

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

Volume 20 Number 13
Council Chambers, Pablo, MT

Held: November 12, 2019
Approved: November 19, 2019

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

MEMBERS ABSENT: Carole Lankford (Casey Family – Washington, DC); Fred Matt (Wildlife Meeting – Washington, DC); and Myrna DuMontier (Recovery Program – Lexington, KY).

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 9:09 a.m. Quorum established.

The meeting was opened with a **prayer** by Chairman Trahan.

The **Tribal Council Meeting Minutes** for October 31, 2019 were presented for approval. **Leonard Gray** followed up on the tour to the Pablo property. He touched base with Mark and a tour of the Whiskey Trail Ranch is set for Thursday at 1:00 p.m., but the Big Draw trip has not been scheduled yet.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for October 31, 2019, with corrections. Seconded by Dennis Clairmont. Carried, 6 for; 1 abstention (Ron Trahan).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with additions. Seconded by Leonard Gray. Carried, unanimous (7 present).

David Spear, Two Eagle River School; **Lou Dembrow**, Teacher; **Jennifer Sugg**, Projects Coordinator; **Destiny Mata**, Photography Teacher; **Brittany Rose Morigeau** and **Zhane “Michael” Annmarie Bolen**, Students; informed council that they opened the Pink Dress in Missoula on Friday and they got some press from it. They did a panel there last week. Brittany and Michael are two of the students that went to New York, and they gave a report on their trip.

Corky Sias, Department of Human Resources Development, requested approval of a two-year contract with Roxana Colman-Herak, Herak Enterprises, in the amount of \$120,000.00 for the Crime Victim Services Grant. Roxana was written into this grant and the contract is required to fulfil the grant requirements.

MOTION by Shelly Fyant to approve a two-year contract with Roxana Colman-Herak, Herak Enterprises, in the amount of \$120,000.00 for the Crime Victim Services Grant. Seconded by Dennis Clairmont. Carried, unanimous (7 present).

Lynn Ducharme, Natural Resources Department, requested approval to show interest and enter into buy/sell agreements for the Lamar, Cable and Grantree properties at fair market value with Bonneville Power Administration funds. The Lamar property is located along Jocko River and contains 40 acres. The Cable property is located along Post Creek and contains 30 acres. The Grantree property is located along Crow Creek and contains 78 acres.

MOTION by Anita Matt to show interest and enter into buy/sell agreements for the Lamar, Cable and Grantree parcels at fair market value with Bonneville Power Administration funds and continue negotiations. Seconded by Charmel Gillin. Carried, unanimous (7 present).

Anita Matt reported that the Shocks contacted her and are interested in selling their property. **Lynn Ducharme** has not been contacted by anyone, but she will follow up.

Rick Eneas, Financial Management, requested approval of modification 1 to the fiscal year 2020 Dedicated Trust Fund Budget. It is necessary to assign program accounts to Tribal Projects for efficient financial administration. **Len TwoTeeth** commented that additional funding was supposed to be included for the Kootenai Language Conferences since it had been agreed to by the tribal council that the funding would be continuous each year. Rick has no official council action approving that funding, so the request could be added to the Budget Committee agenda and the chairman's meeting agenda.

MOTION by Anita Matt to approve by resolution modification 1 to the fiscal year 2020 Dedicated Trust Fund Budget. Seconded by Dennis Clairmont. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 20-014

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2020 DEDICATED TRUST FUND BUDGET

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

WHEREAS, it is necessary to assign program accounts to Tribal Projects for efficient financial administration; and

WHEREAS, the budget will be allocated as follows:

Programs, Functions, Services, and Activities	Budget Account	Current FY 2020 Budget	Increase/ (Decrease)	Revised FY 2020 Budget
Tribal Projects - Communication Projects	20-504-6150-6720-6007	52,000	(52,000)	0
Communication Projects	20-504-6155	0	52,000	52,000
Tribal Projects - Contingency for Pre-Emergencies	20-504-6150-6720-6008	25,000	(25,000)	0
Contingency for Pre-Emergencies	20-504-6156	0	25,000	25,000
Tribal Projects - Donation to American Indian Veterans Memorial	20-504-6150-6720-6033	850	(850)	0
Tribal Projects - Donation to Mission Valley Honor Guard	20-504-6150-6720-6035	1,000	(1,000)	0
Tribal Projects - Food Pantries	20-504-6150-6720-6038	2,500	(2,500)	0
Tribal Projects - Women for Wellness Conference	20-504-6150-6720-6315	3,000	(3,000)	0
Tribal Projects - MSU Alumni Foundation	20-504-6150-6720-6318	10,000	(10,000)	0
Donations	20-504-6153	0	17,350	17,350
Tribal Projects - Bison Shipping/Processing	20-504-6150-6720-6036	105,500	(105,500)	0
Bison Shipping/Processing	20-504-6330	0	105,500	105,500
Tribal Projects - Salish Language Conference	20-504-6150-6720-6314	5,000	(5,000)	0

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Salish Language Conference	20-504-6130	0	5,000	5,000
Total		204,850	0	204,850

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2020 Dedicated Trust Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the modification does not change the total FY 2020 Dedicated Trust Fund Budget of \$2,113,350.

Len TwoTeeth requested clarification on whether Rick would be bringing in an amendment to this resolution. **Rick Eneas** explained that the process is go to the Chairman’s Meeting first and then the Budget Committee. Budget authority would need to be granted.

Rick Eneas, Financial Management, requested approval of modification 2 to the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2018 funding for Child Care Discretionary has been awarded and needs to be allocated to the budget.

MOTION by Charmel Gillin to approve by resolution modification 2 to the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 20-015

RESOLUTION APPROVING MODIFICATION 2 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 2018 funding for Child Care Discretionary has been awarded and needs to be allocated to the budget; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
13-502-4770	DHRD 477 Program	4,056,000	28,689	4,084,689
Total Increase/ (Decrease)			28,689	

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 total FY 2020 BIA Self-Governance Budget is increased from \$27,663,179 to \$27,691,868.

Rick Eneas and **Bill Bjarko**, Financial Management; and **Dallas Fleming**, Administrative Services; requested approval of 5 new Accounting policies: (1) Agreement Policy; (2) Grant Proposal Process; (3) PTO Payout and Separation; (4) Employee Timesheet Processing; and (5) New Employee Timesheet Processing.

MOTION by Len TwoTeeth to approve the Accounting Policies, as presented by the Office of Financial Management and Payroll. Seconded by Anita Matt. Carried, unanimous (7 present).

Rick Eneas, Financial Management; and **John Neiss**, Facilities Maintenance; gave an update on the former Kicking Horse Job Corps Center site. (1) Gymnasium Rental. Rick requested approval to move forward with a lease agreement for Two Eagle River School and Mission Valley Mystics 6th Grade AAU Basketball Team to use the gymnasium for practices, and a waiver of the bond and insurance requirements. **Shelly Fyant** wants a follow-up meeting with Robert Compton regarding the G Tract of land north of Two Eagle River School that was requested for use to build an ancillary gym. The last update she received was Mr. Compton was waiting for a Solicitor's opinion from Portland. **Charmel Gillin** wants other organizations to be allowed to use the gym, and she wants language contained in the agreement to require adequate supervision of minors and youth. **Anita Matt** hopes maintenance is written into the lease document.

MOTION by Shelly Fyant to proceed with the lease agreements for Two Eagle River School and Mission Valley Mystics 6th Grade AAU Basketball Team to use the gymnasium for practices. Seconded by Charmel Gillin. Carried, unanimous (7 present).

Shelly Fyant asked about the new pay schedule. **Rick Eneas** responded that it is set to take effect on the pay period formerly known as Pay Period 27, scheduled for December 31, 2019. That pay date was moved to January 7, 2020.

(2) Office Space. Rick identified the former Administration and the Voc/Maintenance buildings as the best options to provide office space. No program has been identified at this time. Rick is requesting approval to move forward as outlined. \$40,000 would be set aside for costs, and any further amounts would come back to council before proceeding. **Len TwoTeeth**

suggested asking the Montana Department of Transportation to cover those costs.

MOTION by Charmel Gillin to approve the office space buildout plans for the former Administration and Voc/Maintenance buildings to create 39 workspaces for an amount not to exceed \$40,000.00 without additional council approval. Seconded by Shelly Fyant. Carried, unanimous (7 present).

Anita Matt talked about the building for the Dixon Agency. A funding source needs to be identified to pay for the foundation and hook ups. Anita asked John about the estimate he had for that, and she wants a status report. **John Neiss** reported that the estimated cost is \$37,000. **Rick Eneas** has not yet scheduled the Budget Committee discussion. The timing is a little unclear. Rick has the estimates from Maintenance. He had not planned on the costs to be incurred for the move right way. **Chairman Trahan** requested that Rick provide an update on Monday.

(3) Other Uses. Rick is looking at record storage options. The initial request is a budget of \$30,000 to begin digitizing documents and formalizing record management. It would be upwards of \$200,000 to do that organization-wide.

MOTION by Len TwoTeeth to approve the phased approach to document storage/management and electronic record conversion process using existing warehouse and record storage areas in an amount not to exceed \$30,000.00 without additional council approval. Seconded by Charmel Gillin. Carried, unanimous (7 present).

(4) Leases to Tenants. The Tribal Lands Department established leases with those folks who are leasing the residences. A request will be brought forward to have a formal process for people who are employed out there to have a reduced rent as part of their compensation package. **Len TwoTeeth** wants to look at reduced rental rates for any tribal members that live out there.

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

Dale Becker, Natural Resources Department, requested approval of the 2020-2021 Migratory Waterfowl Hunting proposals for tribal members and nontribal members.

MOTION by Charmel Gillin to approve the 2020-2021 Migratory Waterfowl Hunting proposals for tribal members and nontribal members. Seconded by Anita Matt. Carried, unanimous (7 present).

Rhonda Swaney and **Ryan Rusche**, Legal Department, presented a request from the Fort Belknap Indian Community for a letter of support for their water rights

settlement to be sent to Senator Tester, Senator Daines and Representative Gianforte.

MOTION by Dennis Clairmont to send the letter to Senator Tester, Senator Daines and Representative Gianforte supporting the Fort Belknap Indian Community's water rights settlement. Seconded by Shelly Fyant. Carried, unanimous (7 present).

Rhonda Swaney and **Dan Decker**, Legal Department; and **John Neiss**, Facilities Maintenance; gave an update on the buildings in Ronan. Dan met with Robert Compton and Cheryl Finley. The Northwest Region is looking at the deed for the Ronan parcel to determine the validity of it. The Solicitor's Office is questioning the Tribes' ownership in that parcel. Dan recommended that the Superintendent meet with the tribal council about that. John said the white house looks sound underneath and is easily movable. The white trailer is going to be difficult; it cannot be moved.

Rhonda Swaney and **Stu Levit**, Legal Department, gave an update on the Columbia River Bi-Op litigation. Stu will keep council updated on this issue.

Rhonda Swaney and **John Harrison**, Legal Department, requested approval of a letter in response to the Fish, Wildlife & Park's letter to offer State bison hunting licenses. The statute requires that the State offer two licenses to every tribal government in the state of Montana. CSKT has a treaty right and does not need a permit, so the Tribes decline the offer each year.

MOTION by Dennis Clairmont to approve the letter declining the two State bison hunting licenses. Seconded by Shelly Fyant. Carried, unanimous (7 present).

Rhonda Swaney and **Stu Levit**, Legal Department; and **Rick Eneas**, Financial Management; discussed options on how to make a selection for Energy Keepers, Inc. Board of Directors Members. The process is intended to assist the tribal council to recruit board members. It has been difficult to find people with the required expertise. It was the **consensus** of council to proceed as outlined.

Rhonda Swaney informed council that Vernon Finley contacted her about not receiving a mailed absentee ballot for the County election. Vernon had read on Facebook that some people received a ballot and others did not. **Rhonda Swaney** will follow up.

Rhonda Swaney, Legal Department, informed council that the only tribal member candidate declined the attorney position in the Legal Department, so it will be offered to a descendant from our Tribe.

Shelly Fyant informed Rhonda Swaney of some other individuals that did not receive a timely tribal council primary absentee ballot in the mail. It is an issue for the Election Board as to ballots being mailed through certified mail.

Jeremy Rice and **CloAnn Westerman** informed council that Bonnie Rice passed away. Jeremy thanked the Tribes for the assistance and transportation that was provided to his mother and family. Jeremy informed council of the funeral arrangements. **Council** expressed their condolences for his loss. Council members shared stories about Bonnie.

Council met in **executive session** to discuss personnel matters. **Melanie Piedalue**, Personnel Department, joined the discussion.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 11:51 a.m., and is scheduled to meet again on Thursday, November 14, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary