

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

Volume 19 Number 32
Council Chambers, Pablo, MT

Held: February 12, 2019
Approved: February 19, 2019

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

MEMBERS ABSENT: Shelly Fyant, Secretary (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 9:07 a.m. Quorum established.

The meeting was opened with a **prayer** by Myrna DuMontier.

The **Tribal Council Meeting Minutes** for February 5, 2019 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for February 5, 2019, with corrections. Seconded by Myrna DuMontier. Carried, unanimous (9 present).

The **agenda** was presented for approval. No conflicts of interest were identified. Changes were made to the agenda.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Carole Lankford. Carried, unanimous (9 present).

Carolee Wenderoth and **Delores Joseph**, Tribal Lands Department, informed council that over the past year and a half Delores has worked hard on a personal endeavor and graduated from the Drug Court program. The Lands Department staff recognized Delores for her hard work and cake will be served. **Council** congratulated Delores for her achievements. Delores appreciated all the support she has received.

Anita Matt left the meeting to attend the Casey Family Foundation meeting in Polson.

Danielle Lefthand, Department of Human Resources Development, requested to meet with council in **executive session**.

Council reconvened into **regular session**.

MOTION by Carole Lankford to authorize the hire of Carl Dupuis' wife, Ennis P. Kunoto, to be his personal home caregiver. Seconded by Myrna DuMontier. Carried, unanimous (8 present – Anita Matt out of the room).

Kelly Parker and **Natalie Kenmille**, Department of Human Resources Development, requested approval to send them to the National Indian and Native American Employment Training Conference in Durant, OK as the Tribes' representatives of the 477 program. As the appointed representatives, the Division of Workplace Development will allocate \$3,000 in travel funds towards this conference. In order to apply for the travel funds, the Tribes must submit a letter to the Office of Indian Services appointing their representatives for the conference.

MOTION by Carole Lankford to approve the letter to the Office of Indian Services appointing Kelly Parker and Natalie Kenmille as the Tribes' representatives to attend the 477 program National Indian and Native American Employment Training Conference. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Anita Matt out of the room).

Len TwoTeeth and **Carole Lankford** discussed the process of referrals for Sylvia's Store and they want the council to issue those referrals to the membership when needed. Sylvia's Store is overstocked and it should never be overstocked. Those items need to be distributed to the membership. The truck from South Dakota will no longer be delivering items due to funding. Anyone referred to the store from council members must take the signed form to the store to pick up items. The restrictions in place were due to the funding source. The white building in Ronan could be moved into the compound to be used as the new Sylvia's Store. DHRD purchased at least 20 new desks for the offices that were going to be moved to the Mission Mart building. Those desks are very large and take up a lot of room. **Chairman Trahan** will follow up.

Randy Ashley, Natural Resources Department, followed up on his previous request of a contract with Bison Engineering, Inc. in the amount of \$17,059.00 for Air Quality Data Audit and Support.

MOTION by Carole Lankford to correct the figure and approve a contract with Bison Engineering, Inc. in the amount of \$17,059.00 for Air Quality Data Audit and Support. Seconded by Fred Matt. Carried, unanimous (8 present – Anita Matt out of the room).

Lynn Ducharme, Natural Resources Department, discussed the Pearson property that is for sale containing 2.5 acres along Revais Creek.

MOTION by Myrna DuMontier to enter into a buy sell agreement at fair market value for the Pearson property, containing 2.5 acres along Revais Creek, to be purchased with BPA funds. Seconded by Leonard Gray. Carried, unanimous (8 present – Anita Matt out of the room).

Tony Incashola, Jr., Tribal Forestry; and **Melanie Piedalue**, Personnel Department; followed up on a request discussed at the chairman’s meeting. An employee will be moved to a lateral position and include more duties, so Tony wants to give the employee a step increase.

MOTION by Myrna Dumontier to support the department head’s request and move this employee as he sits fit. Seconded by Dennis Clairmont. Carried, 6 for; 2 abstentions (Len TwoTeeth and Charmel Gillin); 1 not voting (Anita Matt out of the room).

Charmel Gillin, for the record, “I abstained because I don’t have all the information and wasn’t at the chairman’s meeting.”

Jordan Stasso, The People’s Center, requested approval to apply for a Potlatch grant in the amount of \$10,000 to provide summertime projects for native youth; and requested a waiver of the IDC.

MOTION by Fred Matt to approve by resolution submission of the Potlatch grant in the amount of \$10,000 to provide summertime projects for native youth, and approve a waiver of the IDC. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 1 not voting (Anita Matt).

RESOLUTION 19-083

RESOLUTION AUTHORIZING THE EDUCATION DEPARTMENT TO APPLY FOR THE FUNDING FROM THE POTLATCH FUND – INSPIRING IN PHILANTHROPY IN NORTHWEST INDIAN COUNTRY

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

WHEREAS, The Potlatch Fund has published a request for proposals for Healthy Pathways for Native Youth to provide summertime projects in Native youth as our current and future leaders; and

WHEREAS, The People's Center is an eligible entity under this program area by virtue of the ongoing supporting initiatives that address the strengthening of resiliency, cultural identity and awareness, increase positive engagement in their community and promote healthy choices and lifestyles; and

WHEREAS, The People's Center believes that our Native youth in our communities have a wealth of knowledge to address their own issues given adequate resources; and

NOW THEREFORE, BE IT RESOLVED, that the Potlatch Fund be requested to make available a grant, pursuant to the terms of the request for proposal, to The People's Center; and

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council or his delegated representative is authorized to execute the transactional documents necessary to administer the grant on behalf of the Confederated Salish and Kootenai Tribes.

Jeanne Christopher, Early Childhood Services, requested approval to hire nontribal members on a three-year employment contract. The vacancies were advertised until filled and all qualified tribal member applicants were hired.

MOTION by Carole Lankford to authorize the hire of Brenda Stapley on a three-year employment contract to fill the Special Services Aide position, due to no qualified tribal member applicants. Seconded by Fred Matt. Carried, 8 for; 1 not voting (Anita Matt out of the room).

MOTION by Fred Matt to authorize the hire of Cindy Everybody Talks About on a three-year employment contract to fill the Infant-Toddler Teacher position, due to no qualified tribal member applicants. Seconded by Leonard Gray. Carried, 8 for; 1 not voting (Anita Matt out of the room).

MOTION by Dennis Clairmont to authorize the hire of Janice Couture on a three-year employment contract to fill the Substitute position, due to no qualified tribal member applicants. Seconded by Leonard Gray. Carried, 6 for; 2 abstentions (Len TwoTeeth and Carole Lankford); 1 not voting (Anita Matt out of the room).

MOTION by Carole Lankford to authorize the hire of Amanda Erickson on a three-year employment contract to fill the Teacher Aide position, due to no qualified tribal member applicants. Seconded by Dennis Clairmont. Carried, 8 for; 1 not voting (Anita Matt out of the room).

MOTION by Fred Matt to authorize the hire of James Gates to fill the Teacher Aide position on a three-year contract, due to no qualified tribal

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member applicants. Seconded by Dennis Clairmont. Carried, 8 for; 1 not voting (Anita Matt out of the room).

Rick Eneas and **Ruth Swaney**, Financial Management, presented the first quarter financial report.

Brian Upton, Legal Department; and **Rob McDonald**, Communications; discussed the budget for the bison film screening up to \$3,500 and requested approval to have a screening in Helena. They would need to enter into an agreement with the Helena School District.

MOTION by Fred Matt to approve the budget of \$3,500 and the bison film screening in Helena. Seconded by Myrna DuMontier. Carried, unanimous (8 present- Anita Matt out of the room).

Fred Matt commented that George Waters got the Washington Post signature plate that they used when Fred signed the first AFA. It was framed and sent to Fred. He was willing to donate that signature plate if any of those items are being housed someplace. **Brian Upton** could follow up to make sure it is housed appropriately.

Brian Upton requested clarification of whether the budget for the bison film screening is authorized if there is a government shutdown. The shutdown would not affect the funding source. **Council** agreed that these expenditures are authorized if there is a government shutdown.

Rhonda Swaney and **Daniel Decker**, Legal Department, reported that a staffer from Senator Tester's office reached out to our office regarding veterans' issues. Dan has reached out to the people he knows of and asked if council wanted him to reach out to any others. Carole Lankford thought Nick White was still involved in veteran issues. Dan will notify council of the meeting date.

Rhonda Swaney and **Daniel Decker**, Legal Department, gave an update on the Ronan urban project. Dan will continue pursuing the white house for the Tribes. MDT agreed to give the trailers to the Tribes.

Rhonda Swaney and **Mary Price**, Legal Department, gave an update on the Milltown water right public meeting as part of the water rights compact implementation process.

Rhonda Swaney and **Daniel Decker**, Legal Department, requested to meet with council in **executive session** to discuss legal issues.

Council reconvened into **regular session**.

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Brian Upton, Legal Department, discussed the meeting council is having with SKC this Thursday about independent review boards. It might be helpful to have people from other agencies who use those review boards at that meeting. He asked if council wants those agencies to be part of the discussion. Federal law changed to require that anyone doing research on a reservation is required to follow a tribal ordinance. Some tribes have their own internal review board and some use their college internal review board. Myrna wants an inter-disciplinary team established to review those. Charmel liked the idea of having an independent tribal manager of the internal review board. **Council** agreed to have only the necessary parties be involved in this initial meeting.

Rick Eneas, Financial Management, met with council in **executive session** to provide an update.

Council reconvened into **regular session**.

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

Anita Matt returned to the meeting.

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

Erica Shelby, Tribal Member, returned to council to continue discussions on a proposal from Erica to do her third SKC Internship on suicide prevention. Erica met with Teresa about this proposal. **Myrna DuMontier** informed her that Shelly Fyant agreed to serve as Erica's supervisor, and Shelly wants to meet with Erica after the chairman's meeting every two weeks and also have Erica and her SKC Advisor meet with the tribal council. **Teresa Wall-McDonald**, Tribal Health Department, was reluctant to define the suicide crisis; she thinks it needs to be inclusive to everyone. The Tribal Health Department used to keep a suicide registry, and it was a difficult task to track the data. A University of Montana student did a report on trends, but it was done on old trends. Teresa wants to protect the identity of the person and the privacy of the surviving family members. She wants to look at risk factors. Chronic pain is a risk factor for suicide. It would be useful to Tribal Health if they knew what might prevent someone from committing suicide. **Leonard Gray** suggested that there be a meeting between Erica, Teresa and Shelly and refocus this proposal on what Tribal Health wants to get out of this and make it a meaningful project. **No action taken.** The proposal will be presented back to council after they meet with Shelly and rework the proposal.

Council **recessed** the regular meeting at 2:02 p.m. to conduct an S&K Gaming LLC shareholder meeting.

Council **reconvened** into the regular meeting at 2:46 p.m.

Ryan Rusche, Legal Department, informed council that Kurt Alme, the United States Attorney District of Montana, would like to meet with the tribal council either March 25 or 26. **Council** agreed to the meeting on Monday, March 25, at 10:00 a.m.

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

Rick Eneas, Financial Management; **and Gus Kerndt** and **Kevin Bearquiver**, Office of Special Trustee, discussed the impacts from the 35-day federal government shutdown. Signature authority in a timely manner was an impact. A quarterly drawdown is coming due soon. One of the Tribes' transactions was held up during the shutdown (minors' per capita deposit). Mr. Bearquiver would like to have a system in place so any future government shutdowns would not impact the Tribes. The OST changed its contingency plan to add more people to be on call. Each school district has a form that requires BIA signature. The minor per capita deposit was \$200, and it was not deposited until December 26, 2018. The per capita payments are usually deposited into the minors' accounts the first or second week of December. Those accounts did not earn any interest for 21 days. December 21 is when the shutdown began. It is important for the Tribes to know who to notify to get things done if another government shutdown occurs. Mr. Bearquiver suggested that the CSKT streamline processes so the Tribes could sign off on their own leases. The OST will be meeting with Rick this afternoon to explore the possibility of having a disbursement tickler system. If there was one in place, that would reduce impacts during a shutdown.

Council met in **executive session**.

Council reconvened into **regular session**.

MOTION by Leonard Gray to readvertise the Chief Judge vacancy without the requirement of five years' judicial experience, require a law degree and practicing attorney that has passed the State Bar, and include the applicant that is on file. Seconded by Fred Matt. Carried, 5 for (Carole Lankford, Dennis Clairmont, Ron Trahan, Leonard Gray, and Fred Matt); 2 opposed (Myrna DuMontier and Len TwoTeeth); 1 abstention (Anita Matt).

Myrna DuMontier informed council that she was told by Patrick that Turtle Island Communications will be here in three weeks and they want to give the tribal council a presentation on communications and broadband at no cost to the Tribes.

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MOTION by Len TwoTeeth to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (8 present).

Council **adjourned** at 3:58 p.m., and is scheduled to meet again on Thursday, February 14, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary