

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

Volume 20 Number 4
Council Chambers, Pablo, MT

Held: October 10, 2019
Approved: October 22, 2019

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

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 9:10 a.m. Quorum established.

The meeting was opened with a prayer by Fred Matt.

The **Tribal Council Meeting Minutes** for September 24, 2019 were presented for approval.

MOTION by Dennis Clairmont to approve the Tribal Council Meeting Minutes for September 24, 2019, with corrections. Seconded by Carole Lankford. Carried, 9 for; 1 abstention (Charmel Gillin).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Carole Lankford brought up an issue about using our sky miles for a family member to attend LJ Quequesah's services. She was told that it was taken care of already.

Richard, Shyann Running Bird, and Pretty On Top, Salish Kootenai College Entrepreneur Class, informed council that on October 29 they are co-hosting an Internship Fair with the SKC Foundation. Council was invited to attend the fair. Richard requested approval to invite the entire tribal employees and offer a change of duty for the last half hour that day at 5:00 p.m. The event is from 5:00 to 7:00 p.m. **Charmel Gillin** requested that Richard provide all the information to the department heads.

MOTION by Len TwoTeeth to grant tribal employees a change of duty, with supervisor approval, on October 29, 2019, from 5:00 p.m. to 5:30 p.m., to attend the Internship Fair at Salish Kootenai College. Seconded by Anita Matt. Carried, unanimous (10 present).

Tony Incashola, Jr. and **James Lozeau**, Tribal Forestry, requested approval of spending authority of \$400,000 for Account 3801 Green House and \$650,000 for Account 3805 Heavy Equipment Repairs and Purchases.

MOTION by Carole Lankford to approve spending authority of \$400,000 for account 3801 Green House. Seconded by Anita Matt. Carried, unanimous (9 present – Len TwoTeeth out of the room).

MOTION by Anita Matt to approve spending authority in the amount of \$650,000 for Account 3805 Heavy Equipment Repairs and Purchases. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Vernon Finley, Kootenai Culture Committee, shared a story with council about an antelope and a frog. He was reminded of that story when he found out that a frog caused yesterday's power outage.

Vernon Finley, Kootenai Culture Committee, discussed yesterday's elders meeting. There was some good discussion. Council had taken action to move the NAGPRA Coordinator position to the Preservation Department. The tribal elders want that action to be rescinded. There was not a consensus of the elders and they had questions and concerns regarding the cultural aspects, and they want further discussions before any action is taken. The position is funded by tribal dollars. **Carole Lankford** commented that the position should serve everyone (Salish, Kootenai and Pend d'Oreille) and she thinks it is a good fit moving it to the Preservation Department. **Charmel Gillin** agreed that the position should serve the entire membership. Vernon explained that the recommendation from the elders may be the same, but it needs further discussion to resolve the issues and reach a consensus on how to proceed. **Fred Matt** recommended placing the action on hold for now instead of rescinding it to allow time to resolve these issues. **Shelly Fyant** asked if it was brought up to the Salish Culture Committee. **Mike Durglo**, Preservation Department, responded two months ago he was directed to meet with Tony and Vernon. He wished that never had occurred; he thought it should not be his position that did that and it should have been Clayton Matt. Mike felt there was some agreement among everyone that the position should go to Preservation along with the funding that goes with that position. Vernon was going to identify a KCC employee to be the NAGPRA Technician and Tony was working with an employee to learn the NAGPRA responsibilities. That is what Mike brought forward to the tribal council. He thinks the best solution is to have a NAGPRA Coordinator at

both locations. We have different ways we take care of remains and he is not sure there will ever be a consensus reached.

MOTION by Len TwoTeeth to rescind the council action moving the NAGPRA Coordinator position to the Preservation Department. **MOTION DIED DUE TO LACK OF A SECOND.**

Chairman Trahan recommended holding off on it. He explained that he had asked Mike Durglo to have that meeting with Tony and Vernon because he felt that is Mike's responsibility in his position as the department head. **Mike Durglo** told council that he would not come forward with the request to approve the organizational chart change until this matter gets figured out. **Laurence Kenmille** commented that specific things need to be done when collecting and returning remains. Each Culture Committee does things their own way and we will lose control of these specific processes that need to be done if the position is turned over to Preservation. **Junior Caye** discussed the importance of that position to the Kootenai people. The position was originally created and funded by a grant because the Kootenai people needed it. He wants the tribal council to create a position for the Salish people and leave this one alone. **Chairman Trahan** wants the Culture Committees to work together and come up with a solution. The council action was placed on hold until things are resolved. **Junior Caye** believes each end should have their own position. It is hard to deal with our own problems. The person in this job deals with our own problems. Now the council wants that person to go to other places and deal with their problems. He believes we need two of them because we are here as one but there are two different tribes here. He is not trying to cause problems but we use this position to protect ourselves. If we continue like this, someday we will not be able to identify ourselves. We cannot let something like this slip out of our hands and we need two positions. **Leonard Gray** thought this had already been worked out before the request came in to the council. This should have been scheduled on the agenda for further discussion. **Vernon Finley** asked the council to look into the Robert's Rules of Order on how to proceed since they did not table the action. **Charmel Gillin** explained that the council is not trying to disrespect anyone. We have three department heads that were tasked with resolving this; they have a responsibility to review this. The tribal council was under the impression that all three departments had a consensus when it came in, and now today the council finds out there was no consensus and wants the action rescinded. Charmel pointed out that the council hears what everyone is saying and they understand there is no consensus by the three department heads. She reassured Laurence of the concern that the Kootenai people will lose control; that will never happen. Nobody in our Tribes wishes that to happen. We need our department heads to figure out a way to ensure that does not happen. We need a solution to give us the expertise and leverage we need in DC when NAGPRA laws and appropriations are involved. That would benefit our whole Tribe. She does not want anyone to think that the council is not being supportive. We

should never have a standing order causing someone to lose control how these things are handled. That should never happen. **Shelly Hendrickson** told council that this is where historical trauma comes from. These guys are feeling heavy on their hearts that they're being taken away from them. It is from all of us. Each side is scared. Shelly asked if the council is going to find the dollars to do this and get our people back to where they should be. **Fred Matt** wanted to assure everyone involved that there isn't going to be anything further done on this until they all come together. When they work it out, they will come back with a recommendation. **Leonard Michel** commented that it is important to have a position in each culture committee. He sees a problem that the tribal council representatives don't go to the meetings and listen to elders speak on a constant basis. What is really hard is we come here to listen to what's going on Tuesday and Thursday, and the council discusses everything on Monday. Leonard had asked before that he be allowed to attend and participate in the tribal chairman's meetings. There are other tribal members that probably want to, as well. It should not be questions how we pay for this; it is the heart of where we come from. It is council's job to listen to constituents and understand our feelings and ways.

Darcy Maiers requested a permit for his daughter to help him while hunting.

MOTION by Myrna DuMontier to allow Kathy to assist her father retrieving while hunting. Seconded by Fred Matt. Carried, unanimous (9 present – Ron Trahan out of the room).

Anita Matt excused herself during the next issue.

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

Renee Joachim, Personnel Department, met with council in **executive session** to discuss a personnel matter.

Council met in **executive session**.

Council reconvened into **regular session**.

Anita Matt returned to the meeting.

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

Shane Hendrickson wanted to know why he is getting kicked off his homesite. He has always had animals there, including longhorns, and it was never a problem until now. He wants to keep his horses on the homesite. The Hendricksons have lived there for the past 27 years. Shane wanted to know

why they do not want him on that property anymore, and if they do want him gone they need to buy him out. **Mark Couture**, Tribal Lands Department, provided the background information on this matter. Violation notices were sent to him on the homesite and ag lease. There was a delinquency on it. The letter went to his son because that's whose name the lease is in. They never responded to any of the notices from Lands. The violation went to the next stage of cancellation. There is a thirty day time period to appeal it to the Regional Office. The Regional Office received no written appeal from them. After that, it goes to the trespass status. The homesite had unregistered junk vehicles, obnoxious weeds, and had other debris scattered on the property. The Hendricksons needed to clean that up and didn't do so. There is no written document allowing horses on the homesite. Horses are not allowed on a 2.5-acre homesite. They have been running on other lands. Any grazing animals require a lease and there is not a lease in place, so they are in trespass. **Fred Matt** thinks the Hendricksons need to work with the Tribal Lands Department to get all of the issues resolved and come into compliance. The intent was not to kick them off the property. The staff is just doing their jobs and following the laws. **Shane Hendrickson** commented that one man's junk is another man's treasure, and just because all those vehicles aren't titled doesn't mean they are junk. Shane feels like he is being harassed and is being singled out. **Carole Lankford** suggested that he just come into compliance and the matter would be resolved. She does not understand why they did not respond to any of the notices and either come into compliance or file an appeal the actions that were taken. **Mark Couture** explained that since it has gone this far in the process, Lands cannot do anything about it. The Hendricksons are in the cancellation stage at this point. The Lands Department took the bond to cover the delinquency that was owed. They are currently in trespass status. According to the Code of Federal Regulations (CFR), they have a time line to sell the improvements on the lease or it gets reverted back to the Tribes. The Hendricksons are not being singled out and the staff is just doing their job. Lands would need a directive from council to work with them since it has gone this far. **Shane's daughter** commented that she has historical trauma and has PTSD and this is causing stress on her. She uses horses for therapy. Taking her babies away while she is sleeping upset her. She needs them with her. The horses help her, and getting them taken away from her really hurt her. **Shelly Hendrickson** is tired of being harassed for the past 27 years. **Chairman Trahan** explained that the law prohibits any livestock on a homesite lease that is 2.5-acres or smaller. **Council** directed the Tribal Lands Department to work with the Hendricksons in an attempt to resolve this matter. **Charmel Gillin** asked Mark Couture to make a note that the tribal council wants to have a discussion about service animals when the council goes through and works on the Land Ordinance.

Chairman Trahan requested approval of a resolution to appoint Winona Tanner as the Chief Judge of the Tribal Court for a four-year term.

MOTION by Fred Matt to approve by resolution the appointment of Winona Tanner to serve as Chief Judge of the Tribal Court for a four-year term. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 20-003

A RESOLUTION TO ENTER INTO A JUDICIAL CONTRACT WITH WINONA M. TANNER TO SERVE AS CHIEF JUDGE OF THE TRIBAL COURT FOR A FOUR-YEAR TERM

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

WHEREAS, the Tribal Council, as governing body of the Flathead Nation, is entrusted with the responsibility to protect the health, security and general welfare of the Tribes; and

WHEREAS, the Tribal Government provides for the maintenance of law and order and the administration of justice by the establishment of a Tribal Court; and

WHEREAS, The Tribal Council employs contract employees and additional staff for the Tribal Court of the Confederated Salish and Kootenai Tribes; and

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Nation wish to enter into a contract with Winona M. Tanner for her services as Chief Judge of the Tribal Court of the Confederated Salish and Kootenai Tribes; and

WHEREAS, it is the intent of all the contracting parties that Winona M. Tanner shall commence working under the approved contract with the Tribes according to the terms and conditions stated therein;

NOW, THEREFORE, BE IT RESOLVED that beginning October 1, 2019, Winona M. Tanner shall act as Chief Judge to the Tribal Court for a four-year term providing services at the direction in accordance with the terms and conditions of the contract attached hereto.

Laurence Kenmille, Enrollment Office, informed council that the United States Navy is celebrating its 240th birthday on October 13, 2019. He thanked all veterans for their service.

Laurence Kenmille, Enrollment Office, requested approval of a resolution approving the December 4, 2019 per capita distribution. November 14 is the cutoff date new enrollments and holds for this per capita.

MOTION by Fred Matt to approve by resolution the December 4, 2019 per capita distribution. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 20-004

RESOLUTION AUTHORIZING THE DECEMBER 4, 2019 PER CAPITA DISTRIBUTION

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

WHEREAS, The Tribal Council established policy by Resolution 96-83 to make per-capita payments to tribal members three times annually during the months of December, April and August for each fiscal year; and

WHEREAS, said policy states that three equal per capita payments of \$400.00 will be made annually and that one-half (1/2) of each per capita distribution for each minor child enrolled in the Tribes is to be issued to said minor's parent or legal guardian and the other one-half (1/2) is to be placed in a trust account with the Bureau of Indian Affairs to accumulate and earn interest until said minor has reached legal age; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Northwest Regional Director is requested to authorize the \$400.00 per capita distribution to be made during the month of December 2019; and

BE IT FURTHER RESOLVED, that the Director of Financial Management is directed and authorized to request sufficient tribal monies on deposit in the United States Treasury to be advanced to local status to effect said distribution; and

BE IT FURTHER RESOLVED, that the Superintendent, Flathead Agency, and the Director of Financial Management are authorized to apply these funds to judgments held by Tribal Court, to assignments through Tribal Credit, and voluntary child support and to those accounts under the control of the Superintendent; and

BE IT FURTHER RESOLVED, that the December 4, 2019 per capita distribution will be made to those members enrolled in the Tribes as of November 14, 2019 at 5:30 p.m., and

BE IT FINALLY RESOLVED that the deadline for claims to be withheld from individuals' December 4, 2019 per capita for judgments, assignments and

IIM holds through the Superintendent and Director of Financial Management shall be no later than November 14, 2019 at 5:30 p.m.

Mark Couture, Tribal Lands Department, requested approval to advertise the Fall Bid.

MOTION by Leonard Gray to advertise the Fall Bid. Seconded by Fred Matt. Carried, unanimous (10 present).

Mark Couture, Tribal Lands Department, discussed a request from Pyramid Lumber for a road use permit in Lamoose for the 8000 Road and main Pistol Creek Road for a state timber sale. The three-year sale has reached the end of the contract and Pyramid needs a permit in order to get their extension approved. Tribal Forestry and Safety of Dams does the road inspections. **Charmel Gillin** commented that the landowner usually gets the permit in their name, which in this case would be the State. Mark explained that the State would no longer need a permit. With an extension to the contract period date, they need a new permit for the contract term. The State does not need a permit; Pyramid needs it. This land is their only access for the timber sale.

MOTION by Fred Matt to approve a road use permit for Pyramid Lumber. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Mark Couture, Tribal Lands Department, discussed the nomination for NRCS Advisory Council. USDA policy requires tribes to be involved. The organization pays for any travel costs. It is a three-year term. It can be a tribally elected official or a nomination from tribal council to select a representative. AJ Bigby or Mark Couture were the recommendations from Herb Webb. **Myrna DuMontier** suggested appointing a staff as the delegate and a council member as an alternate due to the turnover on tribal council. **Carole Lankford** suggested holding off until the department head position is filled. The deadline for nominations was in September, so Mark can find out if they can wait that long.

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented a request for a revocable permit from Tammy Fragua to operate Hawaiian Shaved Ice shop in Polson on T4514. Tammy wants to extend the permit for one year. Her rent is higher in the peak season; that is why the rent is low on the other side where the shaved ice business is. It does not impact the sale of Christmas trees on that site. **Charmel Gillin** asked about the fair market rent. Tara said it is \$350 per month. Her rent is much higher in the summer. It would exceed \$450 per month for the shaved ice portion and Flathead Raft Company. It is set at \$100 during the winter months when she is not in operation.

MOTION by Charmel Gillin to go with option one. Seconded by Myrna DuMontier. Carried, unanimous (10 present).

Mark Couture and **Tara Irvine**, Tribal Lands Department, discussed the business lease with One Heart. One Heart is requesting a waiver of Section 11 (a) of the business lease. It has to do with paying property taxes on this fee parcel. We are in the appeal process, and by next month it should be in trust. We will do a tax-exempt when we pay taxes in protest. They do not want One Heart in charge of making that payment. They requested approval of option one for the Tribes to pay the taxes. **Carole Lankford** questioned why the property was taxed since we are exempt for five years while the parcel is going into trust. Tara explained that an error occurred by the Lands staff, so we are responsible for paying the taxes this year.

MOTION by Anita Matt to pay the taxes with protest for One Heart until the exemption to put it into trust. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

Carole Lankford left the meeting for the remainder of the day to travel to Livingston for a meeting.

Joe Durglo, Tribal Health Department; and **Kermit Clary**, Property & Supply; requested approval to transfer the Property & Supply Technician position to the Tribal Health Department organizational chart. The position is currently paid for by Tribal Health but is supervised by Property & Supply. This one is the only position that is housed elsewhere. Gary Gauthier retired, so Johnny Burland wants to transfer into that job, which left this job vacant. It is an ideal time to make this change while it is vacant. There is a RIF-eligible employee that Kermit recommended be placed into that job. Joe is not opposed to doing that, but is also willing to advertising it. The person was stationed at KHJCC and was RIF'd.

MOTION by Fred Matt to allow the transfer of the Property and Supply Technician position to the Tribal Health Department. Seconded by Charmel Gillin. Carried, unanimous (9 present).

Joe Durglo, Tribal Health Department, requested approval of a resolution supporting a Joint Venture with the Indian Health Service to increase our base funding. The resolution is to approve the phase one application.

MOTION by Anita Matt to approve by resolution to support the application to participate in the Joint Venture with the Indian Health Service. Seconded by Fred Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 20-005

RESOLUTION IN SUPPORT OF A PRE-APPLICATION TO PARTICIPATE IN THE JOINT VENTURE CONSTRUCTION PROGRAM WITH THE INDIAN HEALTH SERVICE

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

WHEREAS, the Confederated Salish and Kootenai Tribes are charged with the promotion and protection of the Tribal memberships' health, safety and general welfare; and

WHEREAS, The Tribes have undertaken a strategic planning effort to identify options for the construction of a new community health center, and
WHEREAS, The Indian Health Service has solicited pre-applications for the fiscal year (FY) 2020 a Joint Venture Construction Program of the Indian Health Care Improvement Act.

WHEREAS, The Tribes have identified the community of Ronan as the site for the new construction. The current Ronan Clinic cannot adequately meet the projected area population healthcare needs.

WHEREAS, this submission of the pre-application packet provides the Tribes' intent to pursue this option now

BE IT RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes, that the pre-application packet is approved, and be it further resolved that this process does not obligate or commit the Tribes or Tribal resources until such time as the Tribes pre-application is advanced to a final application

Joe Durglo, Tribal Health Department; and **Melanie Piedalue**, Personnel Department; requested approval to hire Ronelle Rose on a three-year contract to fill the Clinic Nurse position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Shelly Fyant to approve the hire of Ronelle Rose on a three-year contract to fill the Clinic Nurse position. Seconded by Anita Matt. Carried, 7 for; 1 opposed (Myrna DuMontier); 1 not voting (Fred Matt out of the room).

Joe Durglo, Tribal Health Department; and **Melanie Piedalue**, Personnel Department; requested approval to hire Anna Parker on a two-year contract to fill the Medical Assistant position. The vacancy was advertised and there were no tribal member applicants.

MOTION by Leonard Gray to approve the hire of Anna Parker on a two-year contract to fill the Medical Assistant position. Seconded by Dennis Clairmont. Carried, 7 for; 1 opposed (Myrna DuMontier); 1 not voting (Fred Matt out of the room).

Joe Durglo, Tribal Health Department; and **Melanie Piedalue**, Personnel Department; requested approval to hire Julie Scott on a two-year contract to fill the Medical Assistant position. There were no tribal member applicants.

MOTION by Dennis Clairmont to approve the hire of Julie Scott on a two-year contract to fill the Medical Assistant position. Seconded by Leonard Gray. Carried, unanimous (8 present – Fred Matt out of the room).

Mike Durglo and **Kevin Askan**, Preservation Department, requested approval to modify Kayla Johnson's contract to include the COLA.

MOTION by Shelly Fyant to modify Kayla Johnson's contract as recommended by Preservation. Seconded by Anita Matt. Carried, unanimous (8 present – Fred Matt out of the room).

Sam Sandoval, Char-Koosta News, requested approval of a two-year contract extension for Bernard Azure.

MOTION by Anita Matt to extend Bernard Azure's contract for two years. Seconded by Leonard Gray. Carried, unanimous (8 present – Fred Matt out of the room).

Shelly Fyant informed council that she will be going to Livingston for an event this evening. She has a resolution in support of the Rosebud Sioux Tribe in the packet. A Missing Indigenous Task Force was formed. The attorney general this week announced his intention to file suit. Fort Peck and Belknap Tribes withdrew from the task force. She wants our representative, Ellie Bundy, to withdraw from the task force, as well. **Len TwoTeeth** talked about the great effort to form the MMIP Task Force. He cautioned this council to put some thought into this before moving forward because we do not know the future implications of doing something like that. We need to use the MMIW resource as much as we can. He wants further discussion instead of just taking a quick action on it. Shelly urged everyone to read the information on why they withdrew. The Rocky Mountain Tribal Leaders Council is considering withdrawing too. Len said he is an executive officer of the RMTL and he does not believe any official action has been taken. The RMTL annual meeting is coming up soon.

Shelly Fyant left meeting for the remainder of the day to travel to Livingston for the Montana Conservation Voters meeting.

Patricia Courchane, Department of Human Resources Development, requested approval of a contract with Roxanna Colman-Herak, Herak Enterprises, in the amount of \$6,600.00 to provide ten CPR/First Aid classes.

MOTION by Myrna DuMontier to go with the recommendation of the department head and enter into a noncompetitive contractor's agreement with Roxanna Colman-Herak, Herak Enterprises, in the amount of \$6,600.00 to provide ten CPR/First Aid classes. Seconded by Anita Matt. Carried, unanimous (8 present).

Patricia Courchane and **Adrianna Fehr**, DHRD, requested approval of the Family Spirit contract.

MOTION by Myrna DuMontier to go with the recommendation of department head to approve the contract with Family Spirit. Seconded by Fred Matt. Carried, unanimous (8 present).

Patricia Courchane, DHRD, requested approval to hire Mary Catherine Nissen to fill the CYTS Mental Health position on a two-year contract. There is only two years left on that grant.

MOTION by Myrna DuMontier to approve the hire of Mary Catherine Nissen on a two-year contract to fill the CYTS Mental Health position. Seconded by Leonard Gray. Carried, unanimous (8 present).

Patricia Courchane and **Dana Morales**, DHRD, requested approval to hire Kole Cordier on a three year contract to fill the Child Protection Specialist position. CPS worker. Kole was the only applicant that passed the screening by Personnel.

MOTION by Anita Matt to go with the recommendation of the department and hire Kole Cordier to fill the Child Protection Specialist position on a three-year contract. Seconded by Leonard Gray. Carried, 8 for; 1 opposed (Myrna DuMontier).

Patricia Courchane, Department of Human Resources Development, requested approval to extend the MOU with Boston Children's Hospital Brazzelton Touchpoints Center for three months. There is only three months left of the grant.

MOTION by Myrna DuMontier to extend the no-cost extension for Project Launch. Seconded by Anita Matt. Carried, unanimous (8 present).

Patricia Courchane, Department of Human Resources Development; and **Lissa Peel**, Contracts & Grants; requested approval of the Casey Families contract.

MOTION by Myrna DuMontier to approve the Casey Families contract. Seconded by Anita Matt. Carried, unanimous (8 present).

Myrna DuMontier, for the record, "I cannot support three-year contracts because I want to keep the door open for tribal members, even though you are advertising and tribal members are not applying."

Patricia Couture, Department of Human Resources Development, will be scheduled for a chairman's meeting to discuss in depth the Elder Services Policy. Further discussion needs to happen before the policy can be approved.

Lydia Hewankorn and **David Rosenbrauk**, One Heart, discussed the MOA with the Tribes for One Heart. Joe Durglo support the efforts of One Heart and had questions of which funding source would be best. He did not know if it came out of THD's budget and was not included in his fiscal year 2020 budgets. He does not know the restrictions of funding that can be used and needs guidance from Rick or Ruth on what resource would be best to use. **Ruth Swaney**, Financial Management, explained that without knowing the specific services to be provided, it is simple under the compact that we agree to perform specific services. We need to provide healthcare-related services. The only way we can pay for non-services is to improve or construct and maintain buildings that provide those medical services in order to be eligible to receive third party collections. Third party may be a funding source available to be utilized for One Heart. **Len TwoTeeth** said that One Heart applied for a grant and the Tribes had agreed to match the grant-funding amount as required by the grant, but they did not get awarded the grant. Len suggested allowing them to utilize the money that was set aside as the grant match and then use third party funding for them to continue operations. The resolution to match the grant funds was for \$50,000. **April Charlo** informed council that she works for a native nonprofit organization. Her onboard was on Tuesday in Polson. She is the outreach specialist for outreach houses. Her job is to assess and help them progress. The Fletcher Group starts sober houses. There is a lot of support coming in all directions and she urged council to take notice they will get support from the Fletcher Group. **Rhonda Swaney**, Legal Department, commented that there are some items in the agreement do not match the conversations, so she wants more time to review the MOA. David said the MOA was required because the funding was going to come from the Tribal Health Alternative Medicine account. Rhonda commented that if council directs THD to donate \$50,000 to One Heart out of the Alternative Medicine account, then she recommends not signing the MOA or any other document since it would be strictly a one-time donation. She wants the updated financial statements that show they will be self-sufficient in two years and how that matches with the memo given to council dated September 18. Ruth explained that the commitment is initially made for the compact to fund it, the reason the MOA to put conditions on that is because the compact does not fund us for the specific services. Lydia has been trying to get this

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handled since June. She has had trouble with Rick Eneas, Joe Durglo and the Legal Department, so she has reverted to emailing people. She wanted to know who their lawyer is, who can they give answers to for the council, etc. We need to directly work with whoever council wants them to work with. They hold meetings every Friday and everyone is welcome to attend. They appreciate any help/visitors that want to come to meetings. **Chairman Trahan** will meet with Rick Eneas and Rhonda Swaney and get the employees assigned to this. **Rhonda Swaney** offered to take over the responsibility of working on this directly on behalf of the Legal Department.

Charmel Gillin informed council that a tribal member was recently hired at the Maintenance Department and due to an unknown administrative failure did not receive a paycheck this pay period. He is three weeks into his job and unable to get a paycheck for some unknown admin reason. He is in much need of pay. Rick Eneas has been out of the office due to being ill and she needs someone to follow up on this. **Chairman Trahan** will follow up.

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

Charmel Gillin left the meeting for the remainder of the day on personal time off.

Rhonda Swaney and **Brian Upton**, Legal Department, discussed a letter requesting the US Department of Agriculture Marketing Service to schedule consultation sessions with tribes on how they are going to be implementing a 2018 Hemp Provisions. A number of other tribes will be making the same request.

MOTION by Anita Matt to send the letter. Seconded by Fred Matt. Carried, unanimous (7 present).

Rhonda Swaney and **Dan Decker**, Legal Department, gave an update on the MDT agreement for the Ronan Urban project. The easement documents are being finalized. Once reviewed and approved we can proceed. Two modulars and white house are located there, and it sounds like once the agreement is signed, MDT recommendations is to have supplemental agreements to move the two modular units. He needs confirmation from council. The tan or yellow unit goes to Dixon agency and the smaller white unit comes to Pablo is what Dan has understood. That needs to be finalized on where the two modular units need to be moved to and MDT will move them. **Len TwoTeeth** doesn't want to wait for the main agreement to get approved and wants to move forward with getting the modular moved to Dixon as soon as possible. Myrna thinks the white one goes to Pablo to replace the secondhand store at the complex. Dan said Carole had a question on the larger white house in Ronan; Mr. Stapley thinks there is too much risk for MDT to move it to another property. If the Tribes will consume the

costs/risks, they will allow the Tribes to do that. It needs to be moved no later than October 1, 2020 or they will proceed with tearing it down themselves.

MOTION by Len TwoTeeth to move into a right-of-way agreement with the State of Montana to move that unit to the Dixon site. Seconded by Anita Matt. Carried, unanimous (7 present).

Dan Decker asked if we want to move the white house at our own costs and risks. Chairman Trahan was not in favor of that. Myrna used to work in that house; it's a house built within another house and she was not sure it can be moved. It would need to be inspected to see if it could even be moved. It's really old. Anita thinks it was going to go by Irrigation. John Neiss probably knows where the former department head planned on putting the other trailer. Ron was not sure that lot is ours, but Dan thinks we own it. Dan said THD came in here about the parking lot area. Ron said hold off on that for now until Carole is here for discussion and see what the plan is for that building. **No action taken.** Council wants to wait for Carole to be here for the discussion.

Rhonda Swaney, Legal Department, requested to meet with council in **executive session** to provide a legal update. **Dan Decker** and **Brian Upton**, Legal Department, were present for discussion.

Council reconvened into **regular session**.

Brenda Richey, Montana State University Extension Office, presented a quarterly report. Myrna asked about the youth and families at risk position description. Brenda will email the link to Myrna. **Anita Matt** mentioned that Ed Daughterty passed away. He worked well with the Tribes for many years and worked at FSA as County Extension Director and was a loan agent. He was a good friend to the Tribes. Brenda requested a letter of support for their grant. Council asked Brenda to draft a letter of support for their consideration. Brenda wants to do a community assessment; there has not been one done for a long time (1997).

Les Evarts and **Rich Janssen**, Natural Resources Department, discussed proposed fishing regulations to remove the limit of small mountain bass and will return to council in a couple of weeks for a final decision. Rich informed council that there is a group out of Kalispell that is planning to hold a small-mouthed bass fishing tournament on Flathead Lake in May 2020.

Dale Becker, Natural Resources Department, requested approval of a contractor agreement with Mission Mountain Flying Services, LLC to conduct aerial wildlife surveys. It was advertised and the procurement process was followed. Len TwoTeeth wants NRD to make a film of the aerial surveys taken on the reservation to show council exactly what they do and what they are filming out

there. Dale explained that they do not usually do any filming; they are counting animals. He can find out if filming is possible.

MOTION by Fred Matt to approve a contractor agreement with Mission Mountain Flying Services, LLC to conduct aerial wildlife surveys. Seconded by Anita Matt. Carried, unanimous (7 present).

Dale Becker, Natural Resources Department, requested approval of a contractor agreement with Homestead Helicopters, Inc. to provide aerial big game surveying services during fiscal year 2020.

MOTION by Myrna DuMontier to approve a contractor agreement with Homestead Helicopters, Inc. to provide aerial big game surveying services during fiscal year 2020. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

Dale Becker, Natural Resources Department, requested approval for the installation of bear poles in Lucifer, Summit, Ashley, and Mud Lakes in the Mission Mountain Tribal Wilderness Areas and the South Fork Primitive Area.

MOTION by Anita Matt to go along with the recommendation of the Natural Resources Department in installing food storage poles in Lucifer, Summit, Ashley, and Mud Lakes in the Mission Mountain Tribal Wilderness Areas and the South Fork Primitive Area. Seconded by Fred Matt. Carried, unanimous (7 present).

Dale Becker, Natural Resources Department, requested approval of an education/employment agreement for Wildlife Biologist Trainees with Payton Adams and Sarah TwoTeeth.

MOTION by Anita Matt to approve the education/employment agreement for Wildlife Biologist Trainees with Payton Adams. Seconded by Fred Matt. Carried, 5 for; 1 abstention (Myrna Adams); 1 not voting (Len TwoTeeth out of the room).

MOTION by Anita Matt to approve the education/employment agreement for Wildlife Biologist Trainees with Sarah TwoTeeth. Seconded by Fred Matt. Carried, unanimous (6 present – Len TwoTeeth out of the room).

Dale Becker, Natural Resources Department, informed council that over the last year Stacey and Dale have worked with Forestry, Lands, Preservation, and both Culture Committees on a draft strategy for delisting of grizzly bears. It would not go into effect immediately. Later today, he will send the council members a document containing the strategy. The plan is 344 pages, and he does have a shorter version relating to the tribal portions.

Chairman Trahan informed council that Donald Quequesah is looking for a way to get to his brother's funeral services. Carole Lankford had told council this morning that the Tribes have some sky miles. The chairman looked into it and the Tribes only have enough sky miles for Donald. It was the **consensus** of council to use the Tribes' sky miles for Donald Quequesah to get home for the funeral services.

Len TwoTeeth was contacted by the Maintenance employee that Charmel brought up this morning. The employee needs to get paid as quickly as possible and his power is going to be shut off. **Jennifer Trahan** told council that what was told to her is that the individual never went to Personnel and finished his personnel paperwork, so nothing was brought to Payroll for him to get paid. As soon as he finishes his paperwork, it will be sent to Payroll and he will be paid. He cannot be put into the payroll system until all his paperwork is completed. **Len TwoTeeth** will tell the employee to go to Personnel right away and get his paperwork completed. **Anita Matt** suggested having someone call Mission Valley Power and tell them what is going on so his power won't get shut off.

Rich Janssen, Natural Resources Department; and **Caryn Miske**, Watershed Protection Advocates; informed council that the WPA is a nonprofit organization. Caryn had worked for the Flathead Basin Commission for 12 years and worked closely on transboundary mining issues. She then turned her attention to AIS prevention efforts and started working at WPA. There are issues with protocol that need to be addressed. She wants to work on getting Bullock Administration to address the standards for selenium. Caryn was appointed as the Executive Director of the Clear Water Resources and wants to continue having a good working relationship with the CSKT. Rich publicly commended the staff at the Ravalli boat check station for catching a boat from Chicago that had mussels on it.

Myrna DuMontier had a meeting with Philip, the young man that previously did a presentation on dog pounds and starting an animal sanctuary. Philip is submitting a grant today. The deadline to apply for the grant is today. Myrna's computer is broke and she cannot get the letter off the computer. If the council agrees to support his application to further his work to get an animal sanctuary, they need to take action to approve it today. He is not requesting any money from the Tribes, just a support letter for his grant application to pursue his efforts. He moved to Missoula and now has a board of directors in place. It was the **consensus** of council to approve the letter of support.

Len TwoTeeth informed council that the Maintenance employee finished his personnel paperwork but it was too late to get it into Payroll today. The employee is frustrated since he has no money and has to hitchhike to work every day. Len

wants to help him out if possible. **Chairman Trahan** suggested having Dire Need provide assistance.

Merlin Harwood and **Ron Harris**, ARIES Technology, met with council to follow up on their previous presentation on a Gaming Route System to have a gaming network and options for the CSKT to become a gaming manufacturer.

Myrna DuMontier presented for consideration the letter of support requested by Philip for his grant application. It was the **consensus** of council to approve the letter, with the correction of typos.

Barbara Finley discussed a personal matter and made a request for financial assistance. It was the **consensus** of council to direct assistance.

MOTION by Len TwoTeeth to adjourn the meeting.

Council **adjourned** at 4:48 p.m., and is scheduled to meet again on Tuesday, October 15, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary