

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

Volume 18 Number 44  
Council Chambers, Pablo, MT

Held: March 13, 2018  
Approved: March 20, 2018

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

**MEMBERS ABSENT:** Carole Lankford (NAIHC - Billings, MT).

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

The meeting was called to **order** at 9:04 a.m. Quorum established.

The meeting was opened with a **prayer** by Shelly Fyant.

The **Tribal Council Meeting Minutes** for March 6, 2018 were presented for approval.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for March 6, 2018, with corrections. Seconded by Troy Felsman. Carried, unanimous (9 present).

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

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

**Mark Couture**, Tribal Lands Department, discussed Lease 4067 that Dan Hartung is currently leasing. Dan has a five-year lease and is requesting a five- or ten-year improvement extension lease, with an option to rebid after the initial term. Dan wants to install a used pivot. The Tribes will retain ownership of the pivot after the lease expires. Mark recommended approving a five-year extension improvement lease with the option to rebid the lease after that term for an additional five years. Dan will use the existing control power on the site to provide power to the pivot. If the Tribes agreed to a match, then we could keep the power on that lease. Options presented were: (1) approve a five-year extension to lease contract on Lease 4067; (2) deny the request for a

five-year extension; and (3) further discussion on request. **Anita Matt** pointed out that fencing and cleanup is needed on that lease.

**MOTION** by Anita Matt to go with option one and approve a five-year improvement lease extension for Dan Hartung to lease Lease No. 4067. Seconded by Charmel Gillin. Carried, 8 for; 1 opposed (Len TwoTeeth).

**Tara Irvine**, Tribal Lands Department, presented a request from the Boys and Girls Club for a one-year revocable permit on Tract 4127-A at a rental rate of \$1. Insurance would be required.

**MOTION** by Troy Felsman to grant the Boys and Girls Club a one-year revocable permit on Tract 4127-A at a rental rate of \$1, and require insurance. Seconded by Shelly Fyant. Carried, unanimous (9 present).

**Holly Hitchcock**, Tribal Lands Department, presented a request from the Roads Program. The Roads Program is replacing the two Valley Creek bridges, and using federal dollars. The program needs a perpetual easement for those two locations.

**MOTION** by Shelly Fyant to approve a perpetual easement for the two locations for the Valley Creek Bridges. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Dale Becker**, Natural Resources Department, requested approval of a modification to the contract with Homestead Helicopters, Inc. to increase compensation by \$20,000.

**MOTION** by Charmel Gillin to approve the modification to the contract with Homestead Helicopters, Inc. to increase compensation by \$20,000. Seconded by Anita Matt. Carried, unanimous (9 present).

**Dale Becker**, Natural Resources Department, discussed the number of complaints about big game damage. **Council** requested that Dale meet with council at the chairman's meeting. **Len TwoTeeth** wants a list of the fee landowners, where their land is depicted on the map, and where they would allow tribal members to hunt.

**Clayton Matt**, Tribal Services, discussed a personnel matter regarding the temporary pay increase for the acting department head for Tribal Forestry. Policy requires approval to continue the acting position and the temporary rate of pay. **Renee Joachim**, Personnel Department, reported that the vacancy is being advertised in the Char-Koosta News and closes on April 12. The increased rate of pay would be retroactive from the first day he was appointed in the acting capacity. **Shelly Fyant** thought the vacancy was going to be

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advertised in industry publications, job boards and online. **Chairman Trahan** discussed personnel policy stating that acting department heads are not eligible for a temporary pay increase until day 91. He wants the policy reviewed. **Clayton Matt** recommended making it a policy for department head positions to be advertised in the Char-Koosta News in addition to any relevant board or places that have no cost to advertise. If there is a cost associated with advertising in those other venues, then it would come back to council for consideration. **Charmel Gillin** suggested that Personnel make recommendations of some of the most available and effective advertising forums.

**MOTION** by Shelly Fyant to approve the temporary pay increase for the acting department head of Tribal Forestry at Step 1 of the pay level, to be retroactive from the date he was appointed as acting department head. Seconded by Charmel Gillin. Carried, unanimous (9 present).

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

**Janet Camel**, Economic Development, asked if council wanted to submit an application to request the Montana Department of Commerce and Governor Bullock to designate Flathead Reservation census tracts as Opportunity Zones as requested by the United States Census Bureau. The four tracts that Janet wants recommended for a ten-year designation are Hot Springs/Dixon, Pablo, Ronan, and Arlee. Elmo, Big Arm, Polson, and St. Ignatius are not designated as poverty areas. March 30 is the submission deadline. One drawback is that any developer could benefit from this designation and they are not be required to work with the Tribes on fee properties. **Shelly Fyant** is concerned about 1800 acres of farm land in Arlee, properties being sub-divided, infrastructure installed and Arlee potentially becoming North Missoula. She requested that Arlee be removed as a priority from this proposal. She believes that until the Economic Development Department is fully staffed and business plans are in place for specific projects, other developers may be better poised to take advantage of the Opportunity Zone designation rather than the Tribe. **No action taken.** Council took the request under advisement and rescheduled this topic for Thursday's agenda. Janet was instructed to remove Arlee from the priority list.

**Rodney Bird**, Two Eagle River School; **Jean Matt**, Mission Valley Power; **Teresa Wall McDonald**; and **Carolee Wenderoth**, Tribal Lands Department; discussed a request from TERS. The property located next to the school and Clairmont Road is a power reserve. This property will probably never be essential to MVP. Rodney requested that a priority be placed on getting the subject property G4128 (2.5-acre portion) assigned to the TERS for school needs (classroom space, storage space, additional gymnasium, industrial arts building); and request that Jean Matt obtain Utility Board action on declaring

the property “excess” to utility needs on March 19. CSKT has the first right of refusal.

**MOTION** by Troy Felsman to approve the exchange. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

**Teresa Wall-McDonald**, Tribal Health Department, discussed the THIP program and requested approval for the tribal chairman to sign the Daphne service agreement as part of getting the task order in place. Using the Daphne case management program is a requirement to participate in the THIP.

**MOTION** by James Steele, Jr. to approve the tribal chairman to sign the Daphne service agreement. Seconded by Leonard Gray. Carried, unanimous (9 present).

**Julie Cajune**, Education Department, requested an extension to the staff development contracts with Molly Billedeaux, Anna Baldwin and Elaine Meeks to work with teachers in St. Ignatius, Dixon and Arlee Schools on their implementation plan. Carryover funds from the STEP grant would be used to pay for these contracts.

**MOTION** by James Steele, Jr. to approve the extension to Anna Baldwin’s contract. Seconded by Troy Felsman. Carried, unanimous (8 present – Len TwoTeeth out of the room).

**MOTION** by Charmel Gillin to approve the extension to Elaine Meeks’s contract. Seconded by Shelly Fyant. Carried, unanimous (8 present – Len TwoTeeth out of the room).

**MOTION** by Anita Matt to approve the extension to Molly Billedeaux’s contract. Seconded by Leonard Gray. Carried, unanimous (9 present).

**Vern Clairmont** and **Ruth Swaney**, Financial Management, discussed the fiscal year 2019 budget development and projected revenue. Fiscal year 2018 projections were used for the departments and programs that did not submit the requested information. Council action is required in order to proceed with the budget call to tribal departments/programs. **Council** will review the documents and make any notations, and then Vern will return to council at a later date to complete the budget process.

**MOTION** by Troy Felsman to adopt the revenue projections for fiscal year 2019. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

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**John Harrison**, Legal Department, gave an update. There is a meeting set for April 9 for EPA consultation with Tribal Council. The fish consumption rates were submitted. The bison staff is scheduled to meet with council on March 22 to go through a number of issues. March 21 there is a staff-level discussion at 10:00 a.m. on mushroom permit system administration, identification of areas of concern, and law enforcement coordination. There is a conference call on Thursday regarding the culverts case. Oral Argument is scheduled for the 18th in Washington, DC.

**Brian Upton**, Legal Department, gave an update on last week's Bison Range consultation. Will Meeks had indicated that there is money to do sign replacement at the NBR. Brian asked the acting refuge manager at the NBR to meet with council within the next few weeks.

**Stu Levit**, Legal Department, informed council that there is a Ktunaxa Protocol Agreement group meeting on April 3 in Creston at 10:00 a.m. Transboundary issues and the Bi-Op will be discussed.

**Daniel Decker** and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Brian Upton**, **John Harrison** and **Stu Levit**, Legal Department, were present for discussion.

**Shelly Fyant** left the meeting for the remainder of the day.

Council reconvened into **regular session**.

**Troy Felsman** informed council that Native Networks wants to meet with council next week to explain their proposal.

**James Steele, Jr.** asked if council was going to honor the Arlee Warriors at the quarterly council meeting. Marie Torosian at The People's Center will bead the medallions if council provides the materials. **Chairman Trahan** will obtain further information.

**Charmel Gillin** requested that a time be scheduled to discuss the priorities and work plans for the departments. **Council** will discuss on Monday.

**MOTION** by Leonard Gray to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (8 present).

Council **adjourned** at 12:30 p.m., and is scheduled to meet again on Thursday, March 15, 2018, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Troy Felsman  
Tribal Secretary