

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

Volume 19 Number 82
Council Chambers, Pablo, MT

Held: September 3, 2019
Approved: September 17, 2019

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

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 9:04 a.m. Quorum established.

The meeting was opened with a **prayer** by Charmel Gillin.

The **Tribal Council Meeting Minutes** for August 6, 2019 were presented for approval. **Chairman Trahan** made a statement for the record, "I didn't hold any meetings on the small logger issue.

MOTION by Charmel Gillin to approve the Tribal Council Meeting Minutes for August 6, 2019, with corrections. Seconded by Fred Matt. Carried, unanimous (9 present).

The **Tribal Council Meeting Minutes** for August 22, 2019 were presented for approval. The Fish, Wildlife & Parks has an advisory committee and is having a meeting. **Shelly Fyant** asked if she was supposed to set up the internal grizzly bear directive or will a staff member do that. **Anita Matt** wants a meeting on that and have staff come into chairman's meeting on the regulation changes. This was brought up at the Rocky Mountain IAC meeting. Shelly set that up for the September 9 chairman's meeting. Anita invited staffers from Lands to that meeting. Carole said we have an advisory group that just needs to be called together. Carole suggested getting a hold of Tom and Dale.

Len TwoTeeth joined the meeting.

MOTION by Charmel Gillin to approve the Tribal Council Meeting Minutes for August 22, 2019, with corrections. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Ron Trahan).

The **agenda** was presented for approval. **Len TwoTeeth** was contacted by a tribal elder who is requesting a small wake kit.

It was the **consensus** of council to authorize a small wake kit. **Len TwoTeeth** requested that the wake kit be delivered to the Foster Funeral Home.

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

C.T. Camel, Tribal Forestry, gave an update on two lightning caused fires. The Welcome 1002 fire is located southwest of Hot Springs. Its 15-20 acres in size. It will get up to 90 degrees today. 1000 and 3000 Roads have been closed. Signs will be posted to keep people out of the area. The second fire is the Moon Lake fire by McDonald Lake. It is 1 acre in size. The trailhead from Elk Lake and Eagle Pass will be closed.

Charlene Peone informed council that she has been trying to get a housing issue resolved. She was sent to SKHA and they did nothing. She went to Tribal Lands, and they said it had nothing to do with them. Charlene lives on a lease lot in Pablo in a five-bedroom house. She has been trying to sell or trade the home and ran out of options. She advertised the house and got no calls on it. **Carole Lankford** explained that the Tribes do not have a program set up to purchase homes. She recommended that the home be appraised. **Jodi Perez**, Salish Kootenai Housing Authority, joined the discussion. Charlene informed council that she could not pay for an appraisal, so she likes the idea of having Gauthier help her get that done. Jodi explained that a letter was sent to Charlene and the paperwork was never returned to SKHA. Housing wanted permission to do an inspection and meth testing and Charlene did not approve the request. Charlene explained that she did not have faith that the department would be testing accurately; meth is made up of many parts. Jodi clarified that they are certified and do lab testing in Washington. Charlene is going to put a letter in the newspaper and reach out to the public for answers. **Anita Matt** suggested she advertise it through the Lands Department and Tribal Credit.

Betty Weaselhead informed council that she had someone come over last week to have her sign the lease. It said one dog and she has two dogs. Betty wants the lease changed to allow for two dogs. **Chairman Trahan** understood she had one dog and her son had one dog. Betty is the lessee and is allowed only one dog. Betty clarified that her son is staying with her and he has a dog. **Anita Matt** explained that the Housing policy only allows one dog. The houses out there are for emergency placement only and are not for long-term housing. Council thought she was getting back into SKHA. **Len TwoTeeth** commented that dogs are family members so he supports the request until the son and dog get a new place to live. Betty reported that her son found a place to live in Polson

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but it will take about a month for him to get moved. **Charmel Gillin** explained the unit she is in is for emergency housing. The unit was not intended for her to live there for a long time. Giving her ten months to find housing should be sufficient. We should proceed with the lease as written but give the son thirty days to get moved.

It was the **consensus** of council to allow Betty Weaselhead to have two dogs for up to 30 days.

Lorin Hernandez requested help with his mother. The discussion continued in **executive session**. **Constance Morigeau**, Department of Human Resources Development, joined the discussion.

Bear Salois requested to meet with council in **executive session** to discuss a personal matter.

Council reconvened into **regular session**.

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

Chairman Trahan out of the room assisting a tribal member.

Rick Eneas, Financial Management, presented a request from the Salish Pend d'Oreille Culture Committee to purchase capital equipment after the July 1 deadline. According to the Procurement Policy, all capital equipment expenditures must occur prior to July 1 of each fiscal year. The Salish Pend d'Oreille Culture Committee has unexpended funds in the amount of \$60,000 from the Adult Salish Language Program and wants to use that funding for the purchase of a passenger van and SUV to transport elders, staff and students. **Charmel Gillin** questioned if there are sufficient funds in the budget to maintain the new vehicles.

MOTION by Len TwoTeeth to authorize the purchase of capital equipment after the July 1 deadline for the Salish Pend d'Oreille Culture Committee to purchase a passenger van and SUV. Seconded by Carole Lankford. Carried, 8 for; 1 abstention (Charmel Gillin); 1 not voting (Ron Trahan out of the room).

Tony Incashola, Jr., Tribal Forestry, requested approval of a contract extension with 3MOR Enterprises, Inc. until August 31, 2020 for the Camas Logging Unit F203C19006. The current cut and pay date is December 31, 2019.

MOTION by Len TwoTeeth to approve by resolution the contract extension with 3MOR Enterprises, Inc. until August 31, 2020 for the Camas

Logging Unit F203C19006. Seconded by Fred Matt. Carried, 9 for; 0 opposed; 1 not voting (Ron Trahan out of the room).

RESOLUTION 19-179

**RESOLUTION APPROVING MODIFICATION #1 CAMAS WUI LOGGING UNIT
CONTRACT NO. F203C19006**

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

WHEREAS, The Superintendent, Flathead Agency, Pablo, Montana approved Timber Contract No. F203C19006, CAMAS WUI LOGGING UNIT, between the Confederated Salish and Kootenai Tribes, the Seller; and 3 MOR Enterprise, the Purchaser; and

WHEREAS, Tribal member, 3 MOR Enterprise, requested an extension of the cut and pay date and expiration date on August 15, 2019, from August 31, 2019 and October 31, 2019 to August 31, 2020. As stated in his request due to the hot weather in July and the Moss Ranch fire for fire equipment needs; and

WHEREAS, the Superintendent and Seller agree with this request which will change Contract Section A5, Contract Dates to August 31, 2020 without penalty; and

NOW, THEREFORE, it is hereby agreed that Section A5 of the Camas WUI Timber Sale Contract be modified to change Section A5, Contract Dates to August 31, 2020, without penalty;

FURTHER, it is mutually understood and agreed that except as herein expressly specified, the Timber Contract shall remain in full effect and force, binding upon the parties thereto, and this Modification of Contract shall become effective upon approval by the Approving Officer.

Tony Incashola, Jr., Tribal Forestry, requested approval of a contract extension with TH Logging until August 31, 2020 for the Revais West sale #720701 – F203C19009.

MOTION by Len TwoTeeth to approve by resolution the contract extension with TH Logging until August 31, 2020 for the Revais West sale #720701 – F203C19009. Seconded by Dennis Clairmont. Carried, 9 for; 0 opposed; 1 not voting (Ron Trahan out of the room).

RESOLUTION 19-180

**RESOLUTION APPROVING MODIFICATION #1 REVAIS WEST 720701
LOGGING UNIT CONTRACT NO. F203C19009**

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

WHEREAS, The Superintendent, Flathead Agency, Pablo, Montana approved Timber Contract No. F203C19009, REVAIS WEST 720701 LOGGING UNIT, between the Confederated Salish and Kootenai Tribes, the Seller; and TH LOGGING, the Purchaser; and

WHEREAS, Tribal member owned TH Logging requested an extension of the cut and pay date and expiration date on August 14, 2019, from October 15, 2019 and October 31, 2019 to August 31, 2020. As stated in his request due to the hot weather in July and the Moss Ranch fire for fire equipment needs; and

WHEREAS, the Superintendent and Seller agree with this request which will change Contract Section A5, Contract Dates to August 31, 2020 without penalty;

NOW, THEREFORE, it is hereby agreed that Section A5 of the Revais West 720701 Timber Sale Contract be modified to change Section A5, Contract Dates to August 31, 2020, without penalty;

FURTHER, it is mutually understood and agreed that except as herein expressly specified, the Timber Contract shall remain in full effect and force, binding upon the parties thereto, and this Modification of Contract shall become effective upon approval by the Approving Officer.

Tony Incashola, Jr., Tribal Forestry, requested approval of a contract extension with Elizabeth Courville until August 31, 2020 for the Revais West sale 721706 – F203C119010.

MOTION by Dennis Clairmont to approve by resolution the contract extension with Elizabeth Courville until August 31, 2020 for the Revais West sale 721706 – F203C119010. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 1 not voting (Ron Trahan out of the room).

RESOLUTION 19-181

**RESOLUTION APPROVING MODIFICATION #1 REVAIS WEST 721706
LOGGING UNIT CONTRACT NO. F203C19010**

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

WHEREAS, The Superintendent, Flathead Agency, Pablo, Montana approved Timber Contract No. F203C19010, REVAIS WEST 721706 LOGGING UNIT, between the Confederated Salish and Kootenai Tribes, the Seller; and Elizabeth Courville, the Purchaser; and

WHEREAS, Tribal member, Elizabeth Courville, requested an extension of the cut and pay date and expiration date on August 14, 2019, from October 15, 2019 and October 31, 2019 to August 31, 2020. As stated in his request due to the hot weather in July and the Moss Ranch fire for fire equipment needs; and

WHEREAS, the Superintendent and Seller agree with this request which will change Contract Section A5, Contract Dates to August 31, 2020 without penalty; and

NOW, THEREFORE, it is hereby agreed that Section A5 of the Revais West 721706 Timber Sale Contract be modified to change Section A5, Contract Dates to August 31, 2020, without penalty;

FURTHER, it is mutually understood and agreed that except as herein expressly specified, the Timber Contract shall remain in full effect and force, binding upon the parties thereto, and this Modification of Contract shall become effective upon approval by the Approving Officer.

Tony Incashola, Jr., Tribal Forestry, requested approval of a contract extension with B MOR Venture, LLC for the Revais West sale 720818 – F203C19011 until August 31, 2020.

MOTION by Fred Matt to approve by resolution the contract extension with B MOR Venture, LLC for the Revais West sale 720818 – F203C19011 until August 31, 2020. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 1 not voting (Ron Trahan out of the room).

RESOLUTION 19-182

RESOLUTION APPROVING MODIFICATION #1 REVAIS WEST 720818 LOGGING UNIT CONTRACT NO. F203C19011

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

WHEREAS, The Superintendent, Flathead Agency, Pablo, Montana approved Timber Contract No. F203C19011, REVAIS WEST 720818 LOGGING UNIT, between the Confederated Salish and Kootenai Tribes, the Seller; and B MOR Ventures, the Purchaser; and

WHEREAS, Tribal member owned B MOR Ventures, requested an extension of the cut and pay date and expiration date on August 14, 2019, from October 15, 2019 and October 31, 2019 to August 31, 2020. As stated in his request due to the hot weather in July and the Moss Ranch fire for fire equipment needs; and

WHEREAS, the Superintendent and Seller agree with this request which will change Contract Section A5, Contract Dates to August 31, 2020 without penalty; and

NOW, THEREFORE, it is hereby agreed that Section A5 of the Revais West 720818 Timber Sale Contract be modified to change Section A5, Contract Dates to August 31, 2020, without penalty; and

FURTHER, it is mutually understood and agreed that except as herein expressly specified, the Timber Contract shall remain in full effect and force, binding upon the parties thereto, and this Modification of Contract shall become effective upon approval by the Approving Officer.

Tony Incashola, Jr., Tribal Forestry, gave an update on local fires. The Welcome fire is 15 acres. The crews will put in control lines today down the hill. The Hot Springs 1000 and 3000 will be closed due to public safety. The Moon Lake fire is located near McDonald Lake. It is 1 acre in size. The fire will be manned today. McDonald Lake Trail and Eagle Pass Trail will be closed.

Chairman Trahan returned to the meeting.

Miranda Burland, Tribal Education Department, gave an overview of PIR Day at Salish Kootenai College on Monday, September 16, 2019. The department has entered into agreements with nonmembers to provide presentations at PIR day. She was told she did not need council approval on those contracts.

Renee Joachim, Personnel Department; and **Joe Durglo**, Tribal Health Department; discussed a request for incentive awards to Tribal Health Department employees: Michelle Brown - \$1,500.00; Darren Orr - \$1,500.00; and Ramona Ebensteiner - \$1,500.00. The staff went through every paper file in all facilities and merged and purged them and took out any unnecessary documents. The files are now prepared for digitizing.

MOTION by Carole Lankford to go with the department head's recommendation and approve the incentive awards for the Tribal Health Department employees: Michelle Brown - \$1,500.00; Darren Orr - \$1,500.00; and Ramona Ebensteiner - \$1,500.00. Seconded by Dennis Clairmont. Carried, 9 for; 1 abstention (Anita Matt).

Len TwoTeeth asked the status of recognizing a staff member that does exceptional work to the membership. **Joe Durglo** responded that he just got the data of particular work that staff member performed over the last year so he will be bringing in a request for an incentive award for her.

Mark Couture, Tribal Lands Department, presented a request for a letter of disinterest on Flathead Tract 4816, containing 20.010 acres, from Donald Ray Bell so he can do a gift deed it in fee. The Land Committee recommended approval of the request. The letter will require that the Tribes will have first right of refusal. That requirement will be stated in all letters of disinterest.

MOTION by Dennis Clairmont to approve the letter of disinterest for Donald Bell, with the stated conditions. Seconded by Charmel Gillin. Carried, 9 for; 1 abstention (Ron Trahan).

Mark Couture, Tribal Lands Department, presented a request for a letter of disinterest from David Burland on a portion of Allotment 1327-A, containing 2.4 acres on Dumontier Road, so he can gift deed the parcel.

MOTION by Carole Lankford to approve the letter of disinterest for David Burland on Allotment 1327-C. Seconded by Shelly Fyant. Carried, 9 for; 1 abstention (Ron Trahan).

Mark Couture, Tribal Lands Department, presented a request for a letter of disinterest from David Burland on a portion of Allotment 1327-A, containing 3 acres.

MOTION by Shelly Fyant to approve the letter of disinterest for David Burland on Allotment 1327-A, containing 3 acres. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Ron Trahan).

Mark Couture, Tribal Lands Department, discussed the donation of property by Donald M. Berg for a 10-acre parcel on Black Lake Road. **Charmel Gillin** asked if there would be an environmental review before we take title of the land. Mark thinks it was already done, but he will confirm. Len TwoTeeth wants a map posted at the Elmo Hall for the community to look at it.

MOTION by Len TwoTeeth to accept by resolution the donation of all right, title and interest in the 10 acres. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 1 not voting (Fred Matt out of the room).

RESOLUTION 19-183

RESOLUTION AUTHORIZING THE DONATION OF FEE LAND LOCATED IN LAKE COUNTY, MONTANA

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

WHEREAS, the Tribal Land Acquisition Program was approved by the Act of June 18, 1934 (48 Stat. 984); and the Act of July 18, 1968 (PL90-402);

WHEREAS, Donald M. Berg has offered to donate, his all right, title and interest in Lot 9B of Black Lake Ranch, a platted sub-division of Lake County, Montana, as described on Plat dedication of said sub-division on file and of record in the office of the Clerk and Recorder of Lake County, Montana, more particularly described as Tract 9B on Certificate of Survey No. 2853, Section 9, Township 24 North, Range 21 West, P.M.M., Lake County, Montana, containing 10.0 acres, more or less;

WHEREAS, the Tribal Council has agreed to accept the donation of the property from Donald M. Berg;

NOW THEREFORE, BE IT RESOLVED, that the above-described property be donated from Donald M. Berg, and that the Bureau of Indian Affairs, pursuant to the Act of June 18, 1934 (48 Stat. 984), and the Act of July 18, 1968 (PL90-402), transfer title to the property to the U.S.A. in trust for the Confederated Salish and Kootenai Tribes;

BE IT FURTHER RESOLVED, that the Chairman of the Tribal Council or his delegated representative is authorized to execute the transactional documents necessary to complete the land conveyance for real property situated in Lake County, Montana.

Mark Couture and **Tara Irvine**, Tribal Lands Department, requested approval of a five-year business lease with Best Beginnings Children's Partnership to place children's play equipment on Tribal Tract T983 in Arlee. The Land Committee recommended a five-year business lease and a waiver of the bond.

MOTION by Shelly Fyant to accept the recommendation of the Lands Department and approve a five-year business lease with a \$1 rental fee, required insurance and language in the lease that the CSKT is not liable for any bodily injury after hours of operation at Early Childhood Services, and a waiver of the bond. Seconded by Dennis Clairmont. Carried, unanimous (9 present – Fred Matt out of the room).

Mark Couture and **Tara Irvine**, Tribal Lands Department, requested approval of a five-year business lease with Mission Valley Power for Tribal Tract T6007 located in Pablo. The Lands Department recommended a five-year business

lease at a rental rate of \$1.00, required insurance, and a waiver of the bond. **Carole Lankford** suggested increasing the rental rates on all business leases.

MOTION by Charmel Gillin to approve a five-year business lease with Mission Valley Power for Tribal Tract T6007 at a rental fee of \$1.00, required insurance, and a waiver of the bond. Seconded by Anita Matt. Carried, unanimous (9 present - Len TwoTeeth out of the room).

Mark Couture, Tribal Lands Department, presented a request from Rick Van Voast to negotiate Lease 1273 for \$3,000 per year on a five-year contract. Mr. Van Voast is the current lessee.

MOTION by Dennis Clairmont to go with the recommendation of the Lands Department and negotiate with Rick Van Voast for Lease 1273 at a rate of \$3,000 per year on a five-year contract. Seconded by Leonard Gray. Carried, unanimous (9 present - Len TwoTeeth out of the room).

Mark Couture, Tribal Lands Department, presented a request from Nancy Schall to negotiate Lease 4509 for a rate of \$150 per year five years. The parcel contains 75 acres.

MOTION by Anita Matt to go with the Lands recommendation. Seconded by Dennis Clairmont. Carried, unanimous (9 present- Len TwoTeeth out of the room).

Mark Couture, Tribal Lands Department, presented a request from Patrick Bigsam to relinquish Lease 4292 due to the O&M charges. The Tribes paid the first year's O&M charges and Patrick is still paying off year two of the charges. The lease would be placed on the fall bid.

MOTION by Anita Matt to go with the recommendations of the Tribal Lands Department to relinquish Patrick Bigsam's Lease 4292. Seconded by Leonard Gray. Carried, unanimous (9 present - Len TwoTeeth out of the room).

Joe Durglo, Tribal Health Department, requested approval to hire Margaret Schildt on a three-year contract to fill the Mental Health Therapist position.

MOTION by Fred Matt to authorize the hire of Margaret Schildt on a three-year contract to fill the Mental Health Therapist position. Seconded by Leonard Gray. Carried, 7 for; 2 abstentions (Len TwoTeeth and Charmel Gillin); 1 not voting (Anita Matt out of the room).

Joe Durglo, Tribal Health Department, asked if the council wants to hold a Health Committee on this Friday, or combine it with the meeting set for

September 27. **Council** wants to hold the meetings this Friday and September 27.

Joe Durglo, Tribal Health Department, requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

Jeanne Christopher, Early Childhood Services; and **Melanie Piedalue**, Personnel Department; requested approval to hire a list of nontribal members on three-year contracts to fill vacancies. All qualified tribal member applicants were hired. The vacancies continue to be advertised.

MOTION by Charmel Gillin to approve the hire of Ashely Rolfe on a three-year contract to fill the Teacher Aide position. Seconded by Leonard Gray. Carried, 9 for; 1 opposed (Myrna DuMontier).

MOTION by Carole Lankford to approve the hire of Jaydee Weatherwas on a three-year contract to fill the Special Services Aide position. Seconded by Anita Matt. Carried, 9 for; 1 opposed (Myrna DuMontier).

MOTION by Carole Lankford to approve the hire of Roxanne Cote on a three-year contract to fill the Special Services Aide position. Seconded by Anita Matt. Carried, 9 for; 1 opposed (Myrna DuMontier).

MOTION by Shelly Fyant to approve the hire of Kayla Dix on a three-year contract to fill the Cultural Specialist position. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Charmel Gillin to approve the hire of Kaileb Gillingham on a three-year contract to fill the Teacher position. Seconded by Leonard Gray. Carried, unanimous (10 present).

MOTION by Charmel Gillin to approve the hire of Shyla Collicott on a three-year contract to fill the Teacher position. Seconded by Shelly Fyant. Carried, unanimous (10 present).

MOTION by Dennis Clairmont to approve the hire of Katherine McDonald on a three-year contract to fill the Teacher position. Seconded by Charmel Gillin. Carried, unanimous (10 present).

MOTION by Leonard Gray to approve the hire of Jordan Flagen on a three-year contract to fill the Teacher/Supervisor position. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

MOTION by Shelly Fyant to approve the hire of Sally Cordier on a three-year contract to fill the Teacher/Supervisor position. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Anita Matt to approve the hire of Kendra Pitts on a three-year contract to fill the Teacher Aide in Training position. Seconded by Dennis Clairmont. Carried, 9 for; 1 opposed (Myrna DuMontier).

MOTION by Carole Lankford to approve the hire of Kerry Anderson on a three-year contract to fill the Teacher Aide in Training position. Seconded by Leonard Gray. Carried, 9 for; 1 opposed (Myrna DuMontier).

Jeanne Christopher, Early Childhood Services, requested approval of a three-year contract with Ann Garfinkle to provide Autism Services.

MOTION by Carole Lankford to approve a three-year contract with Ann Garfinkle to provide Autism Services. Seconded by Anita Matt. Carried, unanimous (10 present).

Rhonda Swaney and **Brian Upton**, Legal Department, followed up on a past letter from the National Wildlife Federation. The Tribes were invited to the reception and dinner on September 19, at KwaTaqNuk. They will also be screening the Bison Range film. They also requested welcoming remarks from the chairman/vice-chairman.

Rhonda Swaney and **John Carter**, Legal Department, discussed the response on our repatriation request against the Army Corps of Engineers and the Forest Service for the items removed from Lake Koocanusa. The Corps of Engineers have not responded. John suggested sending a letter to our congressional delegation.

MOTION by Charmel Gillin to approve the letter to the congressional delegation. Seconded by Anita Matt. Carried, unanimous (10 present).

Rhonda Swaney and **Mary Price**, Legal Department, discussed the Smurfit site. Mary attended a meeting by invitation of the Missoula County Commissioners. Mary discussed a letter to Steve Bullock regarding the mine tailings in Butte, which were omitted from the consent decree.

Rhonda Swaney, **Jordan Thompson** and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

Rhonda Swaney and **Jordan Thompson**, Legal Department, gave an update on the Louis Charlo Memorial Highway ceremony and reviewed the draft agenda. The ceremony is scheduled for September 26th, at 10:00 a.m. It will take place about two miles in the Evaro area.

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

Jean Matt, Mission Valley Power General Manager; and **Cindy Benson**, Mission Valley Power Utility Board; discussed the 2020 recommendations and requested approval of the rate adjustment.

MOTION by Shelly Fyant to approve the 2020 rate adjustment recommendation. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Greg Wilson, Natural Resources Department, requested authorization to modify the contract with Karnath Contracting to decrease compensation by \$45,786.76 for the Crow Dam Spillway project. This will lead to the final payment of the contract.

MOTION by Carole Lankford to approve modification 3 to the contract with Karnath Contracting to decrease compensation by \$45,786.76. Seconded by Fred Matt. Carried, unanimous (10 present).

Les Evarts, Natural Resources Department, requested approval to enter into 20-year agreements with the United States Fish & Wildlife Service to assist in the Jocko River restoration project (contribute \$20,000) and a fish passage project on Hot Springs Creek (contribute \$10,000). The agreements were reviewed by the Tribal Legal Department. **Len TwoTeeth** asked Les to hire as many tribal member laborers and contractors on these projects. **Shelly Fyant** asked the department to give a presentation at her district meeting on the proposed project and any pictures. **Leonard Gray** pointed out errors contained in the resolution that need to be corrected.

MOTION by Leonard Gray to approve by resolution, with corrections, to enter into agreements with the United States Fish & Wildlife Service to assist in the Jocko River restoration project and a fish passage project on Hot Springs Creek. Seconded by Charmel Gillin. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 19-184
RESOLUTION REQUESTING ASSISTANCE FROM U.S. FISH AND WILDLIFE SERVICE PARTNERS FOR FISH AND WILDLIFE PROGRAM

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

WHEREAS, The Tribal Council of the Confederated Salish and Kootenai Tribes considers the waters and native species of the Flathead Indian Reservation to be among its most valuable natural resources; and

WHEREAS, The Council has taken affirmative action to protect and enhance native species on the Flathead Reservation by the adoption of a Shoreline Protection Ordinance, and Aquatic Lands Conservation Ordinance, a Water Quality Management Ordinance, and a Fisheries Management Plan; and

WHEREAS, The Tribes have committed and continue to commit considerable financial resources to maintaining and enhancing native species and protecting water quality on the Flathead Indian Reservation;

WHEREAS, the USFWS Partners for Fish and Wildlife Program has monies available that their local representative would like to expend cooperatively on CSKT restoration projects between FY 2019-2039;

THEREFORE BE IT RESOLVED, that the Tribal Natural Resources Department be authorized to obtain funds from the USFWS pursuant to the terms of the USFWS Cooperative Agreement to expend in the Jocko River and Hot Springs watersheds;

BE IT FURTHER RESOLVED that the chairperson of the Tribal Council and the Secretary or their designated representatives are authorized to negotiate and execute this contract and any amendments thereto on behalf of the Tribes.

Rusty Sydnor, Natural Resources Department, requested approval to enter into a contract with Farrier Fencing for a not-to-exceed amount of \$10,000.00 to assist with the construction of a fence on a Fisheries mitigation parcel in Arlee (former Schall property). Rusty worked with the Indian Preference Office. This service was advertised in the Char-Koosta News and Farrier Fencing was the only response received.

MOTION by Carole Lankford to approve a contract with Farrier Fencing for a not-to-exceed amount of \$10,000.00 to assist with the construction of a fence on a Fisheries mitigation parcel in Arlee. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Chauncey Means and **Willie Keenan**, Natural Resources Department, requested approval to modify Contractor Agreement 18-156 with Springbrook Consulting to increase compensation to \$45,000.

MOTION by Carole Lankford to approve modification 2 to Contractor Agreement 18-156 with Springbrook Consulting to increase compensation to \$45,000. Seconded by Fred Matt. Carried, unanimous (10 present).

Mark Couture, Tribal Lands Department, followed up on the letters of disinterest that were approved this morning and had the chairman sign the letters. The first right of refusal will be put on the deeds. He will email Shelly Fyant the fee to trust and trust to fee process. Mark informed council that the environmental review of the donated land has been ordered already.

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

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

Patricia Courchane and **Constance Morigeau**, Department of Human Resources Development, requested approval to waive the Personnel Ordinance 69-C to allow Chasity Haynes to work on Fridays as a home caregiver to her grandmother. Chasity is a FTE employee in the Enrollment Office. **Council** advised that they would not agree to pay her overtime to take care of her grandmother. The Tribes would be required to pay overtime if a tribal employee works in excess of 40 hours per week. If Chasity is being paid by both departments, then Myrna suggested that her hours at Enrollment be cut to 32 hours per week to allow for her to work 8 hours on Friday as a home caregiver. **No action taken**; request deemed denied.

Patricia Courchane and **Constance Morigeau**, Department of Human Resources Development, requested approval to enter into an employment agreement with Lisa Fobert to fill a Home Caregiver position. **Leonard Gray** asked if the positions were advertised and if any tribal members applied. Constance responded that the positions are not advertised, but they are open to fill at all times. It is up to the family members to request the caregiver they want.

MOTION by Carole Lankford to enter into an employment agreement with Lisa Fobert to fill the Home Caregiver position. Seconded by Shelly Fyant. Carried, unanimous (8 present – Fred Matt out of the room).

Constance Morigeau, Department of Human Resources Development, followed up on an issue from this morning. She got a letter from the doctor. The doctor does not support the person's decision and made recommendations of the best care in the home.

Patricia Courchane and **Whitney Danz**, Department of Human Resources Development, provided some updates. On August 1 Kim Azure had discussed a contract with the Boston Children's Hospital – Brazelton Touchpoints Center to provide training. The facilitator agreement was not fully accepted on their end.

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Whitney worked with the Tribal Legal Department to revise the language in the contract. Council was invited to a forum tomorrow with Dr. Sparrow. Whitney handed out a schedule of what would be happening this month.

Patricia Courchane and **Dana Morales**, Department of Human Resources Development, requested to meet with council in **executive session** to participate in a conference call with Casey Family.

Council reconvened into **regular session**.

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

Patricia Courchane, Department of Human Resources Development, requested approval to enter into an employment agreement with Elizabeth Swope to fill the CYTS Case Manager position. The vacancy was advertised and there were no qualified tribal member applicants. Interviews were conducted and she is the selected candidate. **Wayne Burland** informed council that he met with them a while back to give them the backstory. He made a mistake on his application, but thought it was going to be readvertised. Wayne is qualified for the position and wants the council to take action to deny the request. **Fred Matt** advised that he left out a critical part of the background information in the application process, so he was screened out due to an incomplete application. This position is required to work with children and the background check is critical. Patricia told council that she had discussed this with Clayton, and Clayton chose to proceed with the interviews and selection of a candidate. **Melanie Piedalue**, Personnel Department, joined the discussion and discussed the reasons for Wayne being screened out. **Chairman Trahan** commented that there has been several versions of what happened, and he requested that Personnel review the file and present back on Thursday. **Carole Lankford** wants Clayton Matt present for discussion to explain why he made the decision to proceed the way he did.
No action taken.

Laurence Kenmille and **Marilyn Adams**, Enrollment Office, discussed the enrollment application of Felicia Matt. Felicia had DNA testing done to prove paternity since the biological father was not listed as the father on the birth certificate. **Anita Matt** questioned the biological mother not being named on the birth certificate. Laurence explained that the child was adopted. The adoptive parents are listed on the birth certificate.

MOTION by Anita Matt to accept the information received and enroll the individual named as per the department and accept the recommendation of the Enrollment Department. Seconded by Myrna DuMontier. Carried, 7 for; 0 opposed; 1 abstention (Carole Lankford).

RESOLUTION 19-186

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF FELICIA LADEENAH MATT AND HER DESCENDANTS

WHEREAS, Felicia LaDeenah Matt has provided documents which would make her eligible for enrollment by meeting the requirements set forth in Article-II Section 1 (b) of the Constitution;

WHEREAS, the biological parent of Felicia LaDeenah Matt listed on the original birth certificate is not the biological father;

WHEREAS, through a DNA test, the biological father of Felicia LaDeenah Matt has been determined her father, Calvin Frank Matt (203-UO-6285), who is documented to possess 1/2 degree of Confederated Salish and Kootenai blood and **THEREFORE**,

BE IT RESOLVED, that the Confederated Salish and Kootenai Tribes hereby accepts the DNA results and approve the enrollment Felicia LaDeenah Matt to be 1/4, and to reflect that change on her descendants' blood quantum;

BE IT FURTHER RESOLVED, by the Tribal Council that any descendants whose blood quantum are corrected and made eligible for enrollment shall not receive back tribal dividend payments.

Laurence Kenmille and **Marilyn Adams**, Enrollment Office, discussed the blood quantum of Anastasia Mary Marie McClure-Hammer. The hospital birth certificate was submitted for enrollment purposes. The Enrolment Office accepted it and notified the parents that the department needed the filed birth certificate. The blood quantum needs to be corrected to include the father's.

MOTION by Myrna DuMontier to approve by resolution the correction of blood quantum of Anastasia Mary Marie McClure-Hammer. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-187

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF ANASTASIA MARY MARIE MCCLURE-HAMMER (203-UO-11992) AND HER DESCENDANTS

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

WHEREAS, Anastasia Mary Marie McClure-Hammer was determined to be eligible for enrollment at birth by meeting the requirements set forth in Article-II Section 1 (b) of the Constitution, as it existed prior to the amendment;

WHEREAS, the biological parents of Anastasia Mary Marie McClure-Hammer are on the original birth certificate and are both tribal members; and

WHEREAS, through an administrative error the blood quantum of Anastasia Mary Marie McClure-Hammer did not include that of her father, Pascal Hammer, Sr., who is documented to possess 7/8 degree of Confederated Salish and Kootenai blood and **THEREFORE**,

BE IT RESOLVED, that the Confederated Salish and Kootenai Tribes hereby authorizes the correction of an administrative error in the blood quantum of Anastasia Mary Marie McClure-Hammer to 81/256 to 193/256, and to reflect that change on her descendants' blood quantum;

BE IT FURTHER RESOLVED, by the Tribal Council that any descendants whose blood quantum are corrected and made eligible for enrollment shall not receive back Tribal Dividend Payments.

Laurence Kenmille, Enrollment Office, discussed the reorganization of the department. The Office Manager's duties will be divided between the Assistant Director and the Enrollment Research Manager. The organizational chart changes were discussed at the chairman's meeting. The discussion continued in **executive session**.

Council reconvened into **regular session**.

MOTION by Anita Matt to go ahead with the changes to the organizational chart. Seconded by Myrna DuMontier. Carried, unanimous (8 present).

Dennis Clairmont left the meeting for the remainder of the day.

Laurence Kenmille and **Marilyn Adams**, Enrollment Office, discussed the blood quantum of Margaret Fields and blood quantum of Lyle Anthony Garcia.

MOTION by Anita Matt to approve by resolution to accept the evidence and the correction for Lyle Anthony Garcia. Seconded by Fred Matt. Carried, 5 for; 0 opposed; 2 abstentions (Ron Trahan and Leonard Gray).

RESOLUTION 19-188

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO APPROVE THE BLOOD QUANTUM CORRECTION TO INCLUDE MARGARET FIELDS

WHEREAS, Lyle Anthony Garcia family member (list attached) has requested a correction in the blood quantum to include Margaret Fields and to reflect that correction to all descendants; and

WHEREAS, due to an administrative mathematical error, the total blood quantum of Margaret Fields was not included, and documents show she was 4/4 degree Colville, therefore, all blood was used;

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes correct the blood quantum to include Margaret Fields (Colville) blood is hereby approved, now therefore,

BE IT RESOLVED, by the Tribal Council that the official Census shall show Margaret Fields' blood quantum as 4/4 degree Colville blood, **NOW, THEREFORE**,

BE IT FURTHER BE RESOLVED, by the Tribal Council that any descendants whose blood quantum are corrected and made eligible for enrollment shall not receive back tribal dividend payments.

MOTION by Anita Matt to adjourn the meeting.

Council **adjourned** at 4:04 p.m., and is scheduled to meet again on Thursday, September 5, 2019, at 9:00 a.m.

CONFEDERTED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary