

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

Volume 20 Number 33  
Council Chambers, Pablo, MT

Held: January 30, 2020  
Approved: February 6, 2020

**MEMBERS PRESENT:** Shelly Fyant, Chairwoman; Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; Mike Dolson; Leonard TwoTeeth; Carole Lankford; Fred Matt; James “Bing” Matt; and Charmel Gillin.

**OTHERS PRESENT:** Abby Dupuis, Recording Secretary; and James Steele, Sr., Sergeant at Arms.

The meeting was called to **order** at 9:02 a.m. Quorum established. **Fred Matt** is at a medical appointment and will join the meeting later.

The meeting was opened with a **prayer** by Ellie Bundy McLeod.

The **Tribal Council Meeting Minutes** for January 23, 2020 were presented for approval.

**MOTION** by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for January 23, 2020, with corrections. Seconded by Bing Matt. Carried, unanimous (9 present).

The **agenda** was presented for approval.

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

**Stephen Smallsalmon**, Tribal Member, discussed The Last Beyond, the movie he is in. There has been a great turnout for the film. Tonight at 8:30 p.m. is the last showing, and he invited council to go watch the movie. Stephen shared stories about his experience while making this film.

**Randy Finley, Vanessa Finley, Dallas Durheim,** and **Amelia Adams**, requested to meet with council in **executive session** to discuss a personal matter. **Miranda Burland**, Tribal Education Department, was present for discussion.

Council reconvened into **regular session**.

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

**Francis Cahoon** and **Carol Cahoon** heard the Tribes are interested in moving two buildings located behind the Dairy Queen and Francis is interested in doing that work. Francis talked to Anita and Carole about this. Lee Grant spoke to Francis about it, and he found out that cement beams would need to be moved. Mr. Cahoon heard a foundation would be needed, and he is interested in bidding on that. **Chairwoman Fyant** advised that one modular home and the white house will be moved. The modular will go to the Dixon Agency. It has not been determined where the white house would go; the white house has not been finalized yet due to the status of the title. **Mark Couture**, Tribal Lands Department, reported that there are some questions on the deed to the white house. The government tract was signed over to the Tribes a number of years ago, but now it has come to light that Mr. Speaks may not have been authorized to do that. Dan Decker told Mark that the feds are going to be here about water rights and he will seek clarification on this matter at that time. There has been no decision made on whether the white house will be moved somewhere or demolished. It is unknown at this time whether it is in any condition to be moved. Able Moving was contacted to provide an estimate, but the department has not received any response. **Martin Charlo** suggested allowing Mr. Cahoon to submit a quote. **Chairwoman Fyant** told Francis that if those buildings are moved, an RFP will be advertised and he could submit a proposal at that time.

**Miranda Burland**, Tribal Education Department, requested approval of the 2020-2021 Higher Education Student Policy Handbook. May 1, 2020 is the deadline to apply for funding. The edits made by Ellie Bundy McLeod will be included in the final document. **Mike Dolson** emailed Miranda his revisions to the tribal council's opening statement in the handbook. **Charmel Gillin** discussed the length of eligibility for students, and she would like the handbook to clarify on the credit limits. She suggested changing the wording to academic credit or credit allowance.

**MOTION** by Ellie Bundy McLeod to approve the 2020-2021 Higher Education Student Policy Handbook. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Carole Lankford).

**Laurence Kenmille**, Enrollment Office, requested approval of the April 1, 2020 per capita distribution. March 19, 2020 is the deadline to apply for enrollment in order to receive the April per capita. The deadline for claims to be withheld from individuals' April 1, 2020 per capita for judgments, assignments and IIM holds through the Superintendent and Director of Financial Management shall be no later than March 19, 2020, at 5:30 p.m. There are currently 8,081 enrolled tribal members.

**MOTION** by Anita Matt to approve by resolution the April 1, 2020 per capita distribution. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-065**

**RESOLUTION AUTHORIZING THE APRIL 1, 2020 PER CAPITA DISTRIBUTION**

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

**WHEREAS**, The Tribal Council established policy by Resolution 96-83 to make per-capita payments to tribal members three times annually during the months of December, April and August for each fiscal year; and

**WHEREAS**, said policy states that three equal per capita payments of \$400.00 will be made annually and that one-half (1/2) of each per capita distribution for each minor child enrolled in the Tribes is to be issued to said minor's parent or legal guardian and the other one-half (1/2) is to be placed in a trust account with the Bureau of Indian Affairs to accumulate and earn interest until said minor has reached legal age; and **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Northwest Regional Director is requested to authorize the \$400.00 per capita distribution to be made during the month of April 2020; and

**BE IT FURTHER RESOLVED**, that the Director of Financial Management is directed and authorized to request sufficient tribal monies on deposit in the United States Treasury to be advanced to local status to effect said distribution; and

**BE IT FURTHER RESOLVED**, that the Superintendent, Flathead Agency, and the Director of Financial Management are authorized to apply these funds to judgments held by Tribal Court, to assignments through Tribal Credit, and voluntary child support and to those accounts under the control of the Superintendent; and

**BE IT FURTHER RESOLVED**, that the April 1, 2020 per capita distribution will be made to those members enrolled in the Tribes as of March 19, 2020 at 5:30 p.m., and

Tribal Council Meeting Minutes  
January 30, 2020

**BE IT FINALLY RESOLVED** that the deadline for claims to be withheld from individuals' April 1, 2020 per capita for judgments, assignments and IIM holds through the Superintendent and Director of Financial Management shall be no later than March 19, 2020 at 5:30 p.m.

**Laurence Kenmille**, Enrollment Office, informed council that Marilyn Adams passed away. She was employed at the Enrollment Office.

**Laurence Kenmille**, **Lloyd Jackson**, **Buck Richardson**, Veterans Program; **Larry Wallis**, Veterans Administration BAIT; and **Matthew Beasley**, Information Technologies; discussed the Veterans program. Laurence showed the council what the new medal of valor looks like for tribal veterans. Larry discussed the tele-mental health clinic. The dedicated line that Telesych uses would be disconnected and the VA equipment will be removed. They would like to use a CSKT internet line. They are going to use an outreach worker and go to an internet-based program to provide tele-mental health services. It would provide a better service to have the tribal Information Technologies staff maintain the network.

**MOTION** by Martin Charlo to authorize the installation of a dedicated line requested by the Veterans Administration and use of the CSKT internet for the Veterans Telesych project. Seconded by Bing Matt. Carried, unanimous (9 present).

**Brian Lipscomb**, Energy Keepers, Inc., discussed the Indian Country Energy and Infrastructure Working Group that was created by the Office of Energy in 2005 through an amendment to the Federal Power Act to give Indian tribes a voice. In April 2019, the tribal council approved a letter to nominate Ron Trahan and Brian Lipscomb as the Tribes' representatives to serve on the Indian Country Energy and Infrastructure Working Group. Brian reported on issues that he has with that organization, and he recommended stepping away from this organization rather than appointing representatives to the working group. It was the **consensus** of council to no longer be involved in this organization. **Brian Lipscomb** will draft a letter informing the organization of the consensus of council.

**Brian Lipscomb**, Energy Keepers, Inc., requested to meet with council in **executive session**.

Council reconvened into **regular session**.

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

**Fred Matt** joined the meeting.

**Rick Eneas** and **Ruth Swaney**, Financial Management, requested approval of modification 6 to the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2020 funding for the Safety of Dams Emergency Management System has been awarded and needs to be allocated to the budget.

**MOTION** by Anita Matt to approve by resolution modification 6 to the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Ellie Bundy McLeod. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 20-066**

**RESOLUTION APPROVING MODIFICATION 6 TO THE FISCAL YEAR 2020 BIA SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, earmarked FY 2020 funding for the Emergency Management System has been awarded and needs to be allocated to the budget; and

**WHEREAS**, the budget will be allocated as follows:

Programs, Functions, Services, and Activities	Budget Account	Current FY 2020 Budget Authority	Increase/ (Decrease)	Revised FY 2020 Budget Authority
Safety of Dams	13-503-4511	14,947,191.29	161,000.00	15,108,191.29
Total			161,000.00	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2020 BIA Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the FY 2020 BIA Self-Governance Compact Budget is increased from \$45,167,567.49 to \$45,328,567.49; and

**BE IT FURTHER RESOLVED** that prior years' unexpended funds are available to appropriate for budget expenditures pending final obligation of funds.

**Tom McDonald**, Natural Resources Department, requested a letter to the governor appointing representatives to the Upper Columbia Conservation Commission and the Montana Invasive Species Council. **Martin Charlo**

volunteered to serve on the Montana Invasive Species Council. **Len TwoTeeth** volunteered to serve on the Upper Columbia Conservation Commission.

**MOTION** by Charmel Gillin to appoint Len TwoTeeth to the Upper Columbia Conservation Commission for the governor's appointment and authorize the chairwoman to sign the letter. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Len TwoTeeth).

**MOTION** by Anita Matt to appoint Martin Charlo to the Montana Invasive Species Council, to be appointed through the governor. Seconded by Bing Matt. Carried, 9 for; 1 abstention (Martin Charlo).

**Cora Neumann**, US Senate Candidate, met with council for a meet-and-greet and she discussed her background/experience. There was discussion on the issues of importance to her and what her priorities are. Cora continues her work on the Bears Ears issue. The Violence Against Women Act and jurisdictional issues are critical to having a healthy and productive community. **Len TwoTeeth** brought up desecration of cultural sites. There is a mining operation below Chief Cliff and that area is very important to our tribal people. Cora believes we need to protect cultural sites. **Chairwoman Fyant** discussed water rights, women issues, and climate change. We are stewards of the land and water, and it is high priority for Cora. Her master's degree and PhD focused on healthcare and preservation. She would like to learn from and partner with the Tribes, since the Tribes would best lead these issues. **Anita Matt** discussed the trade bill that President Trump signed last week. There was no provision for ag markets. We are a large land based tribe and our ag is the main business on the reservation. Producers only have one buyer for calf markets.

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

**Mike Durglo**, **Kyle Felsman** and **Kevin Askan**, Preservation Office; and **John Carter**, Legal Department; discussed an artifact issue with the Army Corps of Engineers and the Kootenai National Forest. There was discussion on the possible buildings that could be used as a repository for those artifacts. **Rick Eneas**, Financial Management, joined the discussion. Jackola is the engineering firm that gave an estimate on the bank building. Rick confirmed that there were three options: both of The People's Center options and the bank building option. The cost standpoint was prohibitive for any of those options. An analysis has not been done for the Kicking Horse Job Corps Center site yet. The urgency has not been made clear, so if it is a high priority, then those options can be pursued. The Kicking Horse Job Corps Center footprint for operations could be ready to go. Space needs for the Health Center is still an ongoing issue. Mike commented that in his opinion, the bank building is ready to go and it fits their needs. **Anita Matt** requested that Preservation provide a summary of the options and costs of each option. **Mike Durglo** will follow up.

**Rhonda Swaney, Ryan Rusche** and **Michael Wheeler**, Legal Department, provided orientation on the Legal Department.

**Carole Lankford** left the meeting for the remainder of the day to participate in Drug Court.

**Rhonda Swaney, Mary Price, Yolanda Page, Brian Upton, Daniel Decker, Shane Morigeau, Jordan Thompson**, and **John Harrison**, Legal Department, continued to provide orientation on the Legal Department.

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

**Rhonda Swaney** and **Michael Wheeler**, Legal Department, discussed Public Law 280, the statistics from the Bureau of Prisons, and the number of CSKT members in the State Prison system. The ACLU has completed a statistical analysis on why people are going back after release, such as mental health issues, poverty, substance abuse, sentencing issues, treatment, lack of transportation, failure to have the ability to follow through on release conditions, and bias and racial profiling. All law enforcement agencies on the reservation are mandated to gather data on arrests. If those agencies do not collect the data, then we can gather it. Ann Miller is willing to collaborate and identify a student to gather the needed statistics on this issue. It was the **consensus** of council to authorize Michael Wheeler to collaborate with Ann Miller to identify a student to gather the needed statistics, and have Mr. Wheeler report back on this issue. The goal is to get a count of anyone in the Department of Corrections program. The Re-Entry Program at the Tribal Defenders Office has already been attempting to gather data.

**Anita Matt** commented that she is grateful to have the Legal staff under Rhonda Swaney's leadership. The legal staff has always been very helpful and she appreciates the staff attending the district meetings.

**Chairwoman Fyant** informed Rhonda Swaney that she wants to implement a regular meeting to look at legislative issues, policy and ordinances. She wants all of Council to be more versed on legislative issues as well as update policies as needed. When Velda Shelby was hired in the Economic Development Office, sustainable agriculture was a priority she was assigned to. Four sessions are coming up through the National Congress of American Indians (NCAI) Tribal Food Sovereignty Advancement Initiative. The first session will be held in February. Agriculture Policy & Food Sovereignty, Land Policy & Food Sovereignty, Water Policy & Food Sovereignty and Climate Change Policy & Food Sovereignty will be covered. It was the consensus of council to have a team attend those sessions, and she would like someone from the Legal Department to be on the team. Jordan Thompson will be involved as the Legal team member.

**Ellie Bundy McLeod** brought up a request from a tribal member. Marie Torosian requested assistance to get Joe Sorrell back in his trailer. **Anita Matt** advised that the Tribes have already spent \$14,000 and the Department of Human Resources Development has expended what they could. The problem is that the repairs would cost about \$18,000 to make the trailer livable. Anita had suggested a Rural Development loan. Every option that has been presented has not worked out for Mr. Sorrell due to the eligibility requirements. The insurance requirement is also a problem for some people. **Mike Dolson** discussed problems with gifting Mr. Sorrell a trailer that needed repairs. **Anita Matt** told him that Mr. Sorrell did not carry fire insurance and the house he lived in burned down. After he lost his house, a trailer was gifted to him. **Bing Matt** provided the history of the trailer. **Charmel Gillin** discussed the report for walk-in on April 30, 2019 that has the list of items that Ellie referred to. Joe Sorrell might have developed that cost estimate, which included skirting. **No action taken.** Council will revisit this issue next week.

**Chairwoman Fyant** reminded council of upcoming meetings. **Martin Charlo** reminded council that the council pictures are scheduled for tomorrow.

**MOTION** by Ellie Bundy McLeod to adjourn the meeting.

Council **adjourned** at 4:08 p.m., and is scheduled to meet again on Tuesday, February 4, 2020, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

---

Ellie Bundy McLeod  
Tribal Secretary