

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

Volume 18 Number 71  
Council Chambers, Pablo, MT

Held: June 12, 2018  
Approved: June 21, 2018

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

**MEMBERS ABSENT:** Charmel Gillin (Personal Time Off).

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; Tom Johnson, Council Support; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:05 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for May 31, 2018 were presented for approval. **Carole Lankford** asked the status of the resignation letter from Rene Kittle, MSU Extension Agent. **Anita Matt** reported that Rene resigned to her immediate supervisor from MSU and provided some information on her work plan and grant objectives to Anita. The MSU will advertise the vacancy and a team consisting of CSKT and MSU will interview. **Council** wants it followed up on. **Chairman Trahan** directed Jennifer Trahan to follow up.

**MOTION** by Troy Felsman to approve the Tribal Council Meeting Minutes for May 31, 2018, with corrections. Seconded by Dennis Clairmont. Carried, 8 for; 1 abstention (Anita Matt).

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

**MOTION** by Dennis Clairmont to approve the agenda, with changes. Seconded by James Steele, Jr. Carried, unanimous (9 present).

**Miranda Burland**, Tribal Education Department, invited council to the annual graduation celebration event for the eighth grade promotion, high school and college graduates this Friday, at 5:00 p.m., at the Kwataqnuq Resort.

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**Cyrus Antoine** informed council that he recently graduated from Salish Kootenai College with a bachelor's degree in Information Technologies. He was asked to resign from his position at Tribal Health Department due to his media arts project. He apologized to council for his media arts project that got him terminated, and he wanted to know if he was blacklisted from getting hired elsewhere within the tribal organization. **Council** commented that he was eligible to apply for employment within the organization. They reminded him that he needs to check on policies before he does things like that project. Council congratulated him on graduating. Council appreciated the apology and recognized that he accepted responsibility for his actions.

**Judy Gobert** requested permission for her nontribal member son to accompany her while cutting wood and teepee poles. **Council** referred Judy to Tribal Forestry to obtain the proper permit.

**Art Caye** informed council that he decided to come up with an additional \$500 and requested that council take action to approve the contract. **Carolee Wenderoth**, Tribal Lands Department, reported that this issue pertains to the barn that was previously discussed. Council did not accept the last bid that Art submitted. It was pointed out that the negotiations had not moved, so Art increased his bid by \$500 to see if that would change council's mind and let that activity occur. The proposal was to remove all the structures, which included six buildings on the property. **Leonard Gray** questioned why it was not advertised. Carolee explained that the tribal council has not authorized Lands to remove the structures or approve Lands to advertise the removal to all tribal members. The last time this was discussed, the council was not sure they wanted to remove those structures because they were a value to the lease. The lease will come in on Thursday with the spring bid. The buildings are included in the spring bid. One of the bidders wanted to use the building if awarded the lease. It would change the scope of the lease bid and have competing uses on the lease.

**MOTION** by Len TwoTeeth to accept \$1,500 and enter into a contract with Art Caye to remove the lumber from the six buildings on the Rattlesnake Ranch. Seconded by James Steele, Jr. **MOTION NOT CARRIED**, 3 for (Len TwoTeeth, James Steele, Jr. and Dennis Clairmont); 5 opposed (Troy Felsman, Shelly Fyant, Ron Trahan, Anita Matt, and Leonard Gray); 1 abstention (Carole Lankford).

**Bob McCrea** and **Kaylene Wolf** requested to meet with council in **executive session** to discuss a personal matter.

**Helen Camel** requested to meet with council in **executive session** to discuss a personal matter.

Council reconvened into **regular session**.

\*\*\*\*\* **Break** \*\*\*\*\*

**Carolee Wenderoth** and **Tara Irvine**, Tribal Lands Department, presented the bids for the fireworks sales. Jennifer Domebo was the high bidder for the Polson site, Ginger Drake was the high bidder for the Ronan site, and Wade Burland was the high bidder for the St. Ignatius site. No bids were received for the Arlee site.

**MOTION** by Len TwoTeeth to accept the high bid from Jennifer Domebo for the Polson site. Seconded by Shelly Fyant. Carried, unanimous (9 present).

**MOTION** by Anita Matt to accept the high bid from Ginger Drake for the Ronan site. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

**MOTION** by James Steele, Jr. to accept the high bid from Wade Burland for the St. Ignatius site. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Carolee Wenderoth** and **Tara Irvine**, Tribal Lands Department, received two proposals to sell fireworks at the former Mission Mart site from Black Raptor and Hong Kong Harry's. The rent would be \$2,000 and a license and insurance would be required. Lands recommended accepting the proposal from Black Raptor since it is a tribal member.

**MOTION** by Troy Felsman to award the Mission Mart site to Black Raptor to sell fireworks at a rental rate of \$2,000 and require the license and insurance. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Leonard Gray).

**Carolee Wenderoth**, Tribal Lands Department, received a phone call from a realtor and Family Dollar is interested in leasing or purchasing the former Mission Mart building. No further interest has been shown for the person interested in a land exchange. Les Schwab is the other company interested in purchasing the building and will not have an answer until the end of June. **Council** agreed to have Lands pursue a lease or purchase with Family Dollar.

**Mike Durglo** and **Kyle Felsman**, Preservation Department, requested guidance on how to proceed with the mitigation phase for two projects. One project is the Northwestern Energy Hot Springs – Ovando transmission line. The right of way for the project is already completed. Mike suggested having the tribal council and legal counsel present during the negotiations. **Council** would like Legal involved. The Corps of Engineers and Forest Service will be here for a meeting on June 25 and June 26 they will inspect the curation center. The second project

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is a proposed trailhead/parking/recreation area. The consultation began in 2016. The same process was done for this project. Preservation did the fieldwork and an archaeological site was found where they want to put that site. Management recommendations were submitted but the Forest Service decided to proceed with the project anyway, so now we need to mitigate it. Council wants a fieldtrip to that site scheduled. It was scheduled for June 28. Mike will be touring the curation facility in Colville on June 27. Mike wants to deliver a load of bison and come back with a load of salmon for the culture committees.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, informed council that Chaney Bell informed THD that the Salish Institute took action on June 6, 2018 to withdraw the memorandum of agreement with the Tribal Health Department for the Reason to Live Native Grant. They do not want to complete the MOA with Tribal Health. One activity affected by this action is the horse camp that is a prevention activity. Patty Stevens was made aware that Salish Institute will no longer work with Tribal Health and Patty submitted a proposal to hold two separate camps (one for boys and one for girls) at a cost of \$7,500 per camp. THD supports a noncompetitive contract with Patty Stevens if she can meet all the requirements of the contract, which includes providing proof of liability insurance in the amount of \$1 million, with THD and CSKT being additional insurers on the policy; and a worker's compensation exemption. \$16,000 had been allocated to provide additional prevention activities, so THD will either provide those activities or bid them out. Patty would be required to provide a report and participants would be required to sign in. **Teresa Wall McDonald** met with council in **executive session** to discuss further.

Council reconvened into **regular session**.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, requested approval to seek information from DHPPS for potential savings. THD would like to explore the FMAP program for Tribal FQHC Coordinated Care Agreements to see what it means financially for Tribal Health. If approved, then a letter would be signed by the chairman. This may bring additional funding for THD. It was the **consensus** of council to participate.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, would like to begin thinking about moving to Tier II or Tier III, which would double the amount of money. We are currently at Tier I. They requested approval to engage in the discussion and seek council input on priorities. It was the **consensus** of council to move forward with drafting a letter for the chairman's signature.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, requested approval to apply for funding from the Montana Health Care Foundation for the cost of expanding services to TERS and SKC and the general

Pablo population, and provide school-based services at Nkwusm. It was the **consensus** of council to proceed.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, requested approval to analyze grant opportunities from the Montana Headwaters Foundation. It was the **consensus** of council to proceed.

**Teresa Wall McDonald** and **Anna Whiting Sorrell**, Tribal Health Department, informed council that Mountain Pacific is a group that does quality assurance for the DPHHS. They saw an article that was done on one of our scholars and are interested to provide support funding for our scholars. Anna requested approval to meet with them. It was the **consensus** of council to move forward.

\*\*\*\*\* **Lunch** \*\*\*\*\*

**Daniel Decker**, Legal Department, provided updates. He reminded council of the hunt managers meeting tomorrow at the Holiday Inn in Missoula. There is a pre-meeting tonight at 6:30 p.m. at the Holiday Inn. Most of the treaty tribes committed to be there. Dan informed council that John Harrison, Stu Levit and Mary Price are at a meeting in Missoula today regarding the Smurfit Stone site. The test results came back showing that they are within the Montana Department of Environmental Quality legal limits for PCBs and dioxins. The decision in the culverts case came out from the Supreme Court and was affirmed with a 4-4 vote. The Montana Water Court granted our stay for an extension, which allows more time to finalize our objections. The stay is until January 10, 2020. The reorganization consultation is in Billings next Thursday, so Legal can draft any documents if they want. Len will participate in the DOI reorganization discussion.

**Daniel Decker**, **Shane Morigeau** and **Christina Courville**, Legal Department, requested to meet with council in **executive session** to discuss legal issues.

Council reconvened into **regular session**.

**Vern Clairmont**, Financial Management; and **John Whitworth**, Cashflow Manager; presented the quarterly report from Blue Sky for the CSKT mock portfolio. Vern and John will continue to monitor the portfolios.

**Dennis Clairmont** discussed a secretarial water right. The original secretarial water right was in 1911. When water rights were filed, an identified amount of water is allocated and identified acreage is irrigated. It looks like someone changed the ditch or extended the ditch and then later filed a water right. The original water right would go back to 1911. The water right would go back with that property that was originally allocated and what area.

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**Chairman Trahan** asked if council wants to meet with the Lake County Commissioners; they have been asking for a meeting. A date needs to be set if council agrees to the meeting. The meeting was set for the 26th.

**Chairman Trahan** informed council that Bill Kehoe is unable to fulfill his appointment as the Sergeant at Arms due to medical reasons, so the vacancy will need to be advertised.

**Len TwoTeeth** attended the Inter-Tribal Timber council meeting and attended fee to trust timberlands and carbon credit classes. Tribes are bring in substantial annual revenue. There are committees and subcommittee that are tied to ITC that have a list of consultants that would come over and visit the Tribes and give a presentation on how this works. It would be beneficial to consider this presentation as a way to enhance tribal revenue. ITC provides numerous scholarships and some of our students were at the symposium.

**Carole Lankford** reported on the Rocky Mountain Leaders Council meeting. They are asking tribes to step up to be a chartering tribe. She sent council a copy of her trip report. The Cobell scholarships were discussed. They are based off the money that is in the account, but she is not sure if the tribes putting into the fund are getting their fair share of the scholarships. That needs to be looked into.

**James Steele, Jr.** attended the subcommittee meeting on gaming and the sports betting issue was discussed and its implications Murphy v. NCAA; NIGC stated sports betting was Class III according to IGRA. There was a disagreement amongst the tribal lawyers about sports betting. The tribe should keep an eye on the sports betting bills that will be proposed for the next session of the legislature. The fee to trust issue was discussed and there is a lot of opposition to it. There are tribes doing specialty beef and it was suggested that tribes do that type of business. James thought it would be nice to have a meeting with those tribes. It is something to think about, especially since it is a component of food sovereignty. James needs a resolution appointing him as a voting member to NCAI. He only had a resolution appointing him as an alternate to NCAI but he needs to be a voting member when he attends meetings.

**Leonard Gray** announced the hunt managers meeting tomorrow at Holiday Inn at 10:00 a.m. There had been some discussion on safety at Beatie Gulch. The tribes came together on safety and cooperation. MFWP approved another tribe to come in that knew nothing about the agreement which caused some chaos. It was more dangerous than it was in the past. That will be discussed in tomorrow's meeting. A modified agreement was sent out and the tribes were asked to either sign the old one or the modified agreement.

**Anita Matt** discussed the Farm Bill. When we had our fly-in at Washington,

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DC, there are 170 tribes that have joined the Farm Bill Coalition. While in DC we had 29 meetings on the hill with senators and at the White House. There were 65 tribes represented at DC. Anita asked Danny Decker to get some success stories on our 638 programs. Tribes use the Flathead as an example of successful programs, so Danny drafted a letter for chairman's signature. They want to let the tribes do their own SNAP and Forestry programs through the 638 programs. They are asking for calls to be made to the senators and representatives. She also asked Danny to look at Restricted Fee. A senator brought forward a bill and Anita is concerned about that.

**Council** discussed Troy Felsman resigning from the tribal council. The council needs to take official action to accept the resignation.

**MOTION** by Carole Lankford to accept Troy Felsman's resignation on tribal council as of June 18, 2018. Seconded by Shelly Fyant. Carried, 8 for; 1 abstention (Troy Felsman).

**MOTION** by Dennis Clairmont to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (9 present).

Council **adjourned** at 3:00 p.m., and is scheduled to meet again on Thursday, June 14, 2018, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Troy Felsman  
Tribal Secretary