

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

Volume 18 Number 75
Council Chambers, Pablo, MT

Held: June 26, 2018
Approved: July 17, 2018

MEMBERS PRESENT: Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Shelly Fyant, Secretary; Anita Matt, Treasurer; Dennis Clairmont; Carole Lankford; Leonard TwoTeeth; and Charmel Gillin.

MEMBERS ABSENT: James Steele, Jr. (Family Issues); and Arlee District Seat (Vacant).

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

The meeting was called to **order** at 9:15 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for June 14, 2018 were presented for approval. Approval of the minutes was tabled.

The **Tribal Council Meeting Minutes** for June 19, 2018 were presented for approval.

MOTION by Carole Lankford to approve the Tribal Council Meeting Minutes for June 19, 2018, with corrections. Seconded by Shelly Fyant. Carried, unanimous (8 present).

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

MOTION by Carole Lankford to approve the agenda, with additions. Seconded by Charmel Gillin. Carried, unanimous (8 present).

Leon Shortman discussed a septic problem. Leon wanted an evaluation of the damage of the septic system. **Carolee Wenderoth** and **Holly Hitchcock**, Tribal Lands Department, were present for discussion. This issue was discussed at a land committee meeting and brought to council on March 29, 2018. Lands will not engage in discussions about the allegations about the previous land owner.

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This has always been part of the discussion that the septic would be moved to their own property and it was going to be reviewed in five years. Lands has always worked with Leon on the costs and Lands was going to pay all the fees (appraisal, survey) and enter into a payback agreement for Leon to make payments. There was a spot identified on the map on where the ideal location was to move this. Carolee was unclear on what Leon's concerns are today. The process has been moving along, and Leon received a 25-year easement. Leon explained that his issue today is that the use of tribal land is filling up his septic system. **Council** requested that Leon meet with the Tribal Lands Department to resolve this issue and have Lands report back to council.

Doug Branson, Jr., Arles Branson, Doug Branson, Sr., and Angelic Cates requested to meet with council in **executive session** to discuss a personal matter. **Naomi Robinson** and **Garrett Fenton**, Security Office; **Daniel Decker**, Legal Department; and **Arlene Templer**, Department of Human Resources Development; were present for discussion.

Randy Finley requested to meet with council in **executive session** to discuss a personnel matter. **Renee Joachim** and **Cory Clairmont**, Personnel Department; and **Daniel Decker**, Legal Department; were present for discussion.

Charmel Gillin out of the room due to a potential conflict of interest.

***** **Break** *****

Charmel Gillin returned to the meeting.

Council met in **executive session**.

Council reconvened into **regular session**.

Todd Couture and **Darrell Clairmont**, Fire Control, requested authorization to hire Cory McVicker and Matthew Waterman to fill the helicopter crew positions. The vacancies were advertised and the tribal member applicants did not meet the requirements to begin employment right away (training or physical).

MOTION by Charmel Gillin to authorize the hire of Cory McVicker and Matthew Waterman to fill the helicopter crew positions. Seconded by Anita Matt. Carried, 7 for; 1 opposed (Len TwoTeeth).

Len TwoTeeth, for the record, "I am opposed because I know we have tribal members that were on the list."

Council requested that in the future the department provide all necessary information in the issue papers, including the names, when making

presentations to council. They also recommended that Fire Control advertise the vacancies in a timely manner with a list of the qualifications and required trainings so the applicants will have time to attend the training. To prevent confusion the advertisement should indicate where applicants need to apply for employment. **Todd Couture** informed council that Fire Control reaches out to the local schools to encourage students to go to the required training session to be qualified for positions.

Robert McCrea, Todd Couture and **Ron Swaney**, Division of Fire, requested approval to hire Jerrod Neiss and Xavier Matt to fill the Fuels Program RTRL crew positions. All qualified tribal members were hired. **Cory Clairmont**, Personnel Department, was present for discussion and answered questions.

MOTION by Dennis Clairmont to approve the hire of Jerrod Neiss and Xavier Matt to fill the RTRL crew positions. Seconded by Anita Matt. Carried, 7 for; 1 abstention (Carole Lankford).

Chris McCrea, Todd Couture and **Ron Swaney**, Division of Fire, requested approval to bump Caleb Johnson to a senior fire fighter type 2 position.

MOTION by Anita Matt to go with the recommendation and bump Caleb Johnson to a senior fire fighter type 2 position. Seconded by Dennis Clairmont. Carried, 6 for; 1 opposed (Len TwoTeeth); 1 abstention (Carole Lankford).

Tony Incashola, Jr. and **Duane Plant**, Tribal Forestry, requested approval to advertise the Ferry Basin Tower Logging Unit timber sale.

MOTION by Dennis Clairmont to approve by resolution the advertisement of the Ferry Basin Tower Logging Unit timber sale. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-144

RESOLUTION APPROVING SALE OF TIMBER ON THE FERRY BASIN TOWER LOGGING UNIT

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

WHEREAS, the Tribal Forestry Department proposes to offer the sale of tribal timber in an area known as the Ferry Basin Tower Logging Unit:

Sale Information

<u>Sale</u>	<u>Volume</u>	<u>Advertised Bid Rate</u>	<u>TSI</u>	<u>RDs</u>
Ferry Basin Tower L.U.	19,473.25 TONS	\$23.00/TON -DF & O	\$3.00/Ton	\$2.00/Ton
	6,385.5 TONS	\$14.00/TON- PP	\$3.00/Ton	\$2.00/Ton

WHEREAS, the sale will provide for the harvesting of mature, overmature and diseased trees; and

WHEREAS, the minimum acceptable bid rate for sawlogs on the Ferry Basin Tower Logging Unit is \$14.00 per Ton for Ponderosa Pine and \$23.00/Ton for Douglas-fir and Other Species; and

WHEREAS, an additional amount will be collected to cover Timber Stand Improvement and Road costs on this unit;

NOW THEREFORE, BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the sale of timber on the above-listed timber sale unit; approves the contract; and authorizes the Chairperson of the Tribal Council to sign the timber sale contract on the above-listed unit for and on behalf of said Tribes, after review of bids by the Tribal Council; and

BE IT FURTHER RESOLVED that the Approving Officer is authorized to make error corrections in the contract without referral to the Tribal Council, provided such corrections do not materially alter the form and substance of the contract.

Kelly Parker, Department of Human Resources Development; and **Charlene Petit**, Contracts & Grants; requested spending authority for the Non Title IV-E (\$30,000), Independent Living (\$25,000), and Title IV-E (\$378,000) accounts for a period of six months. **Vern Clairmont**, Financial Management, thought six months was an extensive period of time. **Charlene Petit** explained that we are asking for six months because last year the State did not produce the contracts until six months through the year. We normally receive the funding within three months.

MOTION by Anita Matt to go with the recommendation and grant spending authority for the non Title IV-E (\$30,000), Independent Living (\$25,000) and Title IV-E (\$378,000) for a period of six months. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Kelly Parker, Department of Human Resources Development; and **Charlene Petit**, Contracts & Grants; requested spending authority for the Title III (\$14,000) and the I&A (\$700) accounts.

MOTION by Carole Lankford to grant spending authority for the Title III (\$14,000) and the I&A (\$700) accounts. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Kelly Parker and **Rhea Pierre**, Department of Human Resources Development, requested a modification to the program evaluator contract with Dana Grant to increase compensation by \$4,904 to complete additional work (research and reports) in the MIECHV program.

MOTION by Shelly Fyant to approve the modification to the program evaluator contract with Dana Grant to increase compensation by \$4,904 to complete additional work (research and reports) in the MIECHV program. Seconded by Carole Lankford. Carried, unanimous (8 present).

Marie Torosian, The People's Center, requested approval to purchase capital equipment consisting of a van to tow the enclosed trailer to haul equipment for community events. The program can contribute some funding for the cost of the van. **Vern Clairmont**, Financial Management, has some resolutions to cover the costs if the request is approved.

MOTION by Anita Matt to approve the purchase of a vehicle as the budget committee recommended for The People's Center. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Vern Clairmont, Financial Management, requested approval of modification 1 to the fiscal year 2018 Gaming Revenue Budget.

MOTION by Shelly Fyant to approve by resolution modification 1 to the fiscal year 2018 Gaming Revenue Budget. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-145

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2018 GAMING REVENUE BUDGET

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

WHEREAS, the budget for the Tribal Education Department needs to be reduced by \$10,000 to reallocate toward the purchase of a vehicle for The People's Center; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Current Budget	Increase/ (Decrease)	Revised Budget
34-505-6703	Tribal Education Department	342,700	(10,000)	332,700
TOTAL			(10,000)	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify FY 2018 Gaming Revenue Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Gaming Revenue Budget is decreased from \$1,046,700 to \$1,036,700.

Vern Clairmont, Financial Management, requested approval of modification 5 to the fiscal year 2018 General Fund Budget.

MOTION by Shelly Fyant to approve by resolution modification 5 to the fiscal year 2018 General Fund Budget. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-146

RESOLUTION APPROVING MODIFICATION 5 TO THE FISCAL YEAR 2018 TRIBAL GENERAL FUND BUDGET

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

WHEREAS, projected Timber Stumpage needs to be adjusted for a decrease of \$937,370 and such decrease requires allocation of cash from Tribal Credit to remove the deficit of revenue to expense; and

WHEREAS, there is a need to increase the budget for purchase of a vehicle for The People’s Center at a cost not to exceed \$25,000 and the Education Department will reallocate \$10,000 from its budget to offset the purchase; and

WHEREAS, Information Technology will forego purchase of a server for an estimated cost of \$8,000 and this amount will be reallocated toward the aforementioned vehicle; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
02-511-6400	Capital Equipment	231,000	17,000	248,000
Total Increase/(Decrease)			17,000	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve the capital equipment purchase, transfer up to \$642,719 from Tribal Credit to Local Revenue, and modify the FY 2018 General Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 General Fund Budget is increased from \$21,044,268 to \$21,061,268; and

BE IT FURTHER RESOLVED that the ending surplus/(deficit) of the FY 2018 General Fund is 0.

Vern Clairmont, Financial Management, requested approval of a resolution to amend the Tribal Credit Plan of Operation to increase the maximum loan amount in the short-term loan program to \$7,500 and increase the repayment term to 5 years, to be effective July 9, 2018.

MOTION by Anita Matt to approve the modification to the Tribal Credit Plan of Operation to increase the maximum short-term loan to \$7,500 and extend the repayment term to 5 years, to become effective July 9, 2018. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 18-147

RESOLUTION TO APPROVE REVISION TO THE PLAN OF OPERATIONS OF THE TRIBAL CREDIT PROGRAM

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

WHEREAS, modification of existing policy and procedures of the Tribal Credit Program are deemed desirable; **NOW, THEREFORE**,

BE IT RESOLVED by the Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, that the Declaration of Policy and Plan of Operation of the Tribal Credit Program be revised as follows:

The maximum amount for a Short Term Loan will be increased up to \$7,500.00 and the term of repayment will be increased to up to five years.

III. Short Term Loan Program

23. General Requirements and Restrictions:

(c) Loan Amount. The maximum amount which may be loaned to any one Borrower under this program is \$7,500.00.

(g) Maturity. The term of the loan will be up to a five-year repayment schedule.

Leon Shortman; Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department; followed up on Leon's concerns brought forward this morning. The Lands staff will be addressing his concerns about water issues with the contiguous parcel of land and the decayed and dead animals. Lands believe all issues have been resolved.

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from RT Hendrickson for a one-year revocable permit on Tribal Tract 1353 at a one-time rental fee of \$110 to operate the Arlee Rodeo. If approved, RT would be required to acquire and show proof of commercial liability insurance in the amount of \$1 million for personal injury and property damage; acquire and show proof of fire and vandalism insurance, jointly naming the Tribes and tenant, for \$140,000; indemnify the Tribes and BIA from any loss, damage, or injury arising from the use of premises; manage noxious weeds on the premises; pay power bill, if applicable; and maintain the existing improvements. RT would be required to provide a bond. Options presented for consideration were: (1) approve a permit, so long as all the requirements are met; (2) deny the request for permit; and (3) hold further discussion.

MOTION by Anita Matt to go with option 1 and grant a one-year revocable permit to RT Hendrickson to operate the Arlee Rodeo on Tribal Tract 1353, providing he meets all the requirements. Seconded by Charmel Gillin. Carried, unanimous (8 present).

Len TwoTeeth requested an update on a land negotiation in Elmo. **Carolee Wenderoth**, Tribal Lands Department, reported that the department received the inspection report yesterday but has not been able to staff the report with Housing yet. Carolee has been in contact with the realtor.

Carole Lankford requested an accounting of how the Ramah money was spent. Carolee Wenderoth will follow up with Vern Clairmont.

Carolee Wenderoth, Tribal Lands Department, presented a request to show interest in Allotment 2883-G from Caroline Durglo. The land committee showed disinterest in October due to no land acquisition funding at that time.

MOTION by Dennis Clairmont to show interest in purchasing Allotment 2883-G from Caroline Durglo. Seconded by Charmel Gillin. Carried, 7 for; 1 abstention (Shelly Fyant).

Carolee Wenderoth, Tribal Lands Department, presented a request to show interest in purchasing Allotment 2883-D from Donna Durglo. The land committee showed disinterest last fall due to no land acquisition funding at that time.

MOTION by Len TwoTeeth to show interest in purchasing Allotment 2883-D from Donna Durglo. Seconded by Leonard Gray. Carried, 7 for; 1 abstention (Shelly Fyant).

Shelly Fyant, for the record, "My reason for abstaining is because I thought we were going to have a presentation by Herb Webb on the requirements for the CSP money that this is being used for, so without the information I don't feel comfortable voting for this."

Carolee Wenderoth informed council that Herb Webb's presentation was scheduled for yesterday but the land committee meeting was cancelled. The information will be presented to council.

Carolee Wenderoth, Tribal Lands Department, presented a request to show interest in purchasing undivided interest in Allotment 847-A. The land committee showed disinterest in the fall due to no land acquisition funding.

MOTION by Charmel Gillin to show interest in purchasing Allotment 847-A. Seconded by Dennis Clairmont. Carried, 7 for; 1 abstention (Shelly Fyant).

Carolee Wenderoth, Tribal Lands Department, presented a request to show interest in purchasing Allotment 3037-B, C and D. The land committee showed disinterest in November due to no land acquisition funding.

MOTION by Dennis Clairmont to show interest in purchasing Allotment 3037-B, C and D. Seconded by Carole Lankford. 6 for; 2 abstentions (Shelly Fyant; and Charmel Gillin – due to family relationship).

Carolee Wenderoth, Tribal Lands Department, presented a request to show interest in purchasing Allotment 2536 from Melissa Michel.

MOTION by Len TwoTeeth to show interest in purchasing Allotment 2536 from Melissa Michel. Seconded by Dennis Clairmont. Carried, 6 for; 2 abstentions (Shelly Fyant; and Charmel Gillin – due to family relationship).

Carolee Wenderoth, Tribal Lands Department, requested to meet with council in **executive session** to discuss land issues. **Clayton Matt**, Tribal Services, was present for discussion.

Clayton Matt, Tribal Services, met with council in executive session to discuss a departmental matter.

Council reconvened into **regular session**.

Carolyn Hall, Dayton School District; **Jessie Wood**, Dayton School Board of Directors; and **Carolee Wenderoth**, Tribal Lands Department; met with council about a proposed land exchange. **Chairman Trahan** reported that council needs to hold further discussion and the matter will be rescheduled for a later date. Carolyn informed council that the funds need to be covered this week, so she wanted some indication from the Tribes so they know where to encumber funds. State law requires the school to encumber their funding by the end of this week. The school needs some confirmation from the Tribes. The appraisals that were provided to the Tribes last year will expire on July 8, 2018. The Dayton School has not been contacted by anyone from the Tribes about the exchange. Carolee has the proposal from Lake County, not Dayton School, for the land exchange so she was dealing with the County. **Council** will discuss this issue with the Lands Department this afternoon and report back to Carolyn.

Mike Durglo, Preservation Office, discussed the EAGLE program and requested approval to hire a descendant on a six week TEA for the white bark pine study.

MOTION by Shelly Fyant to approve the hire of a descendant on a six week TEA for the white bark pine study. Seconded by Anita Matt. Carried, unanimous (8 present).

Mike Durglo, Preservation Office, discussed the EAGLE program and requested approval to apply for a tribal resilience grant.

MOTION by Shelly Fyant to approve submission of the grant application. Seconded by Carole Lankford. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Mike Durglo, Preservation Office, gave an update on the meeting with the Corps yesterday. They are willing to work with us. They do not have a plan in place to extend the contract. They were supportive of the bank building but no extension of a contract was discussed. He has a meeting at 3:00 p.m. today to obtain additional information.

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

Rich Janssen, Natural Resources Department; **Tyrel Fenner**, Salish Kootenai College Student; **Shandin Pete** and **Anthony Bertholote**, Salish Kootenai College Faculty; presented a request for a collection permit. The resource to be investigated will include water quality and quantity to include water, snow and fish samples to be taken from the high mountain lakes of the Mission Mountain Tribal Wilderness. The purpose of the investigation is to replicate a follow-up study that was done in the MMTW five years ago that will give us a better understanding of the effects of climate change and pollution on high mountain

lakes. This study is part of Tyrel's senior thesis requirement. **Shelly Fyant** requested that Tyrel present his report to council once it is completed. **Chairman Trahan** will follow up with the Legal Department to determine whether the Tribes will have any liability by approving this collection permit.

MOTION by Anita Matt to grant Tyrel Fenner a collection permit from June through September 2018. Seconded by Carole Lankford. Carried, unanimous (8 present).

Dan Lozar and **Greg Wilson**, Natural Resources Department, requested approval of an amendment to Agreement No. 16-141 between CSKT and Reclamation Technical Service Center to increase the not-to-exceed amount to \$4 million in anticipation of future Project Management Plans expenditures which will be presented to tribal council for consideration. It is BIA funding.

MOTION by Shelly Fyant to approve the amendment to Agreement No. 16-141 between CSKT and Reclamation Technical Service Center to increase the not-to-exceed amount to \$4 million in anticipation of future Project Management Plans expenditures which will be presented to tribal council for consideration. Seconded by Anita Matt. Carried, unanimous (8 present).

Dan Lozar and **Greg Wilson**, Natural Resources Department, requested approval of a contract for services with WGM Group to complete reservoir bathymetric surveying for 14 FIIP reservoirs both on and off the reservation.

MOTION by Shelly Fyant to approve a contract for services with WGM Group to complete reservoir bathymetric surveying for 14 FIIP reservoirs both on and off the reservation. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Anita Matt discussed the Rocky Mountain Intertribal Agriculture Council discussion yesterday about the Irrigation Act providing potential funding for irrigation construction projects up to \$22.75 million. She wanted to know if the department has looked into funding to assist BIA/SOD programs with maintenance and construction projects. **Dan Lozar** advised that there have been some listening sessions and the department is tracking the matter. He will schedule a meeting with tribal council.

Len TwoTeeth asked if Black Lake Road is on the county maintenance schedule. It is full of potholes, and Len wants to figure something out to repair the road. **Dan Lozar** will follow up with Gabe Johnson.

Dan Lozar and **Greg Wilson**, Natural Resources Department, briefed council on an issue at Mission Dam. Pete Plant notified them that the outlets works at Mission Dam had problems. Dan and Greg viewed the site and it was determined

that the lower gate failed shut. The stem broke and ceased flow through the outlets flow. The reservoir was rising and went over the spillway. Irrigation staff raised the upper gate to allow flow back through the outlets. The project implemented a periodic inspection of the dam throughout the afternoon and evening and will continue to do so until it is determined that the gate is functioning adequately. Pete Plant is preparing a draft level one response letter to be distributed through the communication protocol in the emergency action plan. The emergency action plan will be reviewed before it is sent to the agencies within the area. The Safety of Dams is working with the BIA Central Office to help BIA understand how much flow is coming through in the outlets works. The lower cylinder gate failed at Crow, and now that situation happened at Mission. The spillway is spilling. The situation is under control. The staff has been working with the Central and Regional Offices. It is not prone to imminent failure. The protocols are in place. It is incumbent on the Superintendent and FIIP that fills those out and releases them. SOD continues to work closely with Pete on this matter.

Tony Incashola, Sr., Chaney Bell and **Thompson Smith**, Salish Pend d'Oreille Culture Committee, requested approval of a revised organizational chart to add Language Teachers, Language Apprentice, Receptionist/Typist, and Historical Collections Manager/Office Manager positions. **Vern Clairmont**, Financial Management, explained that the General Fund will begin with a zero contingency. A different funding source would need to be found for the additional funding request if this organizational chart with added positions is approved by tribal council. Vern has not been provided any information on the needed funding so he does not know that amount. Tony informed council that the council needs to approve the chart changes before the Personnel Department can reclassify any of the positions.

MOTION by Shelly Fyant to approve the revised organizational chart for the Salish Pend d'Oreille Culture Committee, as presented. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

Jordan Thompson and **Shane Morigeau**, Legal Department, discussed different scenarios for Public Law 280 Retrocession, budget implications, and follow-up interviews that were conducted. More data is needed before a decision could be made. There is a VAWA training scheduled for August 14-15, and Judge Blaeser will be here August 22-23.

Jordan Thompson and **Yolanda Page**, Legal Department, followed up on the previous presentation provided by Exacta for horse racing gaming and discussed historic horseracing. A compact with the state would be needed since they are considered Class III games. Exacta wants tribal support to get this type of gaming legalized in the state of Montana. The Johnson Act does not explicitly prohibit this type of gaming. There were some proposed dates in July for a

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meeting. **Council** will check their schedules and determine the date they would be available.

Dennis Clairmont left the meeting.

John Harrison and **Daniel Decker**, Legal Department, gave an update on a meeting between Missoula County and some interested groups focused on how to move the Smurfit-Stone cleanup process along. The Legal Department will follow up with the Council as things develop.

John Harrison and **Daniel Decker**, Legal Department, informed council that the State is reviewing the MOA for Beattie Gulch and they may be willing to sign on after they review it. The Beattie MOA Tribes and Montana Fish, Wildlife, and Parks will continue to talk in the coming weeks and the Bison Staff will come to the Council soon to discuss Yellowstone bison management issues in more detail.

John Harrison and **Daniel Decker**, Legal Department, informed council that the Supreme Court took cert in the Cougar Den case regarding motor fuels tax. The Washington State Supreme Court interpreted the Yakama treaty right to bring goods to market precluded Washington from taxing motor fuels brought into the state and sold on the Yakama Reservation by Cougar Den, a tribally owned business. John requested authority to work on an amicus brief in this case. This is the last week of the Supreme Court term and they already had their conference. The Crow hunting case is still sitting out there, so it may be on hold until October.

Shane Morigeau and **Daniel Decker**, Legal Department, gave a report on the meeting with the Army Corps of Engineers, Forest Service and Preservation Office that took place yesterday about a collection that the Preservation Office is trying to get back for the Tribes. The Corps believes that the Archeological Protection Resource Act applies and there is no language to return the collection to the Tribes. Shane believes NAGPRA applies in this instance. There is no contractual agreement for storage with SKC. SKC will allow storage space for those items. The Pablo Bank facility was toured as a possible storage location for cultural items.

Daniel Decker, Legal Department, informed council that they might be approached by the Ronan Telephone Company to have a meeting about a fiber optics project they are working on.

***** **Break** *****

Carolee Wenderoth, Tribal Lands Department; and **Daniel Decker**, Legal Department; discussed the proposed land exchange with the Dayton School. The

school is located on Block 6. The purpose of the exchange is so the Dayton School can try to get a levy to build a gymnasium. Lands procured an appraisal on the parcels. If the exchange is approved, any ownership transfer to encumber funds cannot be done by this Friday. The exchange would be with Lake County; not with the Dayton School. The discussion continued in **executive session**. **Vern Clairmont**, Financial Management, was present for discussion.

Council reconvened into **regular session**.

MOTION by Carole Lankford to accept the exchange of the Dayton School for the property at Big Arm. Seconded by Shelly Fyant. Carried, 4 for (Carole Lankford, Shelly Fyant, Anita Matt, and Charmel Gillin); 2 opposed (Len TwoTeeth and Leonard Gray); 1 abstention (Ron Trahan)

Council discussed the Arlee District vacant tribal council seat.

MOTION by Len TwoTeeth to proceed with filling the vacancy through an advertisement for letters of interest and appointment for the remainder of the term ending December 31, 2019 and direct Legal to develop an ordinance to redistrict to move the seats to the two highest populated districts upon the terms expiring from Arlee and St. Ignatius. Seconded by Charmel Gillin. Carried, unanimous (7 present).

Vern Clairmont, Financial Management, informed council that a closing date needs to be established for interested individuals to show interest in the Arlee District tribal council seat. The tribal council will need to decide whether the application fee will be waived or reduced since it is a partial term. A background check will need to be done on the applicants. **Council** agreed that the applicants need to meet all the qualifications outlined in the Election Rules; a \$75 fee will be charged; the deadline to submit a letter of interest is by the close of business on July 19; and conduct interviews with all the eligible applicants on July 24 or 26. The letters of interest must be received by the Tribal Offices no later than by close of business on July 19. **Rob McDonald**, Communications, requested clarification of what information will be included in the advertisement, what type of advertisement the council wants in the Char-Koosta News, and if they want the announcement posted on the social media outlets. It will be published in the Char-Koosta News and posted on Facebook and on the Tribes' website. Rob asked if council wants to issue a press release informing the membership of the background information and that Troy Felsman resigned his position due to accepting a job elsewhere. Rob will draft a press release and present back for council consideration.

Carole Lankford requested that she be appointed as an ex officio board member to the S&K Gaming Board of Directors. Len TwoTeeth and James Steele, Jr. will remain as the alternates.

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MOTION by Charmel Gillin to appoint Carole Lankford as an ex officio board member to the S&K Gaming Board of Directors. Seconded by Anita Matt. Carried, unanimous (7 present).

MOTION by Charmel Gillin to adjourn the meeting. Seconded by Anita Matt. Carried, unanimous (7 present).

Council **adjourned** at 4:55 p.m., and is scheduled to meet again on Tuesday, July 3, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary