

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

Volume 18 Number 39
Council Chambers, Pablo, MT

Held: February 27, 2018
Approved: March 8, 2018

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

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; 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 Wilbert Michel.

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

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

Kianna Finley, Ronan School Student, informed council that she is going on a trip to DC and New York based on government. The total amount needed for the trip is \$2,752.00 and she raised \$1529.09 from donations and fundraising activities. Kianna requested a donation in the amount of \$1,222.91 for the balance owing. **James Steele, Jr.** requested that Kianna provide a presentation when she returns from her trip.

MOTION by Troy Felsman to donate \$1,222.91 for Kianna Finley to go to DC and New York. Seconded by James Steele, Jr. Carried, unanimous (10 present).

Council met in **executive session** to discuss a personnel matter. **Renee Joachim**, Personnel Department, was present for discussion.

Council reconvened into **regular session**.

Len TwoTeeth reported on the Rocky Mountain Tribal Leaders meeting he attended in Billings. Len had a conversation with Dorothy Dupree, Indian

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Health Service Director, and he informed her of the numerous tribal members that have their medical bills sent to collections. This is a huge problem in Indian country because other tribal leaders brought up the same situation. Dorothy agreed to meet with the tribal council directly. Meanwhile, we want our Tribal Health Department staff to look at the numbers in regards to the situation. We need to figure out how to reach out to the membership to identify who is in this situation and have the documentation. Len will meet with Teresa Wall-McDonald about this and get Dorothy scheduled to meet with council. The leaders also brought up a request for the CSKT to participate in the Purchased & Referred Care Work Group, and Len nominated Teresa to serve on the committee. He has a letter to the Executive Director for that and it needs to be approved by council. Len also discussed the tribal transportation budget formulation. This is a huge issue in Indian country because of the fact of how the Trump administration has revamped budget formulations. Len was informed of a symposium in Bozeman to explain to leaders exactly how this new budget method works in Indian country and what kind of data we need to be providing that would enhance our cut of the budget. Len thinks we need to stay on top of this. Based on the current budget formulation, many of the larger casino tribes are receiving the majority of the budgets. He wants to partake in that transportation symposium the third week of April in Bozeman and wants to take Dan Lozar or Gabe Johnson with him.

James Steele, Jr. informed council that he was assisting the family of Mary Gallegos, a tribal member, that was told they could not use the longhouse for her wake and funeral because it was busy; the longhouse was empty both days. He was also told that the family did not receive a wake kit.

Rob McDonald, Communications, handed out a draft press release regarding the Ronan Boys & Girls Club to be issued to the media. It was the **consensus** of council to approve the press release with corrections.

Teresa Wall-McDonald and **Brandi Couture**, Tribal Health Department, requested approval to hire David Bristol on a three-year contract to fill the Relief Pharmacist position. The vacancy was advertised and there no qualified tribal member applicants. The position is exempt from classification due to the pharmacy license requirement.

MOTION by Charmel Gillin to authorize the hire of David Bristol on a three-year contract to fill the Relief Pharmacist position, due to no qualified tribal member applicants. Seconded by Dennis Clairmont. Carried, unanimous (10 present).

Teresa Wall-McDonald and **Brandi Couture**, Tribal Health Department, requested approval to hire Chelsea Braverock 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 Chelsea Braverock on a three-year contract to fill the Clinic Nurse position, due to no qualified tribal member applicants. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Teresa Wall-McDonald and **Brandi Couture**, Tribal Health Department, requested approval of a modification to the consultant contract (Contract No. 18-061) with Kelly Pierre to continue through February 28, 2018 and increase compensation by \$360 to assist with the Go Red For Women Fashion Show.

MOTION by Troy Felsman to approve the modification to the consultant agreement (Contract No. 18-061) with Kelly Pierre to continue through February 28, 2018 and increase compensation by \$360 to assist with the Go Red For Women Fashion Show. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

Teresa Wall-McDonald and **Brandi Couture**, Tribal Health Department, requested approval of a modification to the consultant contract (Contract No. 18-059) with Allen Pierre to continue through February 28, 2018 and increase compensation by \$360 to assist with the Go Red For Women Fashion Show.

MOTION by Charmel Gillin to approve the modification to the consultant agreement (Contract No. 18-059) with Allen Pierre to continue through February 28, 2018 and increase compensation by \$360 to assist with the Go Red For Women Fashion Show. Seconded by Anita Matt. Carried, unanimous (10 present).

Len TwoTeeth reported that there is a One Heart meeting this Friday at noon and he wants Teresa to be there. **Teresa Wall-McDonald** confirmed that she would attend the meeting.

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

Lynn Ducharme, Natural Resources Department, requested approval of a resolution authorizing the purchase of the Lenora Liberty property at fair market value to be purchased with BPA mitigation funding.

MOTION by Troy Felsman to approve by resolution the purchase of the Lenora Liberty property at fair market value, to be purchased with BPA mitigation funding. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 18-087

**RESOLUTION AUTHORIZING THE PURCHASE OF TRUST LAND AS
RESIDENT FISH MITIGATION HABITAT**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED
SALISH AND KOOTENAI TRIBES (“TRIBES”) THAT:**

WHEREAS, the Tribal Council is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

WHEREAS, the Tribal Council is authorized to purchase and exchange Tribal land or any interest therein;

WHEREAS, the Tribal Land Acquisition Program was approved by the Act of July 18, 1968 (PL 90-402);

WHEREAS, the Tribes, and the United States of America, acting through the Department of Energy, Bonneville Power Administration (“BPA”), have entered into a Memorandum of Understanding Between the Confederated Salish and Kootenai Tribes and the Bonneville Power Administration for Resident Fish Mitigation (“2016-2018 Resident Fish MOU”), dated October, 8, 2015 to provide for BPA to fund, and the Tribes to implement, the permanent protection and mitigation of resident fish habitat to help fulfill BPA’s duties under the Northwest Power Act, and specifically to partially mitigate the direct construction and inundation impacts of Hungry Horse Dam;

WHEREAS, the Tribes, pursuant to the terms of the 2016-2018 Resident Fish MOU, made a commitment to acquire and protect resident fish habitat;

WHEREAS, the Tribes, pursuant to the terms of the 2016-2018 Resident Fish MOU, have developed criteria by which parcels of land that contain quantifiable amounts of resident fish habitat may be selected for purchase by the Tribes with funding from BPA;

WHEREAS, a parcel of land referred to as the “Liberty Parcel” (described below) qualifies for acquisition with BPA funds pursuant to the 2016-2018 Resident Fish MOU;

WHEREAS, Lenora Liberty is the beneficial owner of federally-held trust land, and appurtenant natural resources containing resident fish habitat in and around Revais Creek, referred to for these purposes as the “Liberty Parcel” and more particularly described as:

All right, title and interest in SE1/4SW1/4SW1/4,

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SW1/4SE1/4SW1/4, Section 22, Township 18 North,
Range 22 West,
P.M.M., Sanders County, Montana, containing 20 acres,
more or less.

WHEREAS, Lenora Liberty has offered to sell all of her right, title, and interest in the above-described real property to the Tribes;

WHEREAS, the Tribal Council has agreed to purchase the above-described real property, at a negotiated price determined in accordance with federal law, to permanently protect and mitigate resident fish habitat;

WHEREAS, BPA has agreed to provide funding for purchase of the above-described real property;

THEREFORE, BE IT RESOLVED, that the above-described real property be purchased from Lenora Liberty and that the Tribal Natural Resources Department be authorized to obtain funds from BPA pursuant to the terms of the 2016-2018 Resident Fish MOU for payment of land acquisition and closing costs;

BE IT FURTHER RESOLVED, that the above-described real property will be held in the name of the United States in trust for the Confederated Salish and Kootenai Tribes, pursuant to the Act of July 18, 1968, Public Law 90-402 (82 Stat. 356); and

BE IT FINALLY RESOLVED, that the acquired real property is dedicated for perpetual use to permanently protect and mitigate resident fish habitat.

Lynn Ducharme, Natural Resources Department, discussed property located on the Jocko River. Tony and Michelle Hoyt offered this property to the Tribes. The property contains approximately 8.3 acres and would be purchased with BPA mitigation funding.

MOTION by Charmel Gillin to show interest in purchasing the Hoyt property and approve entering into a buy sell at fair market value. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Carole Lankford).

Dale Becker, Natural Resources Department, discussed the delisting proposal of Canada Lynx.

Dale Becker, Natural Resources Department, discussed the possibility of the development of a dead animal carcass composting site. **Shelly Fyant** has concerns about this being located in the Squeque area along the Jocko River. Dale will continue to research other potential locations that could work and

report back to council.

Dale Becker, Natural Resources Department, gave an update on the Northern Continental Divide Grizzly Bear Delisting and Conservation Strategy.

Gabe Johnson, Natural Resources Department, requested approval of a resolution requesting acceptance and processing of the completed and revised Tribal Transportation Program's 2018 National Tribal Transportation Facility Inventory for the CSKT. **Len TwoTeeth** discussed the road by a subdivision that tribal members use to access Chief Cliff. Len discussed Nenemay Road which is the main road to the powerline corridor. He would like the Roads Program to acknowledge tribal ownership of that road to the fee land owners.

MOTION by Troy Felsman to approve by resolution the acceptance and processing of the completed and revised Tribal Transportation Program's 2018 National Tribal Transportation Facility Inventory for the CSKT. Seconded by Len TwoTeeth. Carried, 10 for; 0 opposed; and 0 not voting.

RESOLUTION 18-088

RESOLUTION TO REQUEST ACCEPTANCE AND PROCESSING OF THE COMPLETED AND REVISED TRIBAL TRANSPORTATION PROGRAM'S 2018 NATIONAL TRIBAL TRANSPORTATION FACILITY INVENTORY (NTTFI) UPDATE

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 is the duly recognized governing body of the Flathead Reservation with the responsibility to assure that Tribal transportation needs are met; and

WHEREAS, the Tribal Council recognizes an integrated transportation system links Flathead Reservation residents with cultural, economic, health and recreational resources; and

WHEREAS, the Tribal Council is working through the CSKT Roads Program to perform a NTTFI Inventory Update in 2018; and

WHEREAS, the Tribal Council supports the findings of the NTTFI Inventory Update and approves that the roads recommended for addition to the NTTFI network be added and are eligible for inclusion into the NTTFI as Transportation Facilities defined in the Federal Register, 25 CFR, Part 170; and

WHEREAS, the Tribal Council ensures that there was tribal input before final

consideration of the Flathead Nation's NTTFI Inventory Update and revisions;
and

WHEREAS, the Tribal Council supports the inventory coding, attachments, revisions, deletions, and additions to the NTTFI network as prepared and entered in the Road Inventory Field Data System (RIFDS); and

WHEREAS, the Tribal Council approves the following Recommended Inventory Table and supporting maps as the NTTFI roadway network and approves all necessary actions within RIFDS to revise the NTTFI to match the attached tables and maps which accurately detail our NTTFI transportation network;
and

WHEREAS, NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby approves the Flathead Nation's NTTFI 2018 Inventory Update, and directs the Department of Interior, Bureau of Indian Affairs, Northwest Region and Central Offices to accept and process the Inventory Submittal.

Gabe Johnson, Natural Resources Department, requested approval of a resolution approving 9 chip seal projects for homesite areas.

MOTION by Troy Felsman to approve by resolution 9 chip seal projects for homesite areas. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 18-089

RESOLUTION AUTHORIZING AND SUPPORTING CONSTRUCTION OF THE 2018 CHIP SEAL PROJECT CSKT/ROADS 18-05M

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 is the duly recognized governing body of the Flathead Reservation with the responsibility to assure that Tribal transportation needs are met; and

WHEREAS, the Tribal Council recognizes the need for an integrated transportation system to link Flathead Reservation residents with cultural, economic, health, educational, and recreational resources; and

WHEREAS, the Tribal Council of the Confederated Salish and Kootenai Tribes receive Tribal Transportation Program (TPP) funds under the authority of the Fixing Americas Surface Transportation Act (FAST) and other transportation related funds. The Tribal Transportation Program uses these funds for

transportation projects on the National Tribal Transportation Facility Inventory System on the Flathead Indian Reservation; and

WHEREAS, the Tribal Council of the Confederated Salish and Kootenai Tribes receive Transportation Facility Maintenance Funds under the authority of 25 CFR Part 170. Under 25 CFR Part 170.460(b), a Tribal resolution of or other authorized document supporting the project must be provided prior to construction.

NOW THEREFORE, BE IT RESOLVED that the Tribal Council authorizes and supports the construction of the 2018 Chip Seal Project CSKT/Roads 18-05M.

Gabe Johnson, Natural Resources Department, requested authorization to hire a fourth Construction Technician position.

MOTION by Troy Felsman to authorize the hire of a fourth Construction Technician position. Seconded by Charmel Gillin. Carried, unanimous (10 present).

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

Vern Clairmont and **John Whitworth**, Financial Management; **Terry Bennett** and **Jeremiah Bitsui**, Blue Sky Capital; gave a presentation to council.

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

Council met in **executive session** to conduct interviews for the Kicking Horse Job Corps Center Director vacancy. **Cory Clairmont**, Personnel Department; and **Martin Charlo**, Kicking Horse Job Corps Center; were present for interviews.

Council reconvened into **regular session**.

Thor Hoyte, Appellate Court Justice, introduced himself to council for a meet and greet. He believes in tribal sovereignty through the court systems. The Appellate Court will be holding oral argument tomorrow morning. Mr. Hoyte also serves on several other courts.

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

Vern Clairmont, Financial Management; **Clara Charlo**, Tribal Credit Manager; **Ron Morigeau**, **Dan Jackson** and **Charles Tellier**, Credit Committee; provided orientation on the Tribal Credit program. The program has 8 employees. The maximum loan amount through the short-term loan program is \$5,000 at 12% interest up to a three-year payback term. \$25,000 is the maximum loan

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amount for educational loans at 7% interest with a payback term up to 12 years. There are 12 properties that were foreclosed and are currently for sale. **Mary Driscoll**, Salish Kootenai Housing Authority, advised that the Housing Authority works with the foreclosure assistance programs. She asked questions about how the foreclosure properties are advertised for sale.

Rob McDonald, Communications, returned to council with the final draft press release regarding the Ronan Boys & Girls Club. **Council** approved the final draft to be issued to the media.

Len TwoTeeth presented for approval a draft letter to Bill Snell, Rocky Mountain Tribal Leaders, to delegate Teresa Wall-McDonald to serve on the Purchased & Referred Care Work Group.

MOTION by Anita Matt to approve the letter to Bill Snell, Rocky Mountain Tribal Leaders, to delegate Teresa Wall-McDonald to serve on the Purchased & Referred Care Work Group. Seconded by James Steele, Jr. Carried, unanimous (9 present – Dennis Clairmont out of the room).

Chairman Trahan was contacted by the Blackfoot Tribal Chairman requesting assistance from CSKT, since they are under a state of emergency. Ron will follow up.

Chairman Trahan discussed the Sergeant-at-Arms position. Veteran's preference was not applied, so the prior action taken on February 20, 2018 needs to be rescinded and the veteran needs to be appointed.

MOTION by Shelly Fyant to rescind the council action of February 20, 2018 appointing the Sergeant-at-Arms position, based on the veteran's preference policy. Seconded by Len TwoTeeth. Seconded by Len TwoTeeth. Carried, 7 for; 3 abstentions (James Steele, Jr., Charmel Gillin, and Dennis Clairmont).

James Steele, Jr., for the record, *"I abstained because my father was a candidate."*

MOTION by Shelly Fyant to accept the results of the ballot after the policy correction was made and appoint Bill Kehoe to fill the Sergeant-at-Arms position. Seconded by Len TwoTeeth. Carried, 7 for; 3 abstentions (James Steele, Jr., Charmel Gillin and Dennis Clairmont).

James Steele, Jr., for the record, *"I abstained because my father was a candidate."*

Chairman Trahan requested that a shareholder meeting be scheduled with the

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S&K Gaming Board of Directors. The discussion continued in **executive session**.

Council reconvened into **regular session**.

MOTION by Leonard Gray to adjourn the meeting. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

Council **adjourned** at 4:28p.m., and is scheduled to meet again on Thursday, March 1, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary