

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

Volume 17 Number 18
Council Chambers, Pablo, MT

Held: December 20, 2016
Approved: January 5, 2017

MEMBERS PRESENT: Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Leonard Gray; Dennis Clairmont; Carole Lankford; Shelly Fyant; Patty Stevens; and Ronald Trahan.

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Bill Kehoe, Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:08 a.m. Quorum established.

The meeting was opened with a **prayer** by Anita Matt.

The **Tribal Council Meeting Minutes** for December 13, 2016 were presented for approval.

MOTION by Patty Stevens to approve the Tribal Council Meeting Minutes for December 13, 2016, with corrections. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Ron Trahan).

Dennis Clairmont told the joke of the day.

The **agenda** was presented for approval. No conflicts of interest were identified.

MOTION by Len TwoTeeth to approve the agenda, with changes. Seconded by Anita Matt. Carried, unanimous (10 present).

Betty Weaselhead requested to meet with council in **executive session** to discuss a personal matter. **Jason Adams**, Salish Kootenai Housing Authority, joined the discussion.

Council reconvened into **regular session**.

Shelly Fyant announced that the tribal council is invited to a brunch with Nkwusm on Friday, beginning at 10:00 a.m., at the Community Center.

Shelly Fyant received a phone call from Tracy Morigeau Frank, Flathead Reservation Human Rights Coalition, requesting a financial donation and assistance with transportation for an event that the coalition is hosting on December 6, at 6:00 p.m., in St. Ignatius.

Shelly Fyant received a phone call from an individual about an emergency room bill. The individual was told by an employee that it would be covered; then was told by a different employee that the Tribal Health regulations changed and the individual would need to get her own insurance if she is not covered by Medicaid. **Joe Durglo**, Tribal Health Department, joined the discussion. Tribal Health can assist individuals to get alternate resources, but if they live on the reservation Tribal Health will pay the medical bill if they have no other coverage. The Tribes took over the PRC program on December 1, so any services received prior to December 1 are the responsibility of the Indian Health Service to pay. Joe will follow up. **Carole Lankford** had followed up on a payment issue. Terri was paying the bills all along, but the collection agency was still pursuing payment.

Len TwoTeeth discussed the donation request from the UNITY Group to go to a conference and wanted to know how much money is available in Willie's budget to pay for this. **Patty Stevens** clarified that the group wanted \$7,500 so they could attend the mid-year conference in February, and she is unsure how much money the group has raised. **Joe Durglo** met with Willie Stevens and found out that the department's budget will pay for the group to attend the annual conference, and the group requested donations from the tribal enterprises in a fundraising effort. **Council** expressed the importance of staff informing their department head prior to coming to council for donations. Council discussed having the tribal corporations make a contribution to the Tribes' donation fund instead of having people getting donations from all the tribal corporations and the tribal government. Council will have a larger discussion on donations.

Joe Durglo, Tribal Health Department, requested approval to enter into a noncompetitive contract with Providence to implement EPIC for the electronic health records system. Vernon wants to ensure that THD includes IT throughout this entire conversion process.

MOTION by Patty Stevens to approve a noncompetitive contract with Providence to implement EPIC for the electronic health records system. Seconded by Anita Matt. Carried, unanimous (10 present).

Joe Durglo, Tribal Health Department, requested authorization to use third party money for implementation of EPIC in the amount of \$472,000.

MOTION by Ron Trahan to authorize the use of third party money

for implementation of EPIC in the amount of \$472,000. Seconded by Leonard Gray. Carried, unanimous (10 present).

Louie Plant, Jr. gave council a poster and invited council to a worldwide event. There will be dancers there. He wants a cultural presentation at the event and he is in talks with Bill Swaney and Marie Torosian about that.

Jean Matt, Mission Valley Power General Manager; **Cindy Benson**, **Teresa Wall-McDonald**, **Germaine White**, **Gordon Fyant**, and **Allen Sloan**, Utility Board; presented the fiscal year 2016 annual report. The utility had an 18% growth in service. MVP has 90% tribal member employment. The prepaid program is an option for customers to pay for power without having to pay a deposit or late fees. Unplanned power outages continued to decrease. **Troy Felsman** commented that when Stan Speaks was here he told council that he would like to see the Tribes take over MVP, and Troy wanted to know how that would occur. Mr. Matt said that Mr. Speaks' vision was to transfer the utility to the Tribes; it would not be a buyout. 70% of the utility is new. **Teresa Wall-McDonald** explained that it would take legislation to transfer the utility to the Tribes. The Tribal Legal Department and George Waters would need to develop a proposal to make the transfer.

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

Carolee Wenderoth, Tribal Lands Department, presented a request from Arlene Groepper and family members for the Tribes to show disinterest in Tract 4561, containing 5 acres and a home. The home will be sold to a family member. The land committee recommended approval.

MOTION by Anita Matt to show disinterest in purchasing Tract 4561 from Arlene Groepper and family members. Seconded by Dennis Clairmont. Carried, 7 for; 2 abstentions (Ron Trahan and Patty Stevens); 1 not voting (Len TwoTeeth out of the room).

Carolee Wenderoth, Tribal Lands Department, presented a request from Jason Adams to buy back Tribal Tract T1277G, containing 2.09 acres in Arlee. When Jason sold this property to the Tribes in 1995 he reserved the right to purchase it back. It was Louis Adams' original family allotment. The land committee recommended approval.

MOTION by Carole Lankford to authorize the sale of Tribal Tract T1277G to Jason Adams, due to the clause in the council minutes that Jason requested to purchase the land back and it's not setting precedence. Seconded by Patty Stevens. Carried, unanimous (9 present – Len TwoTeeth out of the room).

Carolee Wenderoth, Tribal Lands Department, presented an offer for the Tribes to purchase lakeshore property from Don Olsson and his family members, containing 1.31 acres in Polson. The property is zoned resort. The land committee recommended showing interest.

MOTION by Dennis Clairmont to show interest in purchasing the 1.31 acres from Don Olsson and family. Seconded by Patty Stevens. Carried, 6 for; 3 opposed (Ron Trahan, Len TwoTeeth and Leonard Gray); 1 abstention (Anita Matt).

Carolee Wenderoth, Tribal Lands Department, presented an offer for the Tribes to purchase two parcels of property from Mike and Pam Houle. The property contains 5 acres (two lots) on Mud Lake Trail. One lot has a house and one lot has a trailer. The land committee recommended showing interest since the council has continued difficulty placing families in housing due to emergencies, so this could be used as placement.

MOTION by Troy Felsman to show interest in purchasing the two parcels of property from Mike and Pam Houle. Seconded by Leonard Gray. Carried, 9 for; 1 abstention (Ron Trahan).

Mark Couture and **A.J. Bigby**, Tribal Lands Department, requested approval to apply for invasive species program funds in the amount of \$11,916 through the BIA Northwest Regional Office for the Oliver Point, Valley Creek, and Ravalli Hill sites.

MOTION by Patty Stevens to approve by resolution submission of an application for invasive species program funds in the amount of \$11,916 through the BIA Northwest Regional Office. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 17-047

RESOLUTION APPROVING SUBMISSION OF PROPOSAL DOCUMENTS TO THE BIA NORTHWEST REGIONAL OFFICE FOR FY 2017 INVASIVE SPECIES PROGRAM FUNDS

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

WHEREAS, the USDI, Bureau of Indian Affairs, Flathead Agency, approved an Integrated Noxious Weed Management Plan in 1993 and the Tribal Lands Department is responsible for implementing the plan and managing invasive species using integrated pest management practices and an interdisciplinary team planning approach, and

WHEREAS, invasive species are devastating native grasslands, wildlife habitat, cultural resources and other resource values on nearly 200,000 acres of trust lands on the Flathead Indian Reservation, and

WHEREAS, the Tribal Lands Department has successfully treated thousands of acres of noxious weeds since 1993 and established effective planning, management, monitoring, NEPA compliance, and record keeping functions, and

WHEREAS, the Tribes have met the BIA proposal requirements to be eligible for its FY 2017 Invasive Species Program funds, and

WHEREAS, the Tribal Lands Department is soliciting funding in the amount of \$11,916 to cover a portion of the project costs for treating approximately 2,320 acres of invasive species in FY 2017, **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Lands Department is authorized to submit the Invasive Species FY 2017 funding proposal documents with any required updates or revisions to carry out the purpose of the funding request, and to integrate and implement its most recent Invasive Species work plans.

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes support the submission of the Invasive Species FY 2017 proposal documents and authorizes the Tribal Chair and his designated representative to negotiate and sign all documents and execute this contract on behalf of the Tribes.

Marlene McDanal, Natural Resources Department, requested approval to submit a grant application in the amount of \$208,000 for the Tribal Response Program.

MOTION by Carole Lankford to approve by resolution submission of a grant application in the amount of \$208,000 for the Tribal Response Program. Seconded by Shelly Fyant. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 17-048

RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION FOR A BROWNFIELD SECTION 128(a) TRIBAL RESPONSE PROGRAM FUNDING PROPOSAL TO THE USA ENVIRONMENTAL PROTECTION AGENCY OFFICE

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

WHEREAS, the Tribal Council of the Salish and Kootenai Tribes have

established a Brownfield Tribal Response Program (TRP) within the Natural Resources Department Division of Environmental Protection, which is held with the responsibility of the protection for human health and the environment on the Flathead Indian Reservation; and

WHEREAS, the Tribes Division of Environmental Protection Brownfield Tribal Response Program has been awarded a Brownfield Tribal Response Grant the past 13 years to conduct site inventory, assessments, cleanups, and oversight & enforcement, on the reservation; and

WHEREAS, the U.S. Environmental Protection Agency has recently promulgated rules for eligible Tribes to receive an EPA Brownfield Section 128(a) Tribal Response Grant to assess eligible sites;

NOW, THEREFORE, BE IT RESOLVED that the chairman of the Tribal Council and his designated representative are authorized to negotiate and execute this grant on behalf of the Tribes' Tribal Council.

Rich Janssen, Tom McDonald and **Mike Durglo**, Natural Resources Department; **Rob McDonald**, Communications; and **Rhonda Swaney**, Legal Department; discussed aquatic invasive species. They have been working on a draft press release and a draft resolution for consideration. NRD is waiting to hear back about the grant they submitted last week. An invasive species task force would be developed. They asked if council wanted to issue the press release and resolution now, or wait until a later date. **Council** directed that the edits be made and presented back this afternoon.

Tom McDonald, Natural Resources Department, gave an update on bison issues. Nez Perce members are the only tribal members taking elk. 24 elk have been harvested since last week. Some of the Nez Perce hunters were cited for shooting in the "no shooting" and safety zone and their elk were confiscated, and a verbal warning for wasting meat.

Rhonda Swaney, Legal Department, requested approval of a letter to Mr. Jason Bright, Supervisor of Criminal Records and Identification Services, Montana Department of Justice, requesting to conduct emergency child placement background checks.

MOTION by Anita Matt to approve the letter to Mr. Jason Bright, Supervisor of Criminal Records and Identification Services, Montana Department of Justice, requesting to conduct emergency child placement background checks. Seconded by Ron Trahan. Carried, unanimous (9 present – Len TwoTeeth out of the room).

Ryan Rusche, Legal Department, requested approval to renew a contract with

Mark Baker, ABS Law Firm.

MOTION by Troy Felsman to approve by resolution an attorney contract with Mark Baker, ABS Law Firm. Seconded by Leonard Gray. Carried, 9 for; 0 opposed; 1 not voting (Len TwoTeeth out of the room).

RESOLUTION 17-049

A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT ABS LEGAL

BE IT RESOLVED BY THE 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 and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

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;

WHEREAS, the ABS Legal has proposed to provide special legal services to the Tribes relative to the Tribes' water rights settlement and the Reserved Water Rights Compact;

WHEREAS, the Baker Law Firm has agreed to provide legal services according to the terms and conditions of the Attorney Contract for the period of January 1, 2017, through December 31, 2017;

NOW THEREFORE BE IT RESOLVED, the Tribal Council approves said Contract authorizes its execution by the Chairman and the Tribal Secretary.

Rhonda Swaney and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of modification 2 to the fiscal year 2017 Investment Fund Budget.

MOTION by Patty Stevens to approve by resolution modification 2 to the fiscal year 2017 Investment Fund Budget. Seconded by Ron Trahan.

Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 17-050

RESOLUTION APPROVING MODIFICATION 2 TO THE FISCAL YEAR 2017 INVESTMENT FUND BUDGET

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

WHEREAS, the budget for Land Acquisition needs to be adjusted in accordance with the funds available in the Investment Fund and to provide for Debt Retirement; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Current Budget	Increase/ (Decrease)	Revised Budget
16-511-6410	Land Acquisition	9,830,082.87	(2,434,226.94)	7,395,855.93
16-511-6440	Debt Retirement	0.00	1,604,144.07	1,604,144.07
TOTAL		0	(830,082.87)	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 Investment Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2017 Investment Fund Budget is decreased from \$10,200,082.87 to \$9,370,000.00.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of modification 1 to the fiscal year 2017 Indirect Cost Pool Budget.

MOTION by Anita Matt to approve by resolution modification 1 to the fiscal year 2017 Indirect Cost Pool Budget. Seconded by Dennis Clairmont. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 17-051

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2017 INDIRECT COST POOL BUDGET

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

WHEREAS, there is a need to increase the budget for Facilities Maintenance; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
12-506-8002	Facilities Maintenance	2,900,000	150,000	3,050,000
12-506-8008	Office of Financial Management	1,476,000	(76,000)	1,400,000
12-506-8014	General Operations	1,241,000	(74,000)	1,167,000
Total Increase/(Decrease)			0	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 Indirect Cost Pool Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2017 Indirect Cost Pool Budget remains \$10,178,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of modification 1 to the fiscal year 2017 Tribal General Fund Budget.

MOTION by Shelly Fyant to approve by resolution modification 1 to the fiscal year 2017 Tribal General Fund Budget. Seconded by Anita Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 17-052

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2017 TRIBAL GENERAL FUND BUDGET

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

WHEREAS, there is a need to increase the budget for Facilities O&M; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
02-501-6300	Facilities O&M	132,000	500,000	632,000
02-503-63xx	Tribal Bison Range	750,000	(500,000)	250,000
Total Increase/(Decrease)			0	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2017 General Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2017 General Fund Budget remains \$23,737,173; and

BE IT FURTHER RESOLVED that the ending surplus/(deficit) of the FY 2017 General Fund remains \$8,561.

Vern Clairmont, Financial Management, discussed the November 17, 2016 council minutes that approved the purchase of 5 vehicles for the initial attack program and the discussion on which vehicles would be purchased. Bob McCrea had requested that all Ford vehicles be purchased. 3 bids were received. The high bid was from Chevy; the second bid was from Ford; and the low bid was from Dodge. Vern's explanation was if council approves the program to purchase Ford vehicles, the procurement policy needs to be waived. **No action taken.** The procurement policy will be followed.

Vern Clairmont, Financial Management; and **Arlene Templer**, Department of Human Resources Development; discussed the payback agreements from the Dire Need program. Payments of \$85,000 from the dire need budget are being paid to individuals who do not qualify for assistance through Dire Need and then those people make payments on a payback agreement on an interest-free loan basis. The collections have to be appropriated back to the Dire Need program through a budget modification. Vern can present a resolution to do that on a quarterly basis. Vern recommended having a separate program for emergency assistance if council wants to provide assistance to individuals that do not meet the income guidelines. Arlene informed council that payback agreements are not authorized for federal funding. DHRD has emergency assistance funding from the Dire Need, Office of Community Services, and Temporary Aid to Needy Families (TANF) programs.

Arlene Templer, **Kaetie Thompson** and **Carmelita Matt**, Department of Human Resources Development; and **Rhonda Swaney**, Legal Department; discussed the number of cases in the Tribal Social Services program and discussed options. Social Services responded to 690 cases in fiscal year 2016 with 3-4 CPS workers. There were 152 children in foster care. 78% of those children are CSKT, and the remaining 22% are either descendants or members of other tribes. Arlene suggested reducing services to CSKT enrolled members and first generation descendants. If we continue to provide service to all federally recognized tribes and descendants, then at least 6 additional staff is needed and additional funding of approximately \$331,000 in salaries and benefits. Rhonda pointed out this change would decrease our jurisdiction, and she could not recommend relinquishing any of our jurisdiction to the county. There was discussion on same sex marriage. The Code is silent on defining who can marry. If the Tribal Code is silent, then we rely on federal law first and then state law. The discussion continued in **executive session**. **Vern**

Clairmont, Financial Management, was present for discussion.

Council reconvened into **regular session**.

MOTION by Ron Trahan to authorize Tribal Social Services to move Cynthia Rutherford from Intervention to CPS. Seconded by Troy Felsman. Carried, unanimous (9 present – Carole Lankford out of the room).

MOTION by Patty Stevens to begin the process to hire one Child Protection Services Worker and one Foster Care Worker through the end of the fiscal year. Seconded by Dennis Clairmont. Carried, unanimous (9 present – Carole Lankford out of the room).

Jim Durglo and **Duane Plant**, Tribal Forestry, requested approval of extensions of the cut and pay date without penalty to February 28, 2017 on the Jette Logging Unit contracts for Jason Nash and Rachel Michel, due to problems with the mill shutting down.

MOTION by Leonard Gray to approve by resolution modification 1 to Jason Nash's contract for the Jette 11 Logging Unit to extend the cut and pay date without penalty to February 28, 2017. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-053

RESOLUTION APPROVING MODIFICATION #1 JETTE #11 LOGGING UNIT CONTRACT NO. FC26751616

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

WHEREAS, the Purchaser has requested an extension of the Cut and Pay Date without penalty to February 28, 2017; and

BE IT THEREFORE RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves Contract Modification #1 on the Jette #11 Logging Unit.

MOTION by Patty Stevens to approve by resolution modification 1 to Rachel Michel's contract for Jette 2 Logging Unit to extend the cut and pay date without penalty to February 28, 2017. Seconded by Troy Felsman. Carried, 7 for; 1 opposed (Shelly Fyant); 1 abstention (Anita Matt); 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-054

**RESOLUTION APPROVING MODIFICATION #1 JETTE #2 LOGGING UNIT
CONTRACT NO. FC26721616**

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

WHEREAS, the Purchaser has requested an extension of the cut and pay date without penalty to February 28, 2017; and

BE IT THEREFORE RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves Contract Modification #1 on the Jette #2 Logging Unit.

Francis Cahoon, Dan Depoe and **Art Caye** discussed forestry issues and suggested options to get small loggers back to work as soon as possible. There are six elements that the CFR will allow timber harvest. It would not have to be put out for bid; it could be negotiated at fair market value. Mr. Cahoon hopes to get support on some type of definite action today to proceed forward. He wants to find specific areas that meet those six criteria. **Jim Durglo**, Tribal Forestry, was told by BIA that their position is we do not meet any of the criteria and there is no way we can get around advertisement. Forestry is having discussions with Legal and the Superintendent regarding the criteria. **Carolee Wenderoth**, Tribal Lands Department, explained that once the reach-out was made at the regional level it invited micromanagement and the Superintendent's hands are tied until this can be resolved. NEPA compliance is the other issue. **Clayton Matt**, Tribal Services, followed up on Mr. Cahoon's permit issue. There are a number of elements of the permit process that Francis had not met; that is why his permit was not processed. There were also issues with the stumpage value, and Clayton told him that only the tribal council can change the stumpage rate.

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

Renee Joachim, Personnel Department, requested to meet with council in **executive session**.

Council reconvened into **regular session**.

Rob McDonald, Communications; and **Rich Janssen**, Natural Resources Department; requested approval of the final draft press release and resolution.

MOTION by Leonard Gray to approve the resolution proclaiming an invasive species emergency. Seconded by Troy Felsman. Carried, 9 for; 0 opposed; 1 not voting (Carole Lankford out of the room).

RESOLUTION 17-055

**RESOLUTION PROCLAIMING AN INVASIVE SPECIES EMERGENCY THAT
THREATENS RESERVATION WATERS**

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

WHEREAS, invasive *Dreissenid* mussel larvae, commonly referred to as zebra and quagga mussels, have been detected in State of Montana waters; and

WHEREAS, the existence and spread of invasive *Dreissenid* mussel larvae within waters of the State of Montana pose a significant threat to the natural resources of the Flathead Indian Reservation; and

WHEREAS, Aquatic Invasive Species (AIS) comprise a grave threat to the waters and economic resources within the Flathead Indian Reservation, and the first and best line of defense is prevention of these invasive species; and

WHEREAS, if AIS are found in water bodies such introduced species are best controlled when experts respond quickly after their introduction is discovered; and

WHEREAS, the Tribal Natural Resources Department has responsibility for control, containment, and prevention of aquatic invasive species; and

WHEREAS, the coordination of a rapid response to address this issue is of utmost importance to the Flathead Indian Reservation; and

WHEREAS, initial economic impact estimates suggest the annual effect of an infestation of quagga mussels could cost in the realm of \$92 million annually; and

WHEREAS, response resources from the Tribal Water Quality Program and the Tribal Natural Resources and other agencies are currently working on management strategies; and

WHEREAS, CSKT is committed to working with existing efforts, including but not limited to the State emergency response and non-government associations engaged in protection efforts; and

WHEREAS, the Bureau of Indian Affairs (BIA) irrigation project has a vested interest in AIS prevention, and the Tribal Council respectfully requests the BIA to participate with the Incident Management Team; and

WHEREAS, under these conditions, the Natural Resources Department has the authority to direct personnel within their departments to commit time, personnel, funding and resources to meet the requirements and contingencies that may arise from this emergency; and

WHEREAS, the Tribal Council has authority to declare an invasive species emergency and take other necessary action(s) including but not limited to water closures and restricting access to Reservation water bodies and requiring watercraft inspections and disinfections; and

NOW, THEREFORE BE IT RESOLVED, the Tribal Council of the Flathead Indian Reservation does hereby declare that an invasive species emergency exists, and direct as follows:

The Tribal Natural Resources Department shall develop an Incident Management Team to manage the waters of the Reservation in response to this Invasive Species Emergency; and

All other Tribal Departments and Enterprises shall fully cooperate with the Incident Management Team.

MOTION by Troy Felsman to approve the press release for the Emergency Declaration. Seconded by Anita Matt. Carried, unanimous (9 present – Carole Lankford out of the room).

MOTION by Leonard Gray to adjourn the meeting. Seconded by Len TwoTeeth. Carried, unanimous (9 present – Carole Lankford out of the room).

Council **adjourned** at 4:54 p.m., and is scheduled to meet again on Thursday, December 29, 2016, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary