

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

Volume 19 Number 49  
Council Chambers, Pablo, MT

Held: April 16, 2019  
Approved: April 30, 2019

**MEMBERS PRESENT:** Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Anita Matt, Treasurer; Myrna DuMontier; Fred Matt; Dennis Clairmont; Carole Lankford; and Leonard TwoTeeth.

**MEMBERS ABSENT:** Shelly Fyant, Secretary (Governor's Conference on Tourism and Recreation – Butte, Montana); and Charmel Gillin (Personal Time Off).

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

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

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

The **Tribal Council Meeting Minutes** for March 28, 2019 were presented for approval.

**MOTION** by Dennis Clairmont to approve the Tribal Council Meeting Minutes for March 28, 2019, with corrections. Seconded by Len TwoTeeth. Carried, 6 for; 2 abstentions (Anita Matt and Myrna DuMontier).

The **Tribal Council Meeting Minutes** for April 4, 2019 were presented for approval. **Anita Matt** asked Jennifer if she ever received the donation information requested. **Jennifer Trahan** will provide the information to Anita.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for April 4, 2019, with corrections. Seconded by Dennis Clairmont. Carried, 7 for; 1 abstention (Fred Matt).

The **agenda** was presented for approval.

**MOTION** by Carole Lankford to approve the agenda, with changes. Seconded by Leonard Gray. Carried, unanimous (8 present).

**Francis Pierre**, Tribal Member, followed up on his previous complaint regarding his Tribal Credit loans. Frank received a letter that indicated no wrongdoing was done. There were 8 incidents of non-payments that were attached to his credit history. If he did not have those receipts, he would owe that money. **Rick Eneas**, Financial Management, had followed up on this complaint. All of the alleged missing payments are payments that Tribal Credit has no record of. The receipts that Mr. Pierre provided were all accounted for in the history at Tribal Credit. There were no payments found that had not already been applied to his loans. **Chairman Trahan** requested that Mr. Pierre meet with Rick to gain an understanding of the loans and payment history.

**Francis Pierre**, Tribal Member, discussed the need to have a shooting range in Arlee. He spoke to the Tribal Lands Department to identify an area. **Council** will follow up with the Lands Department.

**Patricia Courchane**, Department of Human Resources Department; and **Dana Grant**; requested approval of a resolution to submit the Project Launch grant to the Department of Health and Human Services for a five-year project. The project will primarily focus on children aged 0-8. The Tribal Health Department will be a partner on this project.

**MOTION** by Anita Matt to approve by resolution the submission of the Project Launch grant to the Department of Health and Human Services. Seconded by Myrna DuMontier. Carried, 8 for; 0 opposed; 0 not voting.

#### **RESOLUTION 19-115**

**RESOLUTION AUTHORIZING THE CONFEDERATED SALISH AND KOOTENAI TRIBES DEPARTMENT OF HUMAN RESOURCE DEVELOPMENT IN PARTNERSHIP WITH EARLY CHILDHOOD SERVICES AND TRIBAL HEALTH, TO SUBMIT AN APPLICATION IN RESPONSE TO THE FUNDING ANNOUNCEMENT ENTITLED: DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION – FY 2019 LINKING ACTIONS FOR UNMET NEEDS IN CHILDREN’S HEALTH GRANT PROGRAM, ALSO KNOWN AS PROJECT LAUNCH**

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

**WHEREAS**, The Confederated Salish and Kootenai Tribes are committed to seeking resources for children and families as they work toward healthy lifestyles and stable families; and

**WHEREAS**, the funding opportunity, also referred to as Project LAUNCH will provide support to develop and implement activities to enhance community wide collaboration, improve access to services for families and children and expanded mental health supports; and

**WHEREAS**, the Department of Human Resource Development has prepared a project proposal that will engage Tribal and non-Tribal agencies and the community as a whole in comprehensive strategic planning and the provision of services that will foster a stronger network of support and cooperation amongst all providers;

**WHEREAS**, the Department of Human Resource Development is soliciting funding in the amount of \$800,000 per year, for a five year project under the Department of Health and Human Services Substance Abuse and Mental Health Services Administration-FY 2019 Linking Actions for Unmet Needs in Children's Health Grant Program on the Flathead Reservation.

**NOW, THEREFORE, BE IT RESOLVED**, the Department of Human Resource Development is authorized to submit a Project LAUNCH proposal with Funding Opportunity Announcement (FOA) No. SM-19-007 Catalogue of Federal Domestic Assistance (CFDA) No.: 93.243 on behalf of the Confederated Salish and Kootenai Tribes.

**BE IT FURTHER RESOLVED**, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the Project LAUNCH proposal documents and authorizes the Tribal Chair and his designated representative to negotiate and sign all documents and execute this submission on behalf of the Tribes.

**Rick Eneas**, Financial Management, discussed the equipment at the Kicking Horse Job Corps Center and requested approval to negotiate the sale of equipment that does not have an identified use after the contract is closed out. Two other Job Corps Centers will be onsite this week to see if there is any Department of Labor equipment they could use. **Len TwoTeeth** wants the lawnmower for the Elmo community. **Anita Matt** wants the meeting chairs for Dixon.

**MOTION** by Fred Matt to allow the transfer of the items from KHJCC for use and pay a fair price for it. Seconded by Anita Matt. Carried, unanimous (8 present).

**Rick Eneas**, Financial Management, requested approval of a resolution to amend the Tribal Credit Plan of Operations to change the hiring and dismissal authority from the Tribal Council to the Director of Financial Management.

**MOTION** by Leonard Gray to approve by resolution the amendment to the Tribal Credit Plan of Operations. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

**RESOLUTION 19-116**

**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 responsibility for employing and discharging the Credit Manager will be changed from the Tribal Council to the Director of Financial Management who supervises the position.

1. General Provisions

8. Credit Manager:

Paragraph 3 amended to read: The Credit Manager shall be employed and discharged by the Director of Financial Management. To be eligible for initial appointment, the applicant shall meet the minimum Tribal Personnel requirements of the Credit Manager position.

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, presented a request from Stanley W. Padilla for a letter of disinterest to gift deed in fee a portion of Flathead Allotment No. 902-B, creating Flathead Tract 902-D, containing 0.228 acres. The family is requesting the trust status be removed. The Land Committee recommended approval of the letter of disinterest.

**MOTION** by Anita Matt to go with the recommendation of the Land Committee and show disinterest in Flathead Allotment No. 902-B, as described in the letter. Seconded by Fred Matt. Carried, 6 for; 1 opposed (Len TwoTeeth); 1 not voting (Ron Trahan out of the room).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, presented a request from Karen Cheff to reassign Lease No. 3761 to Terry Pitts for a one-year period. Karen met with the Land Committee and discussed the situation she is

in. The Land Committee recommended reassignment for one year. The lease expires this year and will be advertised on the spring bid.

**MOTION** by Anita Matt to reassign Lease No. 3761 to Terry Pitts for one year. Seconded by Dennis Clairmont. Carried, unanimous (7 present – Ron Trahan out of the room).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, presented a request from Karen Cheff to reassign Lease No. 4040 to Levi Elverud for one year due to the same circumstances as the other lease. The lease will be advertised on the spring bid.

**MOTION** by Anita Matt to reassign Lease No. 4040 to Levi Elverud for one year. Seconded by Dennis Clairmont. Carried, 6 for; 1 opposed (Myrna DuMontier); 1 not voting (Ron Trahan out of the room).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, presented a request from Karen Cheff to reassign Leases 4013 and 4508 to William Cordis for one year due to the same circumstances as mentioned prior. Lease 4013 has three years remaining on the contract, and Lease 4508 has two years remaining. The Land Committee recommended approval of the reassignment for one year and then place the leases on the spring bid. **Myrna DuMontier** suggested that there be a list of tribal members who are interested in taking over leases for these types of situations. Carolee thought that it was not feasible to do that and the Lands Department does not solicit that type of list.

**MOTION** by Dennis Clairmont to reassign Lease Numbers 4013 and 4508 to William Cordis for one year. Seconded by Anita Matt. Carried, 6 for; 1 opposed (Myrna DuMontier); 1 not voting (Ron Trahan out of the room).

**Carolee Wenderoth** and **Mark Couture**, Tribal Lands Department, presented a request from Karen Cheff to reassign Lease No. 4515 to Terry Pitts for the remainder of the contract term ending in 2021.

**MOTION** by Carole Lankford to reassign Lease No. 4515 to Terry Pitts for the remainder of the contract term ending in 2021. Seconded by Dennis Clairmont. Carried, unanimous (7 present - Ron Trahan out of the room).

**Carolee Wenderoth**, Tribal Lands Department, requested approval to enter into a contract with Oakland Right of Way Services in the amount of \$15,000 to provide research and preparation for exhibits and documents for the negotiations of the Sprint easement. The contract would expire on December 31, 2019. Oakland Right of Way Services has the historical knowledge and it would be a big undertaking to get the services from a different company.

**MOTION** by Anita Matt to go with the recommendation of Lands and approve a contract with Oakland Right of Way Services in the amount of \$15,000 for a term ending December 31, 2019. Seconded by Len TwoTeeth. Carried, unanimous (7 present - Ron Trahan out of the room).

**Carolee Wenderoth** and **Tara Irvine**, Tribal Lands Department, presented a request from R.T. Hendrickson for a business lease to operate the Arlee Rodeo Grounds on Tract 1353-A for a five-year period. Mr. Hendrickson is requesting use of the area surrounding the arena for livestock associated with the rodeo. R.T. has had this lease for a number of years and it has not been advertised. It is difficult to ask lessees to make costly improvements when they only have a one-year lease so it would give him some assurance if he is given a longer term lease. Options for consideration were: (1) Grant a five-year business lease as long as all leasing requirements are met, including a rental payment of \$110; required insurance; pay power bill, if applicable; verify all weeds are properly managed; and maintain all existing improvements. (2) Grant a three-year business lease as long as all leasing requirements are met, including a rental payment of \$110; required insurance; pay power bill, if applicable; verify all weeds are properly managed; and maintain all existing improvements. (3) Deny request. (4) Further discussion.

**MOTION** by Fred Matt to go with option 1 and grant R.T. Hendrickson a five-year business lease on Tract 1353-A to operate the Arlee Rodeo Grounds, as long as all leasing requirements are met, including a rental payment of \$110; required insurance; pay power bill, if applicable; verify all weeds are properly managed; and maintain all existing improvements. Seconded by Anita Matt. Carried, unanimous (7 present - Ron Trahan out of the room).

**Myrna DuMontier** left the meeting for the remainder of the day to attend the Missing & Murdered Indigenous Women panel at the University of Montana.

**Carolee Wenderoth**, Tribal Lands Department; and **Cory Clairmont**, Personnel Department; requested approval to convert Delores Joseph from a contract employee to a FTE employee to fill a vacant position. Options presented were: (1) Waive the current policy to allow the tribal member contract employee to become a full-time employee by transferring her into a vacant position without advertising. (2) Offer the employee a one-year contract for the vacant position, with a one-year probation period, and after the one-year probation period the contract status automatically changes to full time. (3) Hold further discussion.

**MOTION** by Len TwoTeeth to go with option 2 to convert Delores Joseph from a contract employee to a FTE position with a six-month probationary status. Seconded by Carole Lankford. Carried, unanimous (6 present - Ron Trahan out of the room).

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

**Len TwoTeeth** discussed the boat inspection station in Elmo. A boat in Anaconda was inspected and mussels were found. Even if it is not located in Elmo, there is a need for an inspection station close to the lake.

**Tom McDonald**, Natural Resources Department, reported that the SKQ Dam mitigation report is ready for tribal council review and needs to go to the consultation group. The final report needs to be sent to the Department of Interior to fulfill the license requirement. Tom discussed the press release regarding the boat that had mussels in Anaconda. Tom discussed the USFWS rule changes regarding eagle feathers. That process is changing to bypass the repository in Denver and we will have the authority to do that. The USFWS does not want to be the agency to give out eagle feathers, and we will be working on a process to do that. The continental divide check stations have found boats with mussels.

**Jeanne Christopher**, Early Childhood Services, requested approval of two resolutions. One resolution is for Head Start funding and one is for the Expansion funding.

**MOTION** by Carole Lankford to approve by resolution submission of a grant application to the Department of Health and Human Services for funding the Head Start/Early Head Start Program. Seconded by Anita Matt. Carried, 6 for; 0 opposed; 1 not voting (Dennis Clairmont out of the room).

#### **RESOLUTION 19-117**

#### **RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FUNDING THE HEAD STRART/EARLY HEADSTART PROGRAM**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes are committed to improving the educational, training and employment opportunities of all children and families, and

**WHEREAS**, the Tribal Council has declared that the children of the Salish, Kootenai and Pend d'Oreille Tribes are our most valuable resource of the Flathead Indian Nation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes support the application submitted to

the Department of Health and Human Services for funds to support the Confederated Salish and Kootenai Tribes Early Childhood Services program for the children of the Flathead Indian Reservation; and

**BE IT FURTHER RESOLVED**, that the Chairman and/or his designated representative are authorized to negotiate and execute the grant documents and any amendments thereto.

**MOTION** by Anita Matt to approve by resolution submission of a grant application to the Department of Health and Human Services for funding the Early Head Start Expansion Program. Seconded by Carole Lankford. Carried, 6 for; 0 opposed; 1 not voting (Dennis Clairmont out of the room).

**RESOLUTION 19-118**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FUNDING THE EARLY HEADSTART EXPANSION PROGRAM**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes are committed to improving the educational, training and employment opportunities of all children and families, and

**WHEREAS**, the Tribal Council has declared that the children of the Salish, Kootenai and Pend d'Oreille Tribes are our most valuable resource of the Flathead Indian Nation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes support the application submitted to the Department of Health and Human Services for funds to support the Confederated Salish and Kootenai Tribes Early Childhood Services program for the children of the Flathead Indian Reservation; and

**BE IT FURTHER RESOLVED**, that the Chairman and/or his designated representative are authorized to negotiate and execute the grant documents and any amendments thereto.

**Rhonda Swaney** and **Dan Decker**, Legal Department; and **Renee Joachim**, Personnel Department; requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

**MOTION** by Carole Lankford to authorize Personnel and Legal to make a settlement offer to Teresa Wall-McDonald. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

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

**Rhonda Swaney**, Legal Department, requested approval of a modification to the Honcoop Technology Services contract to complete an evaluation of vendor upgrade options to reach OpenText version 16 and provide Owner's Representation and Project Management Services during the alignment and execution of upgrades of the OpenText environments.

**MOTION** by Anita Matt to approve by resolution the modification to the Honcoop Technology Services contract. Seconded by Dennis Clairmont. Carried, 6 for; 0 opposed; 1 abstention (Len TwoTeeth).

#### **RESOLUTION 19-119**

#### **A RESOLUTION TO AMEND A CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH HONCOOP TECHNOLOGY SERVICES**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business, to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes; and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes; and

**WHEREAS**, the Tribes entered into a Contractor Agreement with Honcoop Technology Services in October 2018; and

**WHEREAS**, the Tribes and Contractor desire to amend Article II, Scope of Work/Services and Article III, Compensation to complete an evaluation of vendor upgrade options to reach OpenText version 16 and provide Owner's Representation and Project Management Services during the alignment and execution of upgrades of the OpenText environments; and

**WHEREAS**, it is the intent of all the contracting parties that Honcoop Technology Services shall commence working under the approved contract and amendment

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1 with the Tribes according to the terms and conditions stated therein for the period of time commencing on execution of said contract.

**THEREFORE BE IT RESOLVED**, the Tribal Council approved said modification to contract and authorizes its execution by the Chairman and the Secretary the Tribal Council approves said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

**Rhonda Swaney, John Harrison and Mary Price**, Legal Department, gave an update on the Smurfit site. The trustees met with EPA and the county. There is an IBMP meeting scheduled in Gardner next week.

**Dan Decker**, Legal Department, gave a legislative update.

**Erica Shelby and Velda Shelby**, Tribal Members, informed council that Erica was not allowed to register for this quarter at Salish Kootenai College because she had an outstanding bill. Erica is signed up for funding through Higher Education. She is scheduled to meet with the Tribal Education Committee tomorrow. There will be an excess of \$2,500 and that is what she owes for her final quarter. Erica requested emergency funding so she can graduate in June with her Tribal Governance degree. Salish Kootenai College will allow her to register for Spring quarter if she can come up with the funding by tomorrow. Erica was unaware that there was a glitch with the online program, so she could not fix the needed funding issue. Erica is requesting that the money owed be paid by the Tribes so she can graduate in June. The amount needed is approximately \$2,500 and she would like to be able to work off the \$2,500, but was willing to do it as a loan if needed. **No action taken. Council** will follow up with the Tribal Education Department this afternoon.

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

**Robert Compton**, Bureau of Indian Affairs Superintendent, introduced **Brian Mercier**, Northwest Regional Director. Mr. Mercier was hired as the new director six months ago. He provided information on his background and experience, and he discussed his priorities for the 45 tribes. **Len TwoTeeth** discussed compliance issues regarding the CFR and he would appreciate resources to work directly with us in a timely manner to get those policies changed so the small loggers can get back to work. Len invited Mr. Mercier to visit Big Arm. **Carole Lankford** would like to work on the fee to trust policies. Mr. Compton will remain as the Acting BIA Superintendent for another 90 days, and then the vacancy will be advertised soon. Mr. Mercier will consult with the tribal council during the selection process. **Carolee Wenderoth**, Tribal Lands Department, discussed the staff turnover at the Regional level, which is causing a delay in the fee to trust process.

**Rhonda Swaney**, Legal Department, announced that Medicaid Expansion passed the senate in the third reading and is on its way to the house and the governor.

**Mike Durglo** and **Kyle Felsman**, Preservation Office; and **Stu Levit**, Legal Department; requested to meet with council in **executive session**.

Council reconvened into **regular session**.

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

**Julie Cajune**, Tribal Education Department, followed up on the issue that was brought up earlier today by Erica Shelby. The student attended Salish Kootenai College all last year without paying tuition. The reason she did not receive any Higher Education funding is because she did not apply for funding. The policy requires an application to be filled out along with required paperwork. She was notified of the policy. Erica is not a registered student at SKC and she is not allowed to register until she pays the outstanding tuition that is owed amounting to \$5,000. Erica can appeal the decision to the Tribal Education Committee, but policy does not allow funding for retroactive tuition. She can receive funding this upcoming quarter if she applies, but the Tribal Education Department cannot pay for last year's tuition that is still owing. SKC will not allow her to register for spring quarter without paying the outstanding balance owed by tomorrow, plus the tuition and a progress report for spring quarter. Erica is enrolled in classes as an unregistered student. It is the decision of Salish Kootenai College whether to allow her to enroll in the spring quarter without paying last year's tuition. **No action taken.**

**MOTION** by Carole Lankford to adjourn the meeting.

Council **adjourned** at 2:43 p.m., and is scheduled to meet again on Thursday, April 18, 2019, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Shelly R. Fyant  
Tribal Secretary