lawsuit was dismissed by the Tribal Court due to Helen not being able to sue under the Wrongful Termination Ordinance 93-B since she

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was a Personnel Ordinance 69-C employee and was terminated through the disciplinary probation process. Ordinance 93-B did not apply in this circumstance.

Daniel Decker and **Ryan Rusche**, Legal Department, gave a legislative update. Len discussed the Big Arm/Dayton segment of the highway project draft bill and he wants to have a community meeting to seek input from the membership before moving forward with this bill. Another draft bill discussed is for the Montana Fish, Wildlife and Parks non-wardens to act as ex-officio game wardens for aquatic invasive species.

Daniel Decker and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss a legal matter.

Council met in **executive session**.

Council reconvened into **regular session**.

Shelly Fyant presented a request for a large tribal flag at the Benefis Hospital Welcoming Center in Great Falls. **Len TwoTeeth** informed council that a large tribal flag is needed in Elmo. **Council** approved the requests.

Shelly Fyant informed council that Ammera Webster, Dartmouth Student, was selected for a Lead for America internship. She is required to provide the placement and supervisor. Shelly wants to involve Rick Eneas in this.

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

Council **recessed** the regular meeting at 1:41 p.m. to conduct an Energy Keepers, Inc. shareholder representative meeting.

Council **reconvened** into the regular meeting at 3:33 p.m.

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

Rick Eneas, Financial Management; and **Carolee Wenderoth**, Tribal Lands Department; presented for approval a resolution authorizing the sale of the Mission Mart property at the negotiated price.

MOTION by Anita Matt to approve by resolution the sale of the Mission Mart property at the negotiated price. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-077

**RESOLUTION AUTHORIZING THE CONVEYANCE OF TRIBAL FEE LAND
LOCATED IN LAKE COUNTY**

**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, the Tribes acquired all right, title and interest in a fractional part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 20 North, Range 20 West, P.M.M., Lake County, Montana, more particularly described as follows: Beginning at a point which bears North 89°29'East 1113.9 feet from the Northwest corner of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 2; thence North 89°29'East 150 feet; thence South 0°12' feet East 300 feet; thence West 150 feet; thence North 0°12' West 298.7 feet to the point of beginning. Reference Deed Exhibit H-936, on file in the office of the Clerk and Recorder of Lake County, Montana; and

WHEREAS, The Confederated Salish and Kootenai Tribes acquired the above fee simple property from Mission Commercial Company, Inc.; and

WHEREAS, Tribal Council policy is not to sell real property; and

WHEREAS, B & B Platinum LLC or Assigns desires to acquire the property at negotiated price, a Tribal fee asset, from the Tribes; and

WHEREAS, the Tribal Council has determined that it is in its best interest to sell the property for the governmental purpose of enhancing economic security through asset management; **NOW, THEREFORE**,

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 land conveyance for real property situated in Lake County, Montana.

Rick Eneas, Financial Management, presented a request from Law & Order to hire 5 positions. 3 of them are already working on emergency hire, so they would be converted to FTE.

MOTION by Fred Matt to authorize Law & Order to hire five positions. Seconded by Charmel Gillin. Carried, unanimous (8 present).

Rick Eneas, Financial Management, presented a request from the Elder Services to hire two positions. One of them is the caregiver request from this morning.

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The other one is a caregiver request for a nontribal member that was approved by council four weeks ago. The request from this morning needs an assessment by the Tribal Health nurse. This is an exception to the government shutdown policy.

MOTION by Anita Matt to authorize the hire of two caregivers. Seconded by Shelly Fyant. Carried, 6 for; 1 abstention (Ron Trahan); 1 not voting (Fred Matt out of the room).

Shelly Fyant was directed to contact Rick about a tribal member going to Dartmouth being selected into the Lead America Internship and we need to make a commitment by January 25.

Chairman Trahan discussed funding the meals at district meetings. **Len TwoTeeth** advised that Jennifer Finley is providing the district meeting meals through the Economic Development Office. **Chairman Trahan** will follow up. **Charmel Gillin** has a meeting scheduled for tomorrow night at the Indian Senior Center. Jennifer was working on 15 meals.

Len TwoTeeth informed council that he has a picture of the artwork offered by a tribal member. **Council** will look at the picture and discuss again on Thursday.

MOTION by Anta Matt to adjourn the meeting. Seconded by Charmel Gillin. Carried, unanimous (7 present).

Council **adjourned** at 3:56 p.m., and is scheduled to meet again on Thursday, January 24, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary