

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

Volume 18 Number 31
Council Chambers, Pablo, MT

Held: February 1, 2018
Approved: February 8, 2018

MEMBERS PRESENT: Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Dennis Clairmont; Charmel Gillin; Leonard TwoTeeth; Shelly Fyant; Carole Lankford; and James Steele, Jr.

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

The meeting was called to **order** at 9:07 a.m. Quorum established.

The meeting was opened with a **prayer** by Carole Lankford.

The **Tribal Council Meeting Minutes** for January 25, 2018 were presented for approval.

MOTION by James Steele, Jr. to approve the Tribal Council Meeting Minutes for January 25, 2018, with corrections. Seconded by Anita Matt. Carried, unanimous (10 present).

The **agenda** was presented for approval. No conflicts of interest identified.

MOTION by Troy Felsman to approve the agenda, with changes. Seconded by Leonard Gray. Carried, unanimous (10 present).

Francis Stanger thanked council for providing assistance to the elders, especially with transportation needs. He suggested that the Tribes put a bounty on wolves since they are killing all the game. **Council** will follow up with Fish & Game and report back to Mr. Stanger. There used to be a permit system for wolves. Mr. Stanger discussed logging and suggested going back to select cutting and saving the forests. He does not want Forestry to go into the Liberty fire so it will grow back naturally. There are plenty of other places to hunt besides Ferry Basin.

Melanie Smith, Department of Human Resources Development; **Eric Nation** and **Stacy Read**, National Alliance for Drug Endangered Children; gave an

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overview of the Community Strong Drug Endangered Children Alliance meeting that took place yesterday. 50 people attended the meeting. The top goals identified were treatment, culture (including language), collaboration, education, and housing. The next meeting is scheduled for March 28. The Drug Task Force will make a presentation and the group will focus on one of the goals. **Charmel Gillin** acknowledged their efforts and liked their multi-disciplinary approach. She encouraged participation by all the tribal departments, particularly the Tribal Health Department. She discussed the importance of the Reentry Program that is operated through the Tribal Defenders Office. **Shelly Fyant** commented that the goal of the alliance is to have 100% happy, healthy and safe children. She discussed the tribal action plan we got money for with the Tribal Health Department. The CSKT has an opportunity with the Tribal Health Improvement Plan (THIP); we get \$375,000 per month for that so there may be funding available to have a treatment center. Shelly wants to have further discussion with council about the possibility of having a treatment center. **Troy Felsman** asked what it would take to get a treatment facility. Eric advised that the work group could obtain the necessary information. There are treatment providers locally that can assist individuals who are incarcerated when they are ready for treatment.

Rhonda Swaney and **Daniel J. Decker**, Legal Department, gave an update on the *Mission Valley Irrigators United vs. Flathead Joint Board of Control and County Commissioners* case. The MVIU sued the FJBC for illegally reforming the Joint Board of Control. The motion for summary judgment was granted. Judge Manley ruled that the FJBC violated the Montana Code, the FJBC is not a valid entity and has no legal authority, and remains dissolved since 2013. This order is effective immediately.

Rich Janssen, Natural Resources Department; and **Stu Levit**, Legal Department; gave an update on the Columbia River Treaty negotiation process. They requested approval to join in the shared vision declaration for indigenous peoples of the Columbia Basin. **Shelly Fyant** commented that it is important that we are at the table to protect our tribal interests since we have a hydro electrical facility.

MOTION by Troy Felsman to join in the Shared Vision Declaration for Indigenous Peoples of the Columbia Basin. Seconded by Charmel Gillin. Carried, unanimous (9 present – Len TwoTeeth out of the room).

Rich Janssen and **Gabe Johnson**, Natural Resources Department, requested the award of a contract to Stone Ridge Construction for the South Valley Creek Bridge and Valley Creek Bridge projects. 4 bids were received and Stone Ridge Construction was the lowest bid. SRC has experience with building bridges for the Forest Service.

MOTION by Leonard Gray to award the contract for the South Valley Creek Bridge and Valley Creek Bridge projects to Stone Ridge Construction. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Rich Janssen and **Willie Keenan**, Natural Resources Department, requested approval to submit an application for the Performance Partnership Grants to the Environmental Protection Agency.

MOTION by Anita Matt to approve by resolution submission of the Performance Partnership Grants to the Environmental Protection Agency. Seconded by Charmel Gillin. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 18-070

RESOLUTION TO APPROVE THE SUBMISSION OF FISCAL YEAR 2018 AND 2019 ENVIRONMENTAL GRANT APPLICATIONS TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY

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

WHEREAS, the Tribal Council of the Confederated Salish and Kootenai Tribes considers protection of the environment on the Flathead Indian Reservation to be among its highest priorities; and

WHEREAS, the Natural Resources Department, Division of Environmental Protection is held with the responsibility of protection of the environment; and

WHEREAS, the Tribes are eligible to apply for Environmental Grants to the Environmental Protection Agency; **NOW, THEREFORE**,

BE IT RESOLVED that the Environmental Protection Agency be requested to make funds available for a following programs; General Assistance Program (GAP), Clean Air Act Section 103 and 105 programs, Clean Water Act (CWA) Section 106 program, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Clean Water Act (CWA) Section 319; and the Underground Storage Tank (UST) and Leaking Underground Storage Tank (LUST) program for the period October 1, 2019 through September 30, 2020 to continue development of environmental protection program capability on the Flathead Reservation as described in the attached proposals;

BE IT FURTHER RESOLVED that the Tribal Council Chairman and his designated representative are authorized to negotiate and execute the contract documents and any amendments thereto.

Rich Janssen and **Tom McDonald**, Natural Resources Department, returned to council to seek approval of a revised organizational chart to add up to 40 Boating Inspector positions and 1 Game Warden position dedicated part-time to aquatic invasive species.

MOTION by Troy Felsman to approve the AIS staff to begin negotiating an agreement with the Montana Fish, Wildlife & Parks for the Ravalli and Kalispell boat inspection stations for the 2018 season. Seconded by Anita Matt. **MOTION AND SECOND WITHDRAWN.**

MOTION by Troy Felsman to approve the revised organizational chart for the Natural Resources Department to add up to 40 Boating Inspector positions and 1 Game Warden position dedicated part-time to aquatic invasive species. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Troy Felsman to approve the AIS staff to begin negotiating an agreement with the Montana Fish, Wildlife & Parks for the Ravalli and Kalispell boat inspection stations for the 2018 season. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Tom McDonald would like to have a discussion on aquatic invasive species prevention.

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

Council **recessed** the regular meeting at 10:43 a.m. to conduct an S&K Gaming, LLC shareholder meeting.

Council **reconvened** into the regular meeting at 11:53 a.m.

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

Carole Lankford left the meeting for the remainder of the day.

Leonard Gray out of the room.

Jordan Thompson, Legal Department, requested approval of a letter of support for Chelsea Colwyn's public interest fellowship application to work as an environmental staff attorney with the Legal Department. Chelsea would work under the supervision of the attorneys and work on aquatic invasive species issues, water compact implementation, Smurfit superfund site, and the cultural waterways ordinance.

MOTION by Anita Matt to approve the letter of support for Chelsea

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Colwyn's public interest fellowship application to work as an environmental staff attorney with the Legal Department. Seconded by Shelly Fyant. Carried, 7 for; 1 abstention (Len TwoTeeth); 1 not voting (Leonard Gray out of the room).

Council **recessed** the regular meeting at 1:35 p.m. to conduct an S&K Electronics shareholder meeting.

Council **reconvened** into the regular meeting at 2:17 p.m.

Leonard Gray returned to the meeting.

Mike LaValley, Liaison for Senator Tester; **Chad Campbell**, Kalispell Regional Director for Senator Tester; and **Deborah Frandsen**, Missoula Regional Director for Senator Tester; met with council to discuss tribal issues. **James Steele, Jr.** would like signature authority to be available locally instead of having to send everything to the Portland Regional Office. **Anita Matt** discussed the 12 Titles of the Farm Bill. The CSKT submitted comments to the Farm Bill Coalition. Anita would like to keep the Office of Tribal Relations in operation and agrees with IAC that an Indian Agriculture Liaison should be hired to work with all the tribes and Native Americans should be on the committee. **Len TwoTeeth** has been watching the infrastructure bill and he wants the Tribes to be kept informed on how the Tribes are going to fit into that. **Troy Felsman** asked about the budget, funding to prevent a situation where we are outmanned during fire season, and the water compact legislation. **James Steele, Jr.** provided information on Public Law 90-402 from 1968. Chad explained that Senator Tester has been working on resources and he will provide information to tribal council. Anita brought up delivery of Indian agriculture. There was a committee that would make recommendations to the administration to address matters that fall across department and committee jurisdictions. **Troy Felsman** discussed an energy policy and the senator's position on subsidies. Chad will obtain information on this and report back to council. **James Steele, Jr.** will be going to the NCAI executive winter session in Washington, DC February 10-15, 2018. Mike will set up the necessary meetings. Mike reported on the bill Senator Tester and President Trump signed into law reauthorizing AFG assistance for firefighter and safety grants. Volunteer fire departments are eligible to apply for those grants. Mike handed out updated information on legislation, including the Urban Indian Health Parity Act, reorganization, and the government-to-government consultations.

Ric Smith met with council. We need to work together and get along. Ric is willing to commit himself to improve relationships between the tribal, city and county governments. On February 8 the county commissioners will be here to discuss the density map. That could be used as a first step to work together. Ric suggested establishing a working group to discuss working together. Ric worked on the compact for several years.

Bryon Miller, S&K Gaming, LLC met with council in **executive session**.

Council reconvened into **regular session**.

Shelly Fyant gave a report on the Affiliated Tribes of Northwest Indians (ATNI) Winter Convention she attended in Portland last week. The ATNI topics she mentioned were the General session topics of Get Out the Vote, We are Still In initiative, Department of Justice consultation and 7% set-aside funding, and the latest attacks on the Indian Child Welfare Act (ICWA). Shelly attended the Natural Resources Committee proceedings and several resolutions were passed. In the future, she would recommend more than one tribal delegate attend to be able to cover the additional committees, i.e. TelCom, Energy, Economic Development, Drug Abuse/Prevention to name a few. The importance of the topics addressed reaffirmed the importance to her of ATNI as a nonprofit organization dedicated to tribal sovereignty and self-determination. Attending this convention illustrated the many, many issues across Indian Country that the Northwest Tribes are facing, not just CSKT. It reaffirmed the importance of our work and staying vigilant in our work to protect our lands and people.

Martin Charlo and **Arlene Bigby**, Kicking Horse Job Corps Center, gave an update on KHJCC issues. Last Friday the chairman, Kevin Thomas and Martin Charlo participated in a conference call with the Office of Contract Management. Management continues to take care of the deficiencies. The security issues will be dealt with. The vouchers for July through October in the amount of \$1.2 million were sent in last week. They continue having weekly conference calls with Victoria. The center continues to work on the OMS. KHJCC is ranked 119 out of 125 job corps centers in the nation. There are currently 40 students at KHJCC. **Shelly Fyant** provided information on the Tribal Health Improvement Program, and Tribal Health will be looking to hire 30 CNAs.

Council met in **executive session**.

Council reconvened into **regular session**.

MOTION by James Steele, Jr. to adjourn the meeting. Seconded by Troy Felsman. Carried, unanimous (9 present).

Council **adjourned** at 4:40 p.m., and is scheduled to meet again on Tuesday, February 6, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary