

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

Volume 19 Number 52
Council Chambers, Pablo, MT

Held: May 2, 2019
Approved: May 9, 2019

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

MEMBERS ABSENT: Ronald Trahan, Chairman (Personal Time Off); and Fred Matt (Personal Time Off).

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 9:06 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for April 18, 2019 were presented for approval.

MOTION by Dennis Clairmont to approve the Tribal Council Meeting Minutes for April 18, 2019, with corrections. Seconded by Carole Lankford. Carried, 5 for; 2 abstentions (Leonard Gray and Charmel Gillin); 1 not voting (Len TwoTeeth out of the room).

The **agenda** was presented for approval.

MOTION by Carole Lankford to approve the agenda, with changes. Seconded by Anita Matt. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Joe Sorrell, Sr., Joe Sorrell, Jr. and **Kelly Sorrell** informed council they need the trailer that was moved to Evaro to be fixed so it is livable. They requested assistance from the Tribes because they do not have money to do it. The Tribal Lands Department moved the trailer there about a year ago and got it set up. They put a partial walkway and bathroom in and said they ran out of money. The Sorrells have not heard from the Lands staff since then. In addition to the repairs, they also need the trailer skirted, floor coverings, new doors, an

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expansion tank for the water, and a hot water tank. **Carolee Wenderoth**, Tribal Lands Department, advised that this is an allotment. When budgets are created, they are designed to spend resources on tribal lands. The department received council approval to a point, and had no financial resources to allocate for this type of expenditure. Tribal Lands has spent a total of \$13,188.98 so far, excluding the labor costs. The bathroom was not done because the Lands Department had no certified plumber on staff and the program had no more financial resources available. Lands told them to reach out to plumbing and electrician contractors to do that type of work. The staff is not certified to do that kind of work and Lands did not want to assume any liability. The Tribal Lands Department has exhausted assistance to the Sorrell family. Allotments are private property and home repairs are the owner's expense. Carolee and Jami Pluff met with the Sorrell family about a month ago. The Sorrells were tasked with reaching out to contractors to come up with quotes and costs and bring it back. The staff was going to assess resources available for them. The Lands Department has not received anything back from the Sorrells. **Constance Morigeau** and **Dan Adler**, Department of Human Resources Development, informed council that DHRD did some reconstruction and plumbing in the bathroom. The bathroom will be finished by next week. The estimated cost of repairs is between \$13,000 and \$15,000. DHRD can provide one appliance to the family, such as a refrigerator. DHRD is looking at some training on the Rural Development grant. The staff was willing to assist Joe with the paperwork to apply for that funding. **Anita Matt** is trying to set up a meeting with DHRD, Rural Development, and Salish Kootenai Housing Authority for the 10th or 15th to learn more information about those grants. Eligible recipients can receive a \$7,500 grant. At this point, Anita does not have all the information pertaining to eligibility and requirements. Rural Development also offers loans at a 1 percent interest rate. **Charmel Gillin** wants all elderly-related issues reviewed by the council to look at policies and check into helping elders get home owner's insurance. If the Sorrells had insurance, the loss of their home would have been covered. **Council** directed Jami Pluff to track this issue and give the Sorrells her contact information to keep them updated. **Leonard Michel**, Tribal Member, made recommendations of what needs to be followed up on to get this trailer livable immediately, instead of worrying about paperwork. The tribal leadership needs to stop worrying about money and provide assistance to our elders. **Lois Friedlander**, Tribal Member, commented that the Tribes need a one-stop shop so our people do not get the runaround. She has seen this happening since 1994 for anyone who needs service. There needs to be technicians available to get the work done. What we are asking of Mr. Sorrell is a burden to him. There are people starving and have no food. We need to put the one-stop shop system in place. Lois is pleased to see so many women on the tribal council, and she hopes it will not be long for everyone to learn that it takes women to straighten out issues.

Lois Friedlander, Tribal Member, informed council of a meeting yesterday about reverting to traditional governments being beneficial to us as great nations. An elderly lady was speaking her mind about the issue, and then Len TwoTeeth created a division and stopped the meeting in the middle of it. As the spokesperson for this effort, Lois will be working to change hearts and minds. The secretarial election is all the people have. There is no recourse for protection because the tribal council has sovereign immunity. A secretarial election would bring a better day for all of us. She thinks Len runs on his personal agenda and he needs to keep his personal feelings to himself. Len is our representative and needs to stay neutral. That woman had a right to vent. Len cannot abuse his authority in that way. If a council member happens upon a meeting and they don't agree with what they are doing, they cannot abuse their power and authority to shut it down. Lois does not appreciate what Len did yesterday. People need to be allowed to express themselves. **Len TwoTeeth** responded that he is very certain that those meetings are recorded, and he requested that the tribal council listen to the content of the meeting and decide whether or not he was out of line. Len is willing to listen to a tribal member's concern and he respects Lois. Lois is starting a very long and complex process and it is good to see the membership step up and address issues. **Leonard Gray** suggested that Lois and Len discuss the issue amongst themselves to work it out.

Gabe Johnson, Natural Resources Department, informed council that today is his last day of employment because his family needs to move back home to North Carolina. He introduced his wife and two daughters. Gabe began working for the Tribes in 2015. He feels blessed to meet so many people here, and he is grateful for the opportunity to work for the Tribes and for being accepted by our people. **Council** commented that Gabe has been a blessing to our Tribes and they wished he did not need to leave here. They appreciate everything Gabe has done for our Tribes. Gabe is always welcome to come back here in the future. Council appreciates his professionalism and the expertise he brought to the organization. His fingerprints are all over the projects he did for us on the reservation. Council wished him the best. He has been an integral part of a professional and well-equipped team. **Rich Janssen**, Natural Resources Department, acknowledged Gabe. The department continues to recruit a tribal member to take over this position. Rich gifted Gabe with a tribal flag, as well as a star quilt that was handmade by a NRD employee.

Wilbert Michel, Tribal Member, commented on issues brought up this morning. Regarding yesterday's meeting in St. Ignatius, it was not what it turned out to be. It was just a lady venting, which she had a right to do. Wilbert did not see it becoming an argument or anything. That is his perspective of that meeting and how he feels about the meeting. That meeting should not have been interrupted by Len TwoTeeth. He respects what the tribal council does for the people, but our elders come first. Wilbert has seen elders come in here before and address their situation. Mr. Sorrell's issue could have been properly taken

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care of by having someone sit down with them. The Tribal Lands Department requested an estimate of work to be done, but it would have been simple to get someone from the Salish Kootenai Housing Authority or a contractor to go down there.

Niki Graham, Salish Kootenai College, confirmed financial support for tribal sponsorship and requested a change of duty for tribal employees to go to the Eleventh Annual Women 4 Wellness Health Fair on May 23, 2019. The health fair is scheduled from 10:00 a.m. to 4:30 p.m. **Council** confirmed the financial support. The Warrior's Movement wants the Tribes to sponsor their space at the fair. **Leonard Gray** will follow up on that request. Niki requested that Maggie Goode be approved to help the group for two days. **Leonard Gray** will follow up on the request for Maggie and find out if it would be administrative leave or a change of duty.

MOTION by Anita Matt to grant a three-hour change of duty, with supervisor approval, for tribal employees to go to the Eleventh Annual Women 4 Wellness Health Fair on May 23, 2019. Seconded by Carole Lankford. Carried, unanimous (8 present).

Niki Graham gave an overview of the Women 4 Wellness Health Fair. There are 18 vendors on the waiting list for the health fair. 25 health screens will be offered by providers and 13 health specialists will be on the floor that day. W4W gear will be offered for sale. There will be a space allotted for the MMIWG movement. The W4W organization is sponsoring that table. The health fair is open for women and men, and 150 men attended last year.

Jordan Stasso, Tribal Education Department, requested approval to submit a grant application in the amount of \$10,000 from the Potlatch Fund for Student Success Native Youth Encampment Grant. Jordan does not want a fee taken out of the grant, if it is awarded. It would be about \$1,500.00 that needs to be waived. **Rick Eneas**, Financial Management, informed council that when the IDC is waived, it gives more programmatic funding to be used for other expenses, but the IDC is a recovery of costs so when it is waived it becomes an expenditure from the general fund and has a budget impact. IDC encompasses the expenses of the backend pieces, including Contracts & Grants functions, Accounting, HR functions, and facilities. There have been situations where the council capped the IDC rate instead of waiving the full amount. This is a topic that could be reviewed by the budget committee. **Leonard Gray** was concerned that if we waive all IDC requests, it will impact the general fund budget. He wants a review of the impacts. **Carole Lankford** suggested that in the future any programs wanting to request a waiver of the IDC be required to meet with the Budget Committee prior to making the request so any impacts can be determined. Another option is instead of waiving the IDC they could request a donation from the Tribes for that amount of money.

MOTION by Shelly Fyant to approve by resolution submission of the Potlatch Fund grant application and waive the IDC. Seconded by Len TwoTeeth. Carried, 7 for; 0 opposed; 1 not voting.

RESOLUTION 19-120

RESOLUTION APPROVING THE SUBMISSION OF PROPOSAL DOCUMENTS TO THE POTLATCH FUND GRANT – NATIVE STUDENT SUCCESS

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

WHEREAS, The Potlatch Fund has published a request for proposals for Native Student Success to provide for Native students to become future leaders who will guide us toward a future of sustainability, sovereignty, and preservation of all native communities, and

WHEREAS, The People’s Center, as part of its effort to provide cultural education, and believes that our youth are our future will develop a traditional Salish, Pend d’Oreille and Kootenai Tribal Native Youth Encampment that includes all areas of Native Lifeways to further perpetuate our traditional knowledge customs, and

WHEREAS, The People’s Center is soliciting funding in the amount of \$10,000 to host two separate youth camps to Salish, Pend d’Oreille and Kootenai people through to enhance cultural awareness on the Flathead Reservation, and

NOW, THEREFORE, BE IT RESOLVED, the People’s Center is authorized to submit Potlatch Fund proposal documents with its updates and revisions to further carry out the purposes of the funds request, and to integrate and implement its most recent cultural education work plan.

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the teaching traditional lifestyles and histories of the Salish, Pend d’Oreille and Kootenai people through a Living Histories Days Project 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.

Rick Eneas, Financial Management, requested approval of modification 5 to the fiscal year 2019 General Fund Budget. There is a need to increase the budget for the CSKT License Plate Scholarship Program and General Fund revenues are available to appropriate for that purpose.

MOTION by Shelly Fyant to approve by resolution modification 5 to the fiscal year 2019 General Fund Budget. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-121

RESOLUTION APPROVING MODIFICATION 5 TO THE FISCAL YEAR 2019 TRIBAL GENERAL FUND BUDGET

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

WHEREAS, there is a need to increase the budget for the CSKT License Plate Scholarship Program and General Fund revenues are available to appropriate for that purpose; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
02-505-6706	CSKT License Plate Scholarship	0	7,000	7,000
Total Increase/(Decrease)			7,000	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate General Fund Revenues and modify the FY 2019 General Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2019 General Fund Budget is increased from \$22,489,906 to \$22,496,906; and

BE IT FURTHER RESOLVED that the ending surplus/(deficit) of the FY 2019 General Fund remains 0.

Rick Eneas, Financial Management, requested approval of modification 9 to the fiscal year 2019 Indian Health Service Self-Governance Compact Budget. Fiscal year 2019 funding for the final amount of Services has been awarded and adjustment needs to be made to the current budget.

MOTION by Anita Matt to approve by resolution modification 9 to the fiscal year 2019 Indian Health Service Self-Governance Compact Budget. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-122

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

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

WHEREAS, FY 2019 funding for the final amount of Services has been awarded and adjustment needs to be made to the current budget; and

WHEREAS, the budget will be allocated as follows:

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
11-502-4130	Tribal Health Department	11,193,866	50,026	11,243,892
	TOTAL INCREASE/(DECREASE)		50,026	

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

BE IT FURTHER RESOLVED that the FY 2019 IHS Self-Governance Compact Budget is increased from \$29,729,982.99 to \$29,780,008.99.

Rick Eneas, Financial Management, requested approval of modification 10 to the fiscal year 2019 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2019 funding for Dam Maintenance has been awarded and needs to be allocated to the budget.

MOTION by Carole Lankford to approve by resolution modification 10 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 19-123

RESOLUTION APPROVING MODIFICATION 10 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 Dam Maintenance has been awarded and needs to be allocated to the budget; and

WHEREAS, the budget will be allocated as follows:

Account Number	Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
13-503-4511	Safety of Dams	20,226,078.40	130,000	20,356,078.40
	TOTAL INCREASE/(DECREASE)		130,000	

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 \$37,205,609 to \$37,335,609.

Rick Eneas, Financial Management; and **Kurt Burland**, Property and Supply; requested approval to hire Elijah Chiefstick to fill the Mail Carrier position for Central Mail. There was an unexpected vacancy and there was not enough time to advertise the position, so Elijah has been employed under a work experience contract for the past 90 days and has worked out well. Kurt checked with the Work Experience program and there were no tribal members on the list that had a driver's license. **Leonard Gray** could not support the request to hire Elijah on permanent full-time status because it is an entry-level position that could be filled by a tribal member. **Len TwoTeeth** would like to be consistent and approve the hire on a two-year contract instead of FTE status. **Carole Lankford** would like the position advertised after the expiration of the contract term.

MOTION by Carole Lankford to authorize the hire of Elijah Chiefstick on a two-year contract to fill the Mail Carrier position for Central Mail. Seconded by Shelly Fyant. Carried, 7 for; 1 opposed (Myrna DuMontier).

Rick Eneas, Financial Management, requested approval of an updated organizational chart for the Tribal organization that needs to be submitted with the IDC proposal. There were no changes made; it is just an updated version of the chart. An updated chart has not been approved by the council since 2010. **Shelly Fyant** did not believe the chart was current and she wanted to discuss it at the chairman's meeting. **Carole Lankford** suggested approving the chart for the purpose of the IDC proposal and then make necessary changes as Shelly discussed.

MOTION by Carole Lankford to approve the updated organizational chart for the Tribal organization. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

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

Jami Pluff, Policy Analyst; and **Rob McDonald**, Communications; gave an update on the Missing & Murdered Indigenous Women (MMIW) work group meeting of April 24. Louis Fiddler had drafted a response protocol as a message to the membership. The work group discussed the protocol, and the message will be published in the Char-Koosta News. One important message is that missing people can be reported as missing immediately and that there is not a 24-hour wait period. The work group wants to have a Facebook page so there will be a social media presence. Rob supported that request. Naomi Robinson would develop the Facebook page. Naomi and Jami would be the administrators of the page. Having a local dedicated tip line that is not associated with Law & Order was recommended. The work group members would volunteer to answer the calls or people could leave a voicemail. Jami requested approval to work with Kermit Clary to get a dedicated tip line. There is an event in Kalispell on May 4, 2019, for National MMIW month. Shelly Fyant will serve on a panel to discuss the resolution that was passed by tribal council. There is a missing and unidentified persons training in September. Jami wants the work group members to be able to attend that training session and will bring back the request at a later date. There is a task force meeting in Helena on June 11, and on June 12 there is a training regarding the bill for the task force. **Charmel Gillin** wanted the work group to develop a budget for fiscal year 2020.

MOTION by Len TwoTeeth to authorize a Facebook page. Seconded by Anita Matt. Carried, unanimous (8 present).

MOTION by Anita Matt to authorize a dedicated phone line at tribal headquarters for MMIW and work with Kermit on the process and protocol. Seconded by Carole Lankford. Carried, unanimous (8 present).

Shelly Fyant announced that in honor of the National Missing & Murdered Indigenous Women Day of Awareness on May 5, 2019, Two Eagle River School is hosting a run/walk starting at the Ronan Boys & Girls Club at 2:00 p.m. and ending at the Tribal Complex under the veterans' memorial. Participants are encouraged to wear red. Everyone is welcome to participate.

Dana Lozier, University of Montana Student; **Jeanne Christopher**, Early Childhood Services; and **Dan Durglo**, Salish Kootenai College; discussed a request from Dana to hold an Early Childhood Education Conference October 4-6, 2019, at Salish Kootenai College. Dana serves as president of the Association

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for the Education of Young Children. The conference would include tribal history and would be open to all Early Childhood educators. Dana wants the tribal sessions taught by someone within the tribal membership. There will be a representative from the National Association for the Education of Young Children speaking on Sunday about the Power to the Profession initiative. The keynote speaker will be Joyce Silverthorne. Dana gave an overview of the curriculum.

MOTION by Carole Lankford to approve the conference. Seconded by Anita Matt. Carried, unanimous (8 present).

Sandra Boham and **Dan Durglo**, Salish Kootenai College; **Anne Dennis**, Deputy Chairperson; **Roy Ah- See**, Chairman; **Craig Cromelin**, Councilor; **Stephen Hynd**, Executive Director Land, Legal and Strategy; **Wesley Fernando**, Director Northern Zone Officer; and **Mark Dupuis**, Principal Legal Officer; introduced a delegation from Australia. The Land Council Members showed the tribal council the New South Wales Aboriginal Land Council promotional video. In 1967, they became citizens of their country; prior to that, they had no rights. There was a referendum in 1967 that passed for them to be considered as citizens in their own country. They had been there for the past 60,000 years. Their leaders are elected for a four-year term. Their legislation was set up in 1993 by the New South Wales Aboriginal Land Act. They were compensated at 7.5% of the land tax for 15 years. There was \$495 million in an endowment fund and it is a benchmarked account that has now grown to \$670 million. Resources are allocated to the membership. The delegation is here to learn about higher education, how they interact internationally as a people, relationships, partnerships, and gain an understanding of each other's cultures and challenges. They want to have an ongoing relationship with the CSKT. They shared a story about the water. Over one million fish had died due to a lack of oxygen in the water. The water was contaminated and irrigation from greedy farmers at the expense of the communities was the problem, and it was brought up at the United Nations. The elders have to use baby wipes to clean themselves because there is no clean water. They are calling on the Australian government for an independent review of how they got to that situation. Mark Dupuis is a CSKT tribal member and is living in Australia helping the government.

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

Charmel Gillin left the meeting for the remainder of the day.

Ann Miller and **Dr. Desiree Pierre Fox**, Tribal Defenders Office, met with council for Desiree to present her dissertation on Measuring Recidivism Risk Outcomes: A Pilot Project in Collaboration with the Flathead Reservation Reentry Program and discuss next steps with the Reentry intake and assessment tool developed by FRRP and our psychologists. In April 2017, the tribal council passed resolution 17-114 to allow FRRP to collect, analyze, and publish data

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pertaining to reentry services. There is an overrepresentation of Native Americans in jail and the prison system. As of 2017, the Montana Department of Corrections is made up of 20% males and 34% females. 95% are released at some point. The Tribal Defenders Office uses a holistic defense approach along with integrated staff and cross-training.

Council met in **executive session** to conduct interviews for the Clerk of Court position. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council met in **executive session** to conduct interviews for the Associate Judge position. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Carole Lankford to accept the results of the ballot and appoint Chelsi Camel to the Clerk of Tribal Court position for a four-year term. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

MOTION by Anita Matt to appoint MaryRose Morigeau to S&K Business Services for the remainder of the one-year unexpired term vacated by Pete White. Seconded by Myrna DuMontier. Carried, unanimous (7 present).

MOTION by Carole Lankford to adjourn the meeting.

Council **adjourned** at 3:37 p.m., and is scheduled to meet again on Tuesday, May 7, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary