

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

Volume 20 Number 12
Council Chambers, Pablo, MT

Held: November 7, 2019
Approved: November 14, 2019

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

MEMBERS ABSENT: Carole Lankford (Gaming Retreat - Worley, Idaho).

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

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

The meeting was opened with a **prayer** by Fred Matt.

The **agenda** was presented for approval.

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

MaryRose Morigeau, John Wheeler and **Sam Wall**, S&K Business Services, requested to meet with council in **executive session** to discuss a personnel issue.

Council reconvened into **regular session**.

Len TwoTeeth presented a request from One Heart. Three board members were invited to visit the Kentucky Housing Programs for the Recovery Kentucky Program organization, with all expenses paid, to meet with the board members of this organization next week. Mary Antiste works at Mission Valley Power and is requesting a change of duty to attend the meeting. The General Manager supports the request.

MOTION by Leonard TwoTeeth to approve a change of duty, with supervisor approval, for Mary Antiste to attend the meetings with Kentucky Housing Programs for the Recovery Kentucky Program next week. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Ron Trahan).

Janet Camel, Economic Development, discussed the \$12,500.00 contract with S&K Business Services/Sovereign Leasing and Financing. Janet met with the SKBS Board of Directors and the new General Manager and she has decided to let the tribal council decide whether to contract with Steve Clairmont or have the contract remain with SKBS. The new General Manager told her that he has the necessary experience to do the market analysis and financials for this project. **Shelly Fyant** raised concern that the board was not even aware of this contract in the past. It was the **consensus** of council to have the contract remain with S&K Business Services.

Leonard TwoTeeth left the meeting for the remainder of the day.

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, informed council that Joe and Leslie Pompa are in the process of purchasing a home located on fee land that is accessed by portions of the tribal road along Cay Bay Road. Glacier Bank is financing their in-house mortgage until a long-term easement is in place. The Pompas applied for an access easement and the issue was presented to the Land Committee on April 29, 2019, with the recommendation of moving forward with the request. On May 16, 2019, the tribal council took action to grant the Pompas a temporary use permit only so the Lands staff could continue to work with the other two adjacent landowners who also use this portion of the tribal road. The Tribal Lands staff is still working with the other landowners on obtaining an easement, but in the interim the Pompas would like to move forward with their original request for a long-term easement so that they may refinance their mortgage and have adequate time to complete the necessary steps to fulfill the needed requirements for the easement, including the survey and appraisal prior to their current permit expiring in May 2020.

MOTION by Anita Matt to grant Joe and Leslie Pompa a 25-year nontransferable easement for right of way, with a 25-year option to renew, pending completion of a survey and an appraisal to determine fair market value. Seconded by Fred Matt. Carried, unanimous (8 present).

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, discussed a request from the Montana Department of Transportation (MDOT) for three perpetual easements for new highway construction as part of the Ronan North project. Project 1-1 is located within tract T 4127-A, encompassing 3.12 acres, which will be used for a shared approach and a storm water runoff system that will be located just north of the Ronan Senior Center. The fair market value of this tract is valued at \$140,000.00. Project 1-2 is located within tract T 4174, encompassing 1.33 acres, which will be used for a joint use farm field and private approach to access agriculture lease 1767. The fair market value of this tract is valued at \$35,080.00. (Projects 1-1 and 1-2 are located within a portion of tribal

agriculture lease #1767. The agricultural lease will be modified to decrease the acreage by 4.45 acres.) Project 1-9 is located within tribal tract T 4421, encompassing 0.03 acres, and is located adjacent to Safety of Dams and will be used to level and widen the current roadway for future adjacent road connectivity. The fair market value for use of this tract is valued at \$1,700.00.

MOTION by Fred Matt to approve the three perpetual easement requests from MDOT for projects 1-1, 1-2, and 1-9 located on tribal trust lands at fair market value for the Highway 93, Ronan North improvement project. Seconded by Myrna DuMontier. Carried, unanimous (8 present).

Mark Couture, Tribal Lands Department, discussed a request from S&K Gaming for a five-year business lease, with a five-year renewal option, to utilize the house on Shoreline Drive (former Ranald McDonald house) as an overnight and weekly rental. SKG currently has a one-year revocable permit and has invested \$11,000 in improvements to date and does the maintenance/upkeep. The Lands Department supports the request. **Anita Matt** was only in favor of a one-year revocable permit since she thinks the property could be included in the property management plan. **Dennis Clairmont** commented that SKG cannot make a return on investment by having a one-year permit. **Charmel Gillin** asked what improvements are being made to the property, because she heard that the \$11,000 was for furnishings and those are not improvements to the tribal property. **Chairman Trahan** wanted to know what the rate of return should be on that property. **No action taken.** **Mark Couture** will obtain the requested information and present back for further discussion.

Mark Couture, Tribal Lands Department, discussed the excavated material on tribal land. Tribal Forestry is in the beginning phase of construction of a new facility at the Ronan Airport. The project began excavation two weeks ago and approximately 10,000 yards of soil needs to be removed from the site. Tribal Lands was approached to see what the Tribes wanted to do with the soil. TLD began working with Forestry to schedule the soil to be moved to the tribal gravel pit on Reservoir Road by the raceway. During this time, the contractor was told to go ahead and remove the soil so construction would not be held up due to the amount of soil being piled on site. On October 21, the soil began to be hauled off site a half mile away. TLD wanted to inform council of the situation since this is a tribal asset and soil could be used by other programs, tribal members or sold for monetary value. **Shelly Fyant** raised concern about how this happened that the dirt is not being accounted for and the contract being let falling through the cracks. Mark advised that Knife River might take the extra dirt (10,000 yards), but he wanted to visit with the council prior to following up on that. **Charmel Gillin** wanted to know what the contractual obligations were. **No action taken.** **Mark Couture** will obtain the requested information and report back to council.

Mark Couture, Tribal Lands Department, followed up on a concern regarding the Jocko Primitive Area. Northwestern Energy was doing some work in the Jocko Primitive Area and confirmed that they were working in that area. They did a flight of power lines and had concerns about leaned over trees. They reached out to the Tribes, but there is no confirmation that it was the Lands Department they reached out to. Mark thinks it was the Preservation Office that was contacted. **Shelly Fyant** reported that people have seen contractors coming out of the area after dark. She asked what happens to those trees. Mark responded that it is a combination of Tribal Forestry, Lands Department and Preservation issue, but it is more of a Forestry question. It depends on who the power company contacts. **Fred Matt** thought in previous years they were required to use tribal contractors. That should be looked into because he thought we had an agreement to hire tribal members, and we have tribal member contractors that are capable of doing that work. **Mark Couture** will follow up and report back to council.

Mark Couture, Tribal Lands Department, informed council that he has the Polson Post Office and Parking Lot buy/sell agreement for the tribal chairman's signature.

Stephanie Gillin, Natural Resources Department; and **Jessie Herbea-Meny** and **Nick Wethington**, SpectrUM; gave a report on the SciNation and the Maker Truck; discussed a grant proposal; and requested approval for an IRB. SciNation is an organization made up of CSKT employees and SpectrUM employees from the University of Montana, SpectrUM, with its SciNation Advisory Committee, is committed to empowering and inspiring the Flathead Indian Reservation and its youth about science, technology, engineering, and mathematics (STEM), higher education, and STEM careers. The committee was established in 2013 and the Maker Truck was incorporated in 2017. The SciNation Committee tries to keep the Tribal Education Department engaged and invites them to committee meetings.

MOTION by Myrna DuMontier to approve a support letter for the grant proposal for IRB. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Brenda Richey, Flathead Reservation Extension Agent/MSU; **Dr. Fredrick Peck**, University of Montana; and **A.J. Bigby**, Tribal Lands Department; requested a letter of support for the Collaboration with Communities, Youth and Drones in Ag Project. It will be a youth driven project, and the youth would be doing the research. It is a one-year engagement program and a pre- and post-survey will be done for tribal youth. The Salish Kootenai College IRB would approve the data to be collected.

MOTION by Anita Matt to approve a letter of support to implement the Collaboration with Communities, Youth and Drones in Ag Project. Seconded by Myrna DuMontier. Carried, 8 for; 1 opposed (Charmel Gillin).

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

Council met in **executive session** to conduct interviews for the Mission Valley Power Utility Board Member vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Leonard Gray to accept the results of the ballot and appoint Julian “Chuck” Courville to the Mission Valley Power Utility Board for a three-year term. Seconded by Anita Matt. Carried, unanimous (8 present).

Ryan Rusche, Tribal Legal Department; and **Tracy Toulou**, Director of the Office of Justice, United States Department of Justice; introduced Mr. Toulou to the tribal council and provided an overview of his background and experience. His office is the liaison for tribes across the country on justice related issues. The Attorney General is interested in visiting with the tribal council about tribal issues. **Shelly Fyant** discussed the Missing & Murdered Indigenous Women Work Group. The work group has a tribal consultation with the Montana State Attorney General tomorrow to discuss the missing indigenous women’s task force that was initiated through SB 312. The Montana Attorney General spoke out in support of the Keystone Pipeline, which directly brings man camps, which in turn brings MMIW.

Leonard Gray discussed tomorrow’s meeting with Tim Fox. Leonard would like to go to that meeting.

Myrna DuMontier discussed an email from Dana regarding maintenance of the Elmo Clinic for the afterschool program. The Tribal Maintenance Department was contacted and said it is not their responsibility, so they do not clean it. Dana has been cleaning it. It is a tribal program, so Myrna believes it is the responsibility of Facilities Maintenance. **Chairman Trahan** will follow up with John Neiss.

Myrna DuMontier discussed an email from Sandra Sorrell saying she requires psychiatric medication and she was told that she could not pick up her medication because her insurance would not cover it until Friday. There was also a complaint from Ellen Swaney. Ellen went to the pharmacy to pick up her medication at 5:00 p.m., and there were no employees in the Tribal Health Department building. **Shelly Fyant** received a complaint from an individual who

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went to the Tribal Health Pharmacy at 5:20 p.m., and nobody was in the Pharmacy. **Chairman Trahan** will follow up.

MOTION by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 12:11 p.m., and is scheduled to meet again on Tuesday, November 12, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary