

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

Volume 18 Number 68
Council Chambers, Pablo, MT

Held: May 31, 2018
Approved: June 12, 2018

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

MEMBERS ABSENT: Anita Matt, Treasurer (Native Farm Bill Coalition).

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. **Chairman Trahan** attending a meeting at Kicking Horse Job Corps Center and will join the meeting later today.

The meeting was opened with a **prayer** by Troy Felsman.

The **Tribal Council Meeting Minutes** for May 24, 2018 were presented for approval. **Council** will review the minutes and take action later.

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 Shelly Fyant. Carried, unanimous (8 present).

Bob Gauthier; and **Martin Jennings**, Northwest Area Foundation; introduced Mr. Jennings, who has a proposal to address poverty issues in Indian country. Mr. Jennings discussed his work model, which has different aspects of economic development with consumer groups, local businesses and tribal governments.

Jean Matt, Mission Valley Power, informed council that the low cost block with Bonneville Power Administration and the pass-throughs will continue for a year so our rates will remain the lowest in the state. **Leonard Gray** requested that a press release be issued.

Anita Swope informed council that she has a tribal lease at Big Arm and has two troublesome trees and she is worried that they are going to fall on her house. Mission Valley Power and Tribal Forestry was contacted but would not remove the trees. **Carolee Wenderoth**, Tribal Lands Department, reported that this request came in last summer and it was assessed by three private companies, Mission Valley Power and Tribal Forestry. They could not remove the trees due to the risk and possible damage it would cause based on their location. The trees will either fall on the house or the highway. Either option posed a hazard, so the contractors refused to do the work. There has been no success in finding someone that is willing to remove the trees. **Shelly Fyant** suggested contacting Gary Cote since he has a crane. The Lands Department will continue to follow up to identify a contractor to do the tree removal. **Council** directed Jami Pluff to follow up and assist Ms. Swope.

Sandra Boham, Salish Kootenai College, handed out a copy of the history of the college from 1976-2010. There will be a book signing on Monday at the bookstore and she invited council to get their books signed at the event.

Rhonda Swaney, Legal Department, requested to meet with council in **executive session** to discuss a personnel matter.

Dewey Schliep requested to meet with council in **executive session** to discuss a personal matter.

Carrie Irvine, Salish Kootenai Housing Authority; and **Jami Pluff**, Policy Analyst; met with council in **executive session**.

Council reconvened into **regular session**.

Rene Kittle and **Ginger Pitts**, Montana State University Extension Office, requested approval of a letter of support for the Supplemental Nutrition Assistance Program (SNAP). Council would like to have the Dayton School and Nkwusm added to the list for services. Ginger said there would need to be an additional staff member to provide services. **Shelly Fyant** wants the MSU Extension Office to look into the possibility of adding a Corps worker to provide the services that are needed on the reservation or look at revising the schedule. Rene informed council that this conversation needs to be with Carrie Ash to discuss the schedule for Dayton and Nkwusm. **Charmel Gillin** wanted it noted that we requested consultation on further development of the SNAP program on the reservation. Shelly asked about having a Food Core Worker. Ginger advised that it is a separate program and she is not familiar with their guidelines.

MOTION by Troy Felsman to approve the SNAP Program support agreement. Seconded by Dennis Clairmont. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Shelly Fyant informed Rene that the Tribes have not received a copy of her existing work plan and letter of resignation; it is needed so a smooth transition can occur. **Rene Kittle** advised that she retired from the MSU, so there was no letter of resignation. Each person writes their own engagement plan, so whoever is hired will be writing their own plan and it may not be the same as hers. Shelly thought it was based on community needs. Rene used needs assessments that were already done and it was written when she got this job 13 years ago.

Rich Janssen, Chauncey Means and **Evan Smith**, Natural Resources Department, requested support for the Wetlands Management Program development grant for fiscal year 2019-2020.

MOTION by James Steele, Jr. to approve by resolution submission of the Wetlands Management Program development grant for fiscal year 2019-2020. Seconded by Troy Felsman. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 18-135

**RESOLUTION OF SUPPORT FOR THE WETLANDS MANAGEMENT PROGRAM
WETLAND PROGRAM DEVELOPMENT GRANT FOR FY 2019-2020**

**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 strongly support protecting water resources and the environment; and

WHEREAS, the Confederated Salish and Kootenai Tribes consider the surface and ground waters of the Flathead Indian Reservation to be amongst its most valuable natural resources; and

WHEREAS, the Confederated Salish and Kootenai Tribes, in conjunction with the U.S. Environmental Protection Agency, have developed an effective framework for assessing wetlands functionality and protect, manage, and restore wetlands by developing the CSKT Wetlands Management program; and

WHEREAS, the Tribes have committed and continue to commit considerable financial resources to protecting, enhancing and restoring water quality on the Flathead Indian Reservation; **NOW, THEREFORE**,

BE IT RESOLVED that the Tribal Council supports the submittal of the proposed Wetlands Management Program WPDG grant; and

BE IT FURTHER RESOLVED that, the proposed work plan will be submitted to the EPA for review and possible funding.

Rich Janssen, Natural Resources Department, presented a request for a collection permit for the Yellow Bay Biological Station to collect stoneflies and macroinvertebrate samples from the Jocko River, aquifer, and from the high and low elevation tributaries of the Jocko River for their dimensions of biodiversity project.

MOTION by Troy Felsman to approve the collection permit for the Yellow Bay Biological Station to collect stoneflies and macroinvertebrate samples from the Jocko River, aquifer, and from the high and low elevation tributaries of the Jocko River for their dimensions of biodiversity project. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Rich Janssen and **Pablo “Chib” Espinoza**, Natural Resources Department, requested approval of a proposed change within the Fish & Game program to reduce 1 Sergeant and add 1 Captain position. The benefits of doing this is we are ex officio officers with the State and write state citations; are the leader in the Bison hunt so the Captain would be in charge of the hunt; the CSKT is the lead on the AIS station and we issue state citations for that.

MOTION by Dennis Clairmont to approve the revised organizational chart for Fish & Game. Seconded by Troy Felsman. Carried, unanimous (8 present).

Chairman Trahan joined the meeting.

Rich Janssen and **Gabe Johnson**, Natural Resources Department, requested approval of modification 2 to Contractor Agreement #18-03 with Stone Ridge Construction to increase the not-to-exceed amount by \$16,090.05 due to additional work and milestones met.

MOTION by Shelly Fyant to approve modification 2 to Contractor Agreement # 18-03 with Stone Ridge Construction to increase the not-to-exceed amount by \$16,090.05 due to additional work and milestones met. Seconded by Dennis Clairmont. Carried, 8 for; 1 abstention (Ron Trahan).

Rich Janssen and **Gabe Johnson**, Natural Resources Department, requested approval to pursue a BUILD grant from the United States Department of Transportation for 3 roadway projects. This grant replaces the TIGER grant and focuses on rural areas.

MOTION by Dennis Clairmont to apply for the BUILD grant. Seconded by Troy Felsman. Carried, unanimous (8 present).

Rich Janssen and **Gabe Johnson**, Natural Resources Department, requested approval of a letter of support for the City of Ronan's Community Development Block Grant to perform street planning and a professional engineering reports on the streets in Ronan.

MOTION by Troy Felsman to approve a letter of support for the City of Ronan's Community Development Block Grant to perform street planning and a professional engineering reports on the streets in Ronan. Seconded by James Steele, Jr. Carried, 8 for; 1 abstention (Leonard Gray).

Rich Janssen and **Dale Becker**, Natural Resources Department, requested approval to complete the purchase of an equipment trailer. The trailer cost was not considered capital equipment, but there was a documentation fee added which makes it capital equipment. The program did not know it was capital equipment until after Property & Supply purchased the trailer, so the program needs to reimburse Property & Supply.

MOTION by Charmel Gillin to approve the request to complete the reimbursement to Property & Supply in the amount stated for the capital equipment purchase. Seconded by Dennis Clairmont. Carried, 8 for; 1 abstention (Carole Lankford).

Rich Janssen and **Willie Keenan**, Natural Resources Department, requested approval to enter into a consultant agreement with Georgia Smies for an amount not to exceed \$34,000 to perform data analysis, report writing, sample collection, and public education for select NRD programs, to be completed by September 30, 2019. Policy was followed and it was advertised. Georgia was the only person that responded to the advertisement. The Indian Preference Office was informed of this as well. The program has a backlog and the department does not have the staff to complete this in-house, and with the budget reduction next fiscal year it will not have the funding to hire someone to do it in-house. Shelly Fyant wants to discuss concerns regarding this request in a chairman's meeting and wants a succession plan for when Seth retires. Rich said he has a succession plan in place already for when Seth retires. Due to Willie being overloaded with work she requested this request be approved and then they can still meet with council in a chairman's meeting later. There is a deadline to apply for the grant. Due to the complexity, Rich does not have qualified staff in house to do these duties. **No action taken.** Council scheduled NRD on the agenda for next Monday's chairman's meeting. Chairman Trahan told Rich to get on the agenda earlier instead of waiting for the deadline to near. These issues need to go to the chairman's meeting first.

Rich Janssen and **Jasmine Brown**, Natural Resources Department, informed council that Dr. Edward Spevak, Curator of Invertebrates and Director for the

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Center for Native Pollinator Conservation, Saint Louis Zoo, was here last week. He has private and grant funding. It is for \$10,000 ever spring and fall and he has an interest in working with tribes. The Pesticides Program plans on applying for funding to do pollinator projects on the reservation. Jasmine wants council to meet him when he is here this summer.

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

Ron Trahan out of the room.

Len TwoTeeth out of the room.

Tara Irvine, Tribal Lands Department, presented a request from the Natural Resources Department for a four-month revocable permit to have a boat check station on Tribal Tract T-7047 in Elmo. The Lands Department recommended a waiver of the bond and a rental rate of \$1.

MOTION by Shelly Fyant to approve option one and approve a four-month revocable permit to have a boat check station on Tribal Tract T-7047 in Elmo with a rental rate of \$1 and a waiver of the bond. Seconded by James Steele, Jr. Carried, unanimous (7 present – Ron Trahan and Len TwoTeeth out of the room).

Tara Irvine, Tribal Lands Department, presented a request from Steve Dupuis for a one-month revocable permit to place a 12x8 sign for the Blue Bay Wholesale Fireworks on Tribal Tract T-6043. There is a sign from a business from Bigfork that Lands was not aware of. Steve's sign will be removed after the sale is over. The Lands Department recommended charging a one-time payment of \$50 and require insurance.

MOTION by Troy Felsman to grant Steve Dupuis a one-month revocable permit to place a 12x8 sign for the Blue Bay Wholesale Fireworks on Tribal Tract T-6043, as long as all the permitting requirements are met, including a onetime \$50 payment and required insurance. Seconded by Charmel Gillin. Carried, unanimous (7 present – Ron Trahan and Len TwoTeeth out of the room).

Tara Irvine, Tribal Lands Department, presented a request from Brad Pluff, Black Raptor Fireworks, for a revocable permit on Tribal Tract 1914-B to operate a fireworks stand. The Lands Department recommended a rental fee of \$2000, required insurance and licenses at \$100 per license.

MOTION by Dennis Clairmont to go with option one and grant Brad Pluff, Black Raptor Fireworks, a revocable permit on Tribal Tract 1914-B to operate a fireworks stand, at a rental fee of \$2000, required insurance and licenses. Seconded by Troy Felsman. Carried, unanimous (6 for; 1 abstention)

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(Leonard Gray – due to family relation); 2 not voting (Ron Trahan and Len TwoTeeth out of the room).

Leonard Gray left the meeting.

Carolee Wenderoth, Tribal Lands Department; and **Charmel McClure Sternick**, Real Estate Agent; met with council to seek guidance. The Tribal Lands Department lacks the resources for keeping track of vacant homes and homesites and people looking to purchase. Charmel has some ideas on how to bridge the gap for those services.

Len TwoTeeth returned to the meeting.

Charmel McClure Sternick has real estate and property management experience and knowledge about the housing industry. She met with Lands about how people searching for homes find homes. Charmel wants to be a liaison between the Tribes and people looking to sell or buy. She suggested setting up a website. The land committee discussed this to compensate her so she does not provide this service free of charge. It is a service Lands lacks and that should be provided to the membership. Tribal Credit knows the value of what she is offering. She wants to do this as a personal business so she would not be on staff full-time. Charmel had to develop a protocol when she was looking for this type of service. She wants to create an inventory of all the properties that are available. Charmel has been meeting with Lands to come up with a plan. Charmel works as a real estate agent for Bob Gauthier and she wants to serve as a real estate agent for people looking and provide options to them based on the inventory list. The clients would be required to enter into a buyer broker and sales agreement, and they would be required to sign a listing agreement. **Council** wants options and costs presented at the chairman's meeting for further discussion.

MOTION by Carole Lankford to direct the Tribal Lands Department to proceed with contract options for this proposal. Seconded by James Steele, Jr. Carried, unanimous (7 present – Ron Trahan and Leonard Gray out of the room).

Carolee Wenderoth, Tribal Lands Department, requested approval of a modification to the contract with Northwestern Construction and Abatement to increase compensation for an amount not to exceed \$16,000 for the cleanup project in St. Ignatius. The service contract was for \$8,000, but NCA is a new business and he underbid the proposal.

MOTION by Carole Lankford to approve the modification with Northwestern Construction and Abatement to increase compensation for a not-to-exceed amount of \$16,000. Seconded by Charmel Gillin. Carried, unanimous

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(7 present – Ron Trahan and Leonard Gray out of the room).

Shane Morigeau, Legal Department; **Rex Rank**, Clerk of Montana Supreme Court Candidate; **John Sesso**, Minority Senate Leader; **Jenny Eck**, House Minority Leader; and **Representative John Fleming**; met with the council for a meet and greet and to discuss tribal issues. The Democratic Party is on a tour throughout the state of Montana. **Troy Felsman** discussed Medicaid Expansion, Indian gaming, non-Indian gaming casinos paying out jackpots in excess of \$800; non-Indian casinos have less regulations than Indian gaming. Non-Indian casinos that pay out jackpots in excess of \$800 do not pay income taxes on the jackpot.

Chairman Trahan returned to the meeting.

James Steele, Jr. discussed Medicaid Expansion, candidate recruitment, and the ballot. **Shelly Fyant** discussed infrastructure funding for schools, issue of parity for 400 Native students, specifically the 100 students at TERS in grades 8-12; and 300 students at Northern Cheyenne. Those schools serve high-risk youth and are funded with BIE funds at about one-third of what other schools are funded at.

Chairman Trahan out of the room.

Martin Charlo and **Arlene Bigby**, Kicking Horse Job Corps Center; and **Cory Clairmont**, Personnel Department; informed council that SKC has been unable to locate an instructor, but there is an individual who offered to work with students for two weeks. He would be hired on a temporary employment contract. The center currently has 11 students. This contract should be an allowable cost through the region. He would be hired to complete the electronic achievement records items for students.

MOTION by James Steele, Jr. to approve the temporary employment agreement with Joseph Janssen. Seconded by Charmel Gillin. Carried, unanimous (7 present – Ron Trahan out of the room).

The **Tribal Council Meeting Minutes** for May 24, 2018 were presented for approval.

MOTION by Dennis Clairmont to approve the Tribal Council Meeting Minutes for May 24, 2018, with corrections. Seconded by Len TwoTeeth. Carried, 7 for; 2 abstentions (Ron Trahan and Charmel Gillin).

Council met in **executive session**.

Leonard Gray returned to the meeting.

Council reconvened into **regular session**.

MOTION by Carole Lankford to adjourn the meeting. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Council **adjourned** at 3:54 p.m., and is scheduled to meet again on Tuesday, June 5, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary