

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

Volume 18 Number 32  
Council Chambers, Pablo, MT

Held: February 6, 2018  
Approved: February 13, 2018

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

**MEMBERS ABSENT:** Ronald Trahan, Chairman.

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

The meeting was opened with a **prayer** by Dennis Clairmont.

The meeting was called to **order** at 9:03 a.m. Quorum established.

The **Tribal Council Meeting Minutes** for January 30, 2018 were presented for approval. **Carole Lankford** did not realize until today that she has a conflict with the Kaetie Thompson issue that was presented on January 30. Carole made the following record statement: *"I was opposed to the action because I wanted more information from a colleague."*

**MOTION** by Troy Felsman to approve the Tribal Council Meeting Minutes for January 30, 2018, with corrections. Seconded by Anita Matt. Carried, unanimous (8 present).

The **agenda** was presented for approval. The conflicts of interest were identified. **Charmel Gillin** will not be present for the Appellate Court interviews this afternoon.

**MOTION** by Anita Matt to approve the agenda, with changes. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

**Charmel Gillin** made the following record statement to the January 30 minutes on the topic of extending the bison hunt: *"I was opposed due to safety concerns and the risk of negative public relations."*

**Carolee Wenderoth** and **Holly Hitchcock**, Tribal Lands Department,

Tribal Council Meeting Minutes  
February 6, 2018

presented a request from Rex Tanner for a 2.1-acre easement across tribal land (T1533) to access his fee property. Mr. Tanner is in the process of selling his property to Steven & Jessica Clough, pending approval of an easement to the property. If approved, then he is requesting a 35-year easement to coincide with Steven's pending leasehold mortgage. Options presented were to grant a 35-year easement at the negotiated value of \$6,230 with a 15-year renewal option. It will be a non-transferrable easement once Mr. Clough purchases the property.

**Len TwoTeeth** joined the meeting.

**MOTION** by Dennis Clairmont to grant Rex Tanner or Steven Clough (pending Steven's financing approval) a 2.1-acre easement across tribal land (T1533) to access his fee property for a 35-year term, at the negotiated value of \$6,230 with a 15-year renewal option. Seconded by Troy Felsman. Carried, 8 for; 1 abstention (Len TwoTeeth).

**Carolee Wenderoth** and **Holly Hitchcock**, Tribal Lands Department, presented a request from Wyona Malatare for a 0.38-acre easement across tribal land (Allotment 1612) to access her fee property. The Tribes' own 99.6% of this allotment along with 11 allottees. The appraised value of the easement for a 25-year period is \$1,440. Due to Mrs. Malatare's limited income, she is requesting that the cost be waived. Options presented for consideration were to approve a 25-year easement with a 25-year renewal option to Wyona and her successors; waive the tribal portion of the fair market value requirement of approximately \$1,437.66 or allow Wyona to enter into a payback agreement in lieu of paying the amount in one lump sum. The names of the successors will be identified; otherwise, this is non-transferrable to anyone else that is not on the list of successors. **Council** requested a list of the successors. The easement will be non-transferrable until a list of successors is provided and the request is made.

**MOTION** by Len TwoTeeth to grant Wyona Malatare a 25-year 0.38-acre nontransferable easement across tribal land (Allotment 1612) to access her fee property with a 25-year renewal option; and waive compensation of the tribal portion. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Mark Couture** and **A.J. Bigby**, Tribal Lands Department, requested approval to advertise a request for proposals for Oliver Point Leafy Spurge grazing. The Oliver Point grazing project has been ongoing since 2013 with success of managing the leafy spurge infestation.

**MOTION** by Dennis Clairmont to advertise a request for proposals for Oliver Point Leafy Spurge grazing. Seconded by Anita Matt. Carried,

unanimous (9 present).

**Carolee Wenderoth**, Tribal Lands Department, presented for approval a resolution authorizing the purchase of Allotment 2288 from JoAnne Ruth Swaney, containing 3.125 acres in St. Ignatius, at the appraised value. This is a carryover purchase from fiscal year 2017.

**MOTION** by Troy Felsman to approve by resolution the purchase of Allotment 2288 from JoAnne Ruth Swaney at the appraised value. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

### **RESOLUTION 18-071**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF FLATHEAD ALLOTMENT NO. 2288**

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

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

**WHEREAS**, JoAnne Ruth Swaney has offered to sell her surface rights only in Flathead Allotment No. 2288, described as follows: SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Section 23, Township 19 North, Range 20 West, P.M.M., Lake County, Montana, containing 3.125 acres, more or less;

**WHEREAS**, JoAnne Ruth Swaney has offered her Flathead Allotment at the appraisal price; and

**WHEREAS**, JoAnne Ruth Swaney and The Confederated Salish and Kootenai Tribes have accepted the appraisal price; and

**WHEREAS**, the Tribal Council has agreed to purchase the above mentioned Flathead Allotment; and

**BE IT RESOLVED** that the Chairman of the Tribal Council, or his delegated representative is authorized to execute the transactional documents necessary to complete the conveyance for real property situated in Lake County, Montana.

**Carolee Wenderoth**, Tribal Lands Department; and **Jason Adams**, Salish Kootenai Housing Authority; presented for consideration a resolution authorizing the sale of 4 acres of the Fangsrud property to Stacy Slocum at the

negotiated price. An agreement was entered into between the CSKT and SKHA whereby CSKT would survey out 4-5 acres of the 20-acre parcel that included the house and sell the property. All proceeds from the sale would go to SKHA. This was initially a gift to CSKT from SKHA for their contribution to the facility project in Ronan. There was a ten-year period for the project to be completed. There are currently 7 other tribal properties that the Lands Department maintains and manages.

**MOTION** by Anita Matt to approve by resolution the sale of 4 acres of the Fangsrud property to Stacy Slocum at the negotiated price. Seconded by Dennis Clairmont. Carried, 6 for; 3 opposed (Troy Felsman, Len TwoTeeth and Charmel Gillin); 0 not voting.

**RESOLUTION 18-072**

**RESOLUTION AUTHORIZING THE CONVEYANCE OF TRIBAL FEE LAND LOCATED IN LAKE COUNTY**

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

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

**WHEREAS**, the Tribes acquired all right, title and interest in A tract of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, Township 21 North, Range 20 West, P.M.M., Lake County, Montana, described as follows: The true point of beginning being the Northwest corner of Tract B as shown and described on Deed Exhibit H-1084, records of Lake County, thence N. 90°00'00"E., 254.03 feet; thence S. 00°08'43"W., 688.05 feet; thence S. 90°00'00"W., 252.45 feet; thence N. 00°00'47"E., 688.05 feet to the point of beginning, containing 4.00 acres, more or less;

**WHEREAS**, The Confederated Salish and Kootenai Tribes acquired the above fee simple property from James Jay Fangrud and Janet Kay Fangrud Kravets, as tenants in common;

**WHEREAS**, Tribal Council policy is not to sell real property; and

**WHEREAS**, Stacy Slocum desires to acquire the property at negotiated price, a Tribal fee asset, from the Tribes; and

**WHEREAS**, the Tribal Council has determined that it is in its best interest to sell the property as authorized by the Act of July 18, 1968; **NOW, THEREFORE**,

**BE IT RESOLVED** that the Chairman of the Tribal Council or his delegated representative is authorized to execute the transactional documents necessary to complete the land conveyance for real property situated in Lake County, Montana.

**Carolee Wenderoth** and **Holly Hitchcock**, Tribal Lands Department; and **Lytle “Bud” Gillin**, Salish Kootenai Housing Authority, requested approval of a perpetual easement to allow for the installation of a waterline and related utilities at the Dixon Agency Homesites. A 20-foot wide easement is needed for the installation of a well and underground utilities, including a waterline. Lands recommended waiving the compensation since the entity provides a service to the membership.

**MOTION** by Anita Matt to grant the Salish Kootenai Housing Authority a 20-foot wide perpetual easement to allow for the installation of a waterline and related utilities at the Dixon Agency Homesites; and a waiver of compensation. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Vern Clairmont**, Financial Management, requested approval of a revised organizational chart to move the Payroll staff under the direct supervision of the Assistant Comptroller to provide better oversight of the duties of payroll. Anita Matt asked about having an internal auditor. Vern advised that if the Tribes hire an internal auditor, that position would be under the direct supervision of the Tribal Council.

**MOTION** by Troy Felsman to approve the revised organizational chart to move the Payroll staff under the direct supervision of the Assistant Comptroller to provide better oversight of the duties of payroll. Seconded by Charmel Gillin. Carried, unanimous (9 present).

**Vern Clairmont**, Financial Management, requested approval of modification 11 to the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2018 funding for Community Service Block Grants has been awarded and needs to be allocated to the budget.

**MOTION** by Dennis Clairmont to approve by resolution modification 11 to the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

### **RESOLUTION 18-073**

### **RESOLUTION APPROVING MODIFICATION 11 TO THE FY 2018 BIA SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, earmarked FY 2018 funding for Community Service Block Grants has been awarded and needs to be allocated to the budget; and

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

<b>Account Number</b>	<b>Description</b>	<b>Current Budget Authority</b>	<b>Increase/ (Decrease)</b>	<b>Revised Budget Authority</b>
13-502-4770	DHRD 477 Program	1,602,967.76	14,352	1,617,319.76
	<b>TOTAL INCREASE/(DECREASE)</b>		<b>14,352</b>	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2018 BIA Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that prior year unexpended BIA funds shall be made available to provide for the expenditure of the FY 2018 BIA Self-Governance Compact Budget pending final Congressional appropriations and subsequent obligations of funds; and

**BE IT FURTHER RESOLVED** that the FY 2018 BIA Self-Governance Compact Budget is increased from \$23,036,053.21 to \$23,050,405.21.

**Carole Lankford** asked about the departmental structure and department heads. **Vern Clairmont** explained that there are 9 official departments in the organization and each was established by resolution or ordinance, and that dictates who the authority goes to. Vern's office is not a department of the Tribe, so the staff members under his supervision are not department heads or division managers, as in other defined tribal departments in the organization.

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

**Vern Clairmont, John Whitworth** and **Zachary Camel**, Financial Management, returned to council to discuss the Investment Policy C. If council is interested in this policy, then Vern will have the Blue Sky Marketing Company make a presentation to the tribal council. **Council** showed interest in meeting with Big Sky Marketing Company.

**Rich Janssen** and **Barry Hanson**, Natural Resources Department, requested approval to submit an application in the amount of \$86,000 to the USDO I Bureau of Indian Affairs Invasive Wildlife Grant to acquire capital equipment for fish capture and processing, and update on the implementation plan to

Tribal Council Meeting Minutes  
February 6, 2018

suppress lake trout.

**MOTION** by James Steele, Jr. to approve submittal of an application in the amount of \$86,000 to the USDOJ Bureau of Indian Affairs Invasive Wildlife Grant. Seconded by Charmel Gillin. Carried, unanimous (9 present).

**Rich Janssen**, Natural Resources Department, informed council of the One River Ethics Conference on the Past and Future of the Columbia River Advancing Justice and Stewardship in the Columbia River through Treaty Renewal and Negotiations scheduled for April 11, 2018, at the University of Montana. Rich asked that a council representative provide welcoming remarks. **Council** will have a representative provide welcoming remarks.

**Rich Janssen** and **Seth Makepeace**, Natural Resources Department, requested that the chairman sign Task Order 3.0 authorizing transfer of a not-to-exceed amount of \$200,000 from DNRC to CSKT in accordance with the approved 10-year water measurement work plan. The Compact Implementation Technical Team implements the water compact.

**MOTION** by Charmel Gillin to authorize the chairman to sign Task Order 3.0 authorizing transfer of a not-to-exceed amount of \$200,000 from DNRC to CSKT in accordance with the approved 10-year water measurement work plan. Seconded by Shelly Fyant. Carried, unanimous (9 present).

**Rich Janssen**, Natural Resources Department, requested approval of modification 1 to the NewFields Contract No. 17-170 in the amount of \$46,108 to implement additional tasks.

**MOTION** by Anita Matt to approve modification 1 to the NewFields Contract No. 17-170 in the amount of \$46,108 to implement additional tasks. Seconded by Troy Felsman. Carried, unanimous (9 present).

**Janet Camel**, Economic Development; and **Chuck Reese** and **Renee Camel**, Information Technologies; discussed broadband services.

**Leonard Michel**, Tribal Member, discussed the boat inspection positions. He would like to have a dialogue about marijuana and he thinks the drug test for marijuana needs to be looked into because there is medical marijuana in the state of Montana. The drug test prohibits tribal members from getting employment. Leonard does not think it is right that tribal members who smoke marijuana are unemployable with the Tribes. If the council is going to be so strict with marijuana use, then every existing tribal employee should be drug tested, including the tribal council. **Council** commented that the Tribes receive federal funding; the tribal government relies on that funding to bring services

Tribal Council Meeting Minutes  
February 6, 2018

to the membership. Marijuana use is prohibited by federal law. **Wilbert Michel**, Tribal Member, commented on drug testing. He had to take a drug test when he was employed by the Tribes and was on the random testing list. His son was terminated from his job because he tested positive for drugs. Wilbert wants all tribal employees to be drug tested. If we have medicinal marijuana here, it should be distributed at a facility.

**Jami Pluff**, Policy Analyst, reported to council. **Council** directed Jami to make revisions to the position description for the Forestry department head position. Council found out from Personnel that there is a generic department head position description that is used for all department head positions. Council wants Jami to work on a recommended position description that we can have advertised. They want the requirements listed that are preferred and which ones are required. Jami was instructed to develop an evaluation tool to go along with the PD. Council suggested she work with Steve McDonald to identify the particulars in the description. Charmel has two PDs from the US Forest Service and a link to their educational requirements; she will send that information to Jami to use as a guide. **Council** directed that the revisions be made and presented back to council by next Tuesday. Council also requested that Jami develop the recommended interview questions.

**Jami Pluff**, S&K Gaming Board Member, requested to meet with council in **executive session**.

Council reconvened into **regular session**.

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

**Charmel Gillin** out of the room.

**Council** met in **executive session** to conduct interviews for the Appellate Court Lay Associate Justice vacancy. **Shelley Grenier**, Personnel Department; and **Tom Johnson**, Council Support; were present for interviews.

Council reconvened into **regular session**.

**MOTION** by Troy Felsman to accept the results of the ballot and appoint Rhonda Whiting to fill the Lay Associate Justice of the Appellate Court vacancy. Seconded by Anita Matt. Carried, unanimous (8 present – Charmel Gillin out of the room).

**Charmel Gillin** returned to the meeting.

**Melinda Smith**, **Mary Miles** and **Michael Fox**, Montana State University; **Joe Durglo**, **Jamie Lozeau** and **Ashley Glass**, Tribal Health Department; provided

Tribal Council Meeting Minutes  
February 6, 2018

information on a community-based diabetes management application project and the research team. The app acts as an interactive log book that allows people to reflect on their own experiences in real time to make educated decisions on their diabetes management. The app can assist individuals with diabetes and diabetes healthcare providers. The first step of the project is to assess the level of need and interest in utilizing this tool by members of the community. They were awarded an American Indian/Alaska Native Clinical Translation Research Development Grant. The team needs to identify individuals who are willing to explore this idea and be willing to be community partners in the project. They invited the tribal council to participate on the community advisory board.

**Rhonda Swaney**, Legal Department; and **Jeanne Christopher**, Early Childhood Services; requested to meet with council in **executive session** to discuss a departmental matter.

Council reconvened into **regular session**.

**Miranda Burland**, Tribal Education Department; **Margaret Sheridan**, Hot Springs Indian Education Committee; **Gina Big Beaver**, Elmo Indian Education Committee; **Wren WalkerRobbins**, Salish Kootenai College; requested approval of the revised Tribal Education Committee Bylaws.

**MOTION** by James Steele, Jr. to approve the Tribal Education Committee Bylaws. Seconded by Anita Matt. Carried, unanimous (8 present – Charmel Gillin out of the room).

**Miranda Burland**, Tribal Education Department; **Margaret Sheridan**, Hot Springs Indian Education Committee; **Gina Big Beaver**, Elmo Indian Education Committee; **Wren WalkerRobbins**, Salish Kootenai College; requested approval of the 2018-2019 Higher Education Scholarship Policy Handbook. Miranda does her best to work with all students so they can get funded for schooling.

**MOTION** by Dennis Clairmont to approve the 2018-2019 Higher Education Scholarship Policy Handbook. Seconded by Charmel Gillin. Carried, unanimous (9 present).

**Anita Matt** informed council that the Tribal Education Committee will be discussing educational contracts based on the needs of the organization.

**Arlene Templer**, **Carmelita Matt** and **Kelly Parker**, Department of Human Resources Development, requested authorization to enter into a facilitator's agreement with Margaret Burt in the amount of \$5,300 to provide a two-day training session on IV-E legal requirements and child welfare policy

development compliance regulations.

**MOTION** by Troy Felsman to enter into a facilitator's agreement with Margaret Burt in the amount of \$5,300 to provide a two-day training session on IV-E legal requirements and child welfare policy development compliance regulations. Seconded by Shelly Fyant. Carried, unanimous (9 present).

**Arlene Templer, Carmelita Matt and Kelly Parker**, Department of Human Resources Development, requested approval to renew the contract with Marcella Adolph as the Project Launch Childhood Mental Health Consultant for a term ending September 30, 2019. The position was advertised before TSS was merged again with DHRD and Marcella was hired on a two-year contract.

**MOTION** by Troy Felsman to renew the contract with Marcella Adolph as the Project Launch Childhood Mental Health Consultant for a term ending September 30, 2019. Seconded by Shelly Fyant. Carried, 8 for; 1 abstention (Anita Matt).

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

**Arlene Templer, Carmelita Matt and Tracy Perez**, Department of Human Resources Development, provided orientation on the Tribal Social Services program. The staff encouraged tribal council to attend the multi-disciplinary team meetings that are held each month. There are 55 children waiting for guardianship; 86 are working towards reunification with parents or guardians; 17 were reunified with family; 8 are waiting customary adoption; 1 is waiting for adoption; and 3 will age out of foster care. The programs has 9 children in shelter group homes; 4 are in a therapeutic group home; 2 are in a therapeutic foster home; 1 is in Job Corps; 113 are placed with kin; 25 are placed in a licensed foster home; 14 are on trial home visit status; 1 was on a runaway status; and 1 was unable to relocate. Due to the shortage of tribal member foster homes on the reservation, foster children will be placed with nontribal members and located in off-reservation foster homes.

**MOTION** by Carole Lankford to adjourn the meeting. Seconded by Troy Felsman. Carried, unanimous (9 present).

Council **adjourned** at 4:59 p.m., and is scheduled to meet again on Thursday, February 8, 2018, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

---

Troy Felsman  
Tribal Secretary