

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

Volume 20 Number 16
Council Chambers, Pablo, MT

Held: November 21, 2019
Approved: December 3, 2019

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

MEMBERS ABSENT: Ronald Trahan, Chairman (Personal Time Off); Leonard TwoTeeth; and Charmel Gillin (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 9:09 a.m. Quorum established.

The meeting was opened with a **prayer** by Shandin Pete.

The **Tribal Council Meeting Minutes** for November 14, 2019 were presented for approval. **Shelly Fyant** requested clarification on the action taken to reduce Rhoda Couture's rental payment for the KHJCC house at \$200 per month instead of the market value. She asked if it is for the other two lessees too. **Anita Matt** told her that it was for the tribal member only. Shelly asked if we are only doing this for the tribal member and not the member of another tribe or the descendant. **Fred Matt** explained the tribal member was the only one that asked for a rental reduction.

MOTION by Fred Matt to approve the Tribal Council Meeting Minutes for November 14, 2019, with corrections. Seconded by Anita Matt. Carried, 6 for; 1 abstention (Shelly Fyant).

The **agenda** was presented for approval. **Shelly Fyant** was informed by Marie Torosian that her godson passed away and she wanted to thank the tribal council for the support while he was in the ICU in Spokane.

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

Aric Cooksley, Boys & Girls Club, requested a letter of support to secure funding through the Native Connections (SAMHSA) that is being made available for suicide prevention and risk behavior prevention. The Club would work with as many community partners as possible. Three years ago, the Crow Nation Boys and Girls Club was closed down, and there is a group from Lodge Grass that is putting together a new club. The Boys and Girls Club is working with them to provide mentoring to get them up to speed. They approached Aric to apply for the grant and they would be a sub-recipient of the funding to help them with sustainability for their startup. Some of the funds would help build and develop that Boys and Girls Club. **Myrna DuMontier** wants to make sure our youth is taken care of before we extend to the Crow Nation. **Shelly Fyant** informed council that Two Eagle River School is also applying for this grant. Aric was not aware of that. He had met with Contracts & Grants and was told that no tribal program is applying for these funds. **Leonard Gray** recommended that the Boys and Girls Club collaborate with Two Eagle River School. **No action taken.** Council requested further information and verification from Contracts & Grants. Aric informed council that the Polson Club should be open by the new school year.

Tony Incashola, Jr., Tribal Forestry, followed up on the resolution to revise the Timber Use Policy Statement. Public meetings were held, and the revisions were discussed at the tribal chairman's meeting. **Shelly Fyant** cannot support the resolution as presented because it is not what was agreed to at the meeting. Tony explained that the personal use allowance of equipment is the only thing that is not in the revised resolution. After the comment period, it was removed. They wanted to allow elders with permits to use equipment to get personal firewood. After review, Forestry saw that it did not specify elders and allowed anyone to use equipment. It can be approved by the FOIC. **Leonard Michel** does not want it changed after everything was agreed upon. Council is here for the membership. The membership showed up to meetings and voiced their concerns. It should not matter if it is an elder or a tribal member that wants to use equipment to get firewood. Tribal members need an easier way of getting their firewood. They should be given the opportunity to use equipment to gather personal use firewood. **Leonard Gray** is trying to protect the resources for all tribal members. **Fred Matt** did not think it makes sense; a person with equipment for personal use would not gather more than five or ten cords. When they use equipment commercially, they can gather a lot more wood. **Dan DePoe** was trying to help the membership have the best ability to go out there and get firewood. He has been in business for 30 years and if this goes through, he is shutting down his business. Just having Forestry be able to put him in an area and having to get it approved is going to take several weeks. This is why tribal members cannot succeed. He had agreed to the compromise because he thought that was the best we could do. **Myrna DuMontier** cannot support anything that hurts tribal members. She wants to put this in the people's lap and do a survey so they can tell us what they want. The tribal chairman had recommended a

survey and she agrees to that so the people can make a choice for their livelihood. We should not be on the side of shutting them down. **Fred Matt** wants to go back to the drawing board and figure out a way to accommodate everyone. **Anita Matt** apologized to Dan and the woodcutters; she thought this was something that was going to work. She agrees with sending out a survey. **Carole Lankford** thinks a survey is a double-edged sword. There are people that do not cut wood and want to see the resource protected. She thinks it is a decision that the tribal council should make. The resource does belong to the entire membership and this resolution protects them. She hears Dan's concerns. Dan can still use equipment if he gets approval from the FOIC. A survey could totally knock the woodcutters out of the woods and the last thing we want to do is put the woodcutters out of business. **Shelly Fyant** agreed with Carole that it is in our court. A survey will be a certain number of people that have the wherewithal to comment and maybe some of those will not be elders that burn the wood. We need to think about all those tribal members who have that right and we need to accommodate the ones cutting wood. We need to apply that standard of this being everyone's resources across the board when we are looking at our agricultural leases, homesite leases, etc. **Dan Depoe** pays a bond. Tribal Forestry has the ability to shut him down if they think he is doing something they do not agree with and they can take his bond. **Wilbert Michel** commented that this is an equal opportunity for the entire membership and this is our resource. We all are tribal members and need to be treated equally. When it says that only elders can use equipment, that is wrong, and what about our younger generation who is trying to work to make a living and pay their bills. These are people that want to work for their families and do not want a handout. It is discouraging. **Tony Incashola, Jr.** commented that if we do a survey on who uses and makes a living on the resource, we can do a survey with the people that have commercial use firewood permits only; not for all tribal members. If it is opened up to the general public that do not use the resource, then it could come back with a different answer that we do not want. The woodcutters can still use equipment to work, but we need to find areas where they can work. There are areas that will not work, such as wildlife areas and cultural areas. Tribal Forestry would try to find an area that would work for the loggers. They can use equipment for personal use as long as it is in an approved area. **Fred Matt** suggested removing the part about using equipment to get personal firewood and then the resolution would pass. **Carole Lankford** suggested that Tribal Forestry could write the regulations that would meet the department's needs. **No action taken.** Council wants to wait until a full council is present for discussion.

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

Virgil Dupuis and **Doug Dupuis**, Salish Kootenai College Extension Office, gave an overview of the scope and scale of the Flathead Lake Flowering Rush Controls Program and requested concurrence with the Needs and Objectives and to

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proceed with scoping and completion of an environmental assessment in consultation with the CSKT departments, the public, and other agencies for submission to the Bureau of Indian Affairs. Flowering Rush is an aquatic invasive plant that was first identified in Flathead Lake in 1964. It has since spread to the upper Flathead River, around the lake, down the lower Flathead River, Clark Fork River to Lake Pend d'Oreille, and is now causing concerns to the mid-Columbia River region. Research will continue for at least the next two years. Underneath boat lifts, break waters, and marinas are the key infested areas. A database will be created. A cultural review is completed. They want to engage the landowners in this effort. It was recommended that the lakeshore landowners be assessed a fee to help offset costs in the long-term. About 10 miles of the Flathead River is infested. Flowering Rush blooms about every 8 years and gets very dense. Cost share money is available for landowners.

MOTION by Myrna DuMontier to concur with the Needs and Objectives and to launch the scoping and completion of an environmental assessment in consultation with the CSKT departments, the public, and other agencies for submission to the Bureau of Indian Affairs. Seconded by Anita Matt. Carried, unanimous (7 present).

Mark Couture and **Rachael BigSam**, Tribal Lands Department, requested approval of the highest and best bids for the 2019 Agricultural Leases Fall Bid.

MOTION by Carole Lankford to accept the department head's recommendations and approve the highest and best bids for the 2019 Agricultural Leases Fall Bid. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

Dan Lozar, Natural Resources Department, requested approval of Project Management Plan 1 under Agreement No. 20-037 with the Reclamation Technical Service Center for an amount not to exceed \$100,000.00 to provide engineering services related to the rehab of the Flathead Pumping Plant. The project will entail a scoping study of the existing facility and making preliminary recommendations for logical next steps including rehab, replacement, and/or a combination of rehab and replacement.

MOTION by Anita Matt to approve Project Management Plan 1 under Agreement No. 20-037 with the Reclamation Technical Service Center for an amount not to exceed \$100,000.00 to provide engineering services related to the rehab of the Flathead Pumping Plant. Seconded by Carole Lankford. Carried, unanimous (6 present – Fred Matt out of the room).

John Harrison, Legal Department; **Tom McDonald**, **Stephanie Gillin** and **Dan McClure**, Natural Resources Department; gave an update on the Yellowstone

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Bison Hunt and discussed the Bison staff's recommendations for the upcoming IBMP meeting on December 3.

Brian Upton, Legal Department; **Amy Coffman** and **Will Meeks**, United States Fish & Wildlife Services; handed out information on the Department of the Interior reorganization. The National Bison Range would report to the Portland Regional Office.

Ryan Rusche, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council met in **executive session** to conduct interviews for the Two Eagle River School Board vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

Myrna DuMontier informed council that she received a report concerning all the reports that are overdue by the Tribal Health Department, Natural Resources Department, Salish Culture Committee, and the Department of Human Resources Development for their grants. Myrna wants the tribal council to ask Clayton Matt to make sure those reports get done and submitted in a timely manner.

MOTION by Fred Matt to accept the results of the ballot and appoint Danyel James to the Two Eagle River School Board for a four-year term. Seconded by Anita Matt. Carried, unanimous (7 present).

Melanie Piedalue, Personnel Department, asked about the upcoming holidays. Christmas is on a Wednesday this year. **Council** will discuss next week.

MOTION by Fred Matt to adjourn the meeting.

Council **adjourned** at 12:23 p.m., and is scheduled to meet again on Tuesday, November 26, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary