

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

Volume 18 Number 56
Council Chambers, Pablo, MT

Held: April 17, 2018
Approved: April 26, 2018

MEMBERS PRESENT: Leonard Gray, Vice-Chairman; Anita Matt, Treasurer; Carole Lankford; Shelly Fyant; Charmel Gillin; James Steele, Jr.; and Leonard TwoTeeth.

MEMBERS ABSENT: Ronald Trahan, Chairman (Meeting with Legal – Washington, DC); Troy Felsman, Secretary (National Indian Gaming Association – Las Vegas, Nevada); and Dennis Clairmont (Meeting with Legal – Washington, DC).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Bill Kehoe, Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:03 a.m. Quorum established.

The meeting was opened with a **prayer** by Bill Kehoe.

The **Tribal Council Meeting Minutes** for April 10, 2018 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for April 10, 2018, with corrections. Seconded by Charmel Gillin. Carried, unanimous (7 present).

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

MOTION by Len TwoTeeth to approve the agenda, with changes. Seconded by Anita Matt. Carried, unanimous (7 present).

Art Caye, Tribal Member, followed up on the meeting that was supposed to be held yesterday on his request. **Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department; reported that the Lands Department was directed to make a presentation at the chairman's meeting, but the meeting was cancelled yesterday due to a funeral. The next meeting is April 23.

Thomas “Sonny” Lozeau, Jr., Tribal Member, handed out a letter to the vice-chairman and said the law prohibits him from opening it. He previously brought up this issue about the two-year balloon payment loan on a conventional loan mortgage through Eagle Bank. He had made inquiries to Eagle Bank and was told that they do not do that. He talked about Lease No. 2-RPO-27-04-54 on Tract 2105 and wanted to know how that tract was transferred to Eagle Bank when there is no authority to do that. He questioned why a cancelled homesite lease was transferred to a loan. **Vern Clairmont**, Eagle Bank Board of Directors, advised that the original loan has been closed out for a number of years. The bank was attempting to get a 184 loan, which was the original request to get Sonny out from under SKHA. Since Sonny wanted out from SKHA immediately, the bank approved a two-year note. Once the 184 loan was approved, that loan paid off the two-year note. Sonny has been paying on a cancelled homesite lease. Sonny wanted to know how a cancelled homesite lease can be transferred to Eagle Bank. **Carolee Wenderoth**, Tribal Lands Department, explained that the master lease is leased to SKHA which gives SKHA the authority to enter into 184 loans. The master lease is with SKHA. **Council** referred this matter to the Lands Department for follow up.

Sewn Pierre, Greta Pierre and **Frank Pierre** requested to meet with council in **executive session** to discuss a personal matter. **Jami Pluff**, Policy Analyst; and **Rachael Bigsam**, Department of Human Resources Development; were present for discussion.

Council reconvened into **regular session**.

Ann Miller, Tribal Defenders Office, requested approval of an amendment to Beverly Swaney’s employment contract to move her from part-time status to full-time status to provide case management services to the Reentry Program clients, to be effective April 23, 2018.

MOTION by Carole Lankford to approve by resolution an amendment to Beverly Swaney’s employment contract to move her from part-time status to full-time status to provide case management services to the Reentry Program clients, to be effective April 23, 2018. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 18-117

RESOLUTION APPROVING AN AMENDMENT TO THE EMPLOYMENT CONTRACT WITH BEVERLY SWANEY

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Beverly Swaney to provide case manager services for the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court of the Montana State Court of the local counties; and

WHEREAS, it is the intent of all contracting parties that the employment contract should be amended to allow Beverly Swaney full time employment, all other terms and conditions remain unchanged; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on April 23, 2018, Beverly Swaney shall provide full time case manager services for the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2018.

Virgil Dupuis, Salish Kootenai College, requested approval of a letter of support addressed to USDA – NIFA Tribal College Research Review Panel for the Ventenata and Medusahead research project called Control of Annual Invasive Grasses in Rocky Mountain Intermountain Montane Grasslands with Esplanade Herbicide and No-till Seeding proposed by Salish Kootenai College and the University of Montana. **Charmel Gillin** requested that Jennifer Trahan retype the letter with the stated corrections.

MOTION by Anita Matt to approve the letter of support addressed to USDA – NIFA Tribal College Research Review Panel for the Ventenata and Medusahead research project called Control of Annual Invasive Grasses in Rocky Mountain Intermountain Montane Grasslands with Esplanade Herbicide and No-till Seeding proposed by Salish Kootenai College and the University of Montana. Seconded by Carole Lankford. Carried, unanimous (7 present).

Mark Couture, Tribal Lands Department, requested approval for the Lands Department to fill out a letter of support for the Ventenata and Medusahead research project.

MOTION by James Steele, Jr. to approve a letter of support addressed to USDA – NIFA Tribal College Research Review Panel for the Ventenata and Medusahead research project. Seconded by Shelly Fyant. Carried, unanimous (7 present).

Glen Magera, Carol Brooker and Tony B. Cox, Sanders County Commissioners, met with council to discuss agency issues. The commissioners want the directors to meet on a regular basis about medusahead and other weed management activities. When the spray crews are out spraying roads, the

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county would like to work together. There was a closed road sign on a county road due to the Melton fire, and the commissioners asked that they be contacted about road closures. They would like the communication broadened. They want to know what roads will be used for a logging sale as well, so they can keep an eye on it. It costs them money to fix the road back up after logging sales. There are law enforcement issues and the law enforcement agencies need to work together. They also want to stay on top of any housing projects that might involve access to a county road; they want to know what the Tribes' plans are so they can assess the impacts to the county roads. It is difficult to plan ahead because they did not receive SRS funding, which is a big part of their road budget. They used all their reserves last year. They want to know the status of the bathhouse. **Leonard Gray** commented that the bathhouse is a slow process but he continues working on it. Law enforcement is an issue. **James Steele, Jr.** suggested having a meeting with the tribal council, mayor and commissioners to discuss impacts to resources. The commissioners suggested working together on projects, such as if the Tribes purchase the product for roads the county will do the work. He would like to be aware of any county board vacancies to be posted on the tribal intranet. **Shelly Fyant** reported that the Tribes identified Hot Springs as their number one priority. The State-Tribal Economic Development Commission set aside a portion of the bed tax fund for tourism in Indian country and they are looking for partnerships. **Carole Lankford** suggested having a meeting in Hot Springs to discuss the costs of infrastructure. **Charmel Gillin** would like to identify areas where bitterroot or camas is scarcely growing and partner in reviving those plants.

Daniel Decker and **John Harrison**, Legal Department, discussed the next IBMP meeting that is scheduled for next Wednesday. There will be a pre-meeting on Tuesday. The all party hunt meeting will be scheduled for either May 30 or June 13. **Leonard Gray** preferred that the meeting take place in May.

Daniel Decker and **Stu Levit**, Legal Department, discussed a letter that was sent to the Department of State regarding the Columbia River Treaty. Stu had a call with Jill Smail, the lead negotiator, and was told that there will be no tribal participation in the room or any presence made available to anybody during the negotiation process. There is a meeting regarding the Upper Columbia River next week in Spokane. **Shelly Fyant** requested that Stu get the documentation from Jill in writing.

Daniel Decker and **Brian Upton**, Legal Department, gave an update on the tribal self-governance legislation. Brian will speak to the House Natural Resources staff to attempt to get stronger language. Brian is working on memo to council providing an overview of what this legislation does. **Shelly Fyant** is going to the self-government meeting and would like to meet with Brian prior to that.

Anita Matt attended a meeting last week and requested that Legal provide an update on the legislation with taxation on Indian trust lands and the restrictive fee. **Daniel Decker** will follow up.

Daniel Decker and **Jordan Thompson**, Legal Department; and **Janet Camel**, Economic Development; requested to meet with council in **executive session** to discuss legal matters. **John Harrison** and **Stu Levit**, Legal Department; **Dan Lozar**, Natural Resources Department; and **Holly Hitchcock**, Tribal Lands Department; were present for discussion.

Daniel Decker and **Jordan Thompson**, Legal Department; **Dan Lozar**, Natural Resources Department; **Holly Hitchcock**, Tribal Lands Department; and **Janet Camel**, Economic Development; requested to meet with council in **executive session**.

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

Council reconvened into **regular session**.

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

Teresa Wall-McDonald, Tribal Health Department, requested approval to hire Derek Azure to fill the Paid Care Account Representative/THIP Guided Care Representative position on a two-year contract at the classified rate of pay. The vacancy was not advertised, due to Derek's skillset. Derek has a license of insurance with the Commission of Securities and Insurance to be an insurance professional in disability, health and life, and he will be required to retain that licensure.

MOTION by Len TwoTeeth to approve the hire of Derek Azure to fill the Paid Care Account Representative/THIP Guided Care Representative position on a two-year contract at the classified rate of pay. Seconded by Shelly Fyant. Carried, 6 for; 1 opposed (Charmel Gillin).

Teresa Wall-McDonald, Tribal Health Department, requested approval to accept the \$5,000 DDPI mini grant from the State of Montana to study Opioid use for the dates of April 3, 2018 through November 30, 2018. Contracts & Grants did not review the grant application. The grant does not require a resolution. **Council** reminded the department that review by Contracts & Grants is required prior to applying for a grant. **No action taken**. Council directed that Contracts & Grants review the grant and present back for approval.

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

Mike Durglo, Kyle Felsman, Kevin Askan, and **Mary Rogers**, Preservation Department, provided orientation on the Preservation Department.

Leonard Gray reminded council of the meeting at 10:30 a.m. with DHRD regarding elder services versus in-house, and at 1:30 p.m. is the security committee meeting.

Shelly Fyant received a text from Arlene Adams. Arlene is coming back from the Traditional Women's Gathering in Arizona. Arlene will be speaking about George Price who is retiring and wants any comments sent to Arlene. Shelly will write something about food sovereignty. She asked if council wanted to gift him.

MOTION by Carole Lankford to adjourn the meeting. Seconded by Charmel Gillin. Carried, unanimous (6 present – Len TwoTeeth out of the room).

Council **adjourned** at 2:38 p.m., and is scheduled to meet again on Tuesday, April 24, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary