

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

Volume 18 Number 60
Council Chambers, Pablo, MT

Held: May 3, 2018
Approved: May 10, 2018

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

MEMBERS ABSENT: Troy Felsman, Secretary (S&K Technologies Awards Banquet – Billings, Montana).

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

The meeting was called to **order** at 9:04 a.m. Quorum established. **Chairman Trahan** is in a meeting at the Legal Department and will join the council meeting later this morning.

The meeting was opened with a **prayer** by James Steele, Jr.

The **Tribal Council Meeting Minutes** for April 26, 2018 were presented for approval.

MOTION by Dennis Clairmont to approve the Tribal Council Meeting Minutes for April 26, 2018, with corrections. Seconded by Anita Matt. Carried, unanimous (7 present).

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

MOTION by James Steele, Jr. to approve the agenda, with changes. Seconded by Shelly Fyant. Carried, unanimous (7 present).

John Harrison, Legal Department, introduced some of his family members and friends from Pennsylvania who are here visiting Montana: Clare Harkins, Elizabeth Harkins, Annie Dennis, and Casey McCormick. Elizabeth, Annie and Casey are nurses from Johns Hopkins University. John will be giving them a tour of the facilities. **Council** welcomed them to the reservation and commented on how grateful they are for having John on the legal staff.

Tribal Council Meeting Minutes
May 3, 2018

Anita Matt presented a request from Don Gingras for \$600 burial assistance for a descendant family member who lived in Billings. **Council** will discuss the request later today.

Anita Matt was contacted by April Charlo about the Special Olympics that will take place in Great Falls May 16-18. The organization will pay the travel costs if a tribal council member is interested in attending.

Shelly Fyant was contacted by Ashley Sorrell to seek help with purchasing a modular home for Joe Sorrell. **Carole Lankford** discussed a home that could be gifted to Joe; it would need to be relocated. **Council** suggested that Ashley meet directly with the tribal council regarding her request.

Carole Lankford wants to have a discussion on the pay for boards and committees. **Council** will discuss in further detail when time permits.

Len TwoTeeth joined the meeting.

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from Pam Carruth and Kierra Moll for a one-year revocable permit to operate Flathead Coffee Shop on Tract T-4481 in Polson. The lands committee recommended approving a one year permit at a rate of \$350 per month and require insurance. **Charmel Gillin** would like to have a sign posted on the properties are tribal land, and particularly this site.

MOTION by Anita Matt to grant Pam Carruth and Kierra Moll a one-year revocable permit to operate Flathead Coffee Shop on Tract T-4481 in Polson, at a rate of \$350 per month and require insurance. Seconded by Shelly Fyant. Carried, unanimous (8 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from Flower Gopher for a one-year revocable permit to operate Gopher Coffee on Tribal Tract T-4514 in Polson at a rate of \$350 per month and require insurance. The land committee recommended approval of the request.

MOTION by Shelly Fyant to grant Flower Gopher a one-year revocable permit to operate Gopher Coffee on Tribal Tract T-4514 in Polson at a rate of \$350 per month and require insurance. Seconded by Charmel Gillin. Carried, unanimous (8 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from Cheryl Whitaker to operate a food takeout stand on Tribal Tract T-4481 in Polson at a rate of \$350 per month and obtain the required insurance. The site was advertised and no responses were received.

MOTION by Charmel Gillin to grant Cheryl Whitaker to operate a food takeout stand on Tribal Tract T-4481 in Polson at a rate of \$350 per month and obtain the required insurance. Seconded by Anita Matt. Carried, unanimous (8 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, presented a request from Jean Marx for a one-year revocable permit to operate JJ's Dawgs on Tribal Tract 4849 in Polson at a rate of \$350 per month and obtain the required insurance.

MOTION by Charmel Gillin to grant Jean Marx a one-year revocable permit to operate JJ's Dawgs on Tribal Tract 4849 in Polson at a rate of \$350 per month and obtain the required insurance. Seconded by Carole Lankford. Carried, unanimous (8 present).

Carolee Wenderoth and **Tara Irvine**, Tribal Lands Department, discussed a piece of property located in Elmo containing .50 acres that was offered to Tribes. Charmel Gillin asked Lands for an estimate to serve the size of occupancy and have the broker do the meeting. She did not agree with the wisdom of the brokers at the elders meeting. Carolee only attends the meetings for informational purposes and it was not standard procedure of how that meeting went. There was discussion on how the process works to purchase property. Carolee explained the process. Charmel looked at a list of properties Lands provided, and the former Cash Store is still vacant. She asked if the building was more suitable for similar uses. Carolee told her that there is no building there because that property was remediated and is a vacant lot. The Trading Post building is not tribally owned.

MOTION by Len Twoteeth to show interest to negotiate on that piece of property. Seconded by James Steele, Jr. Carried, 7 for; 1 opposed (Carole Lankford).

Carolee Wenderoth, Tribal Lands Department, discussed a piece of river front fee property that was offered to the Tribes. The land committee recommended showing disinterest in the offer.

MOTION by Anita Matt to go along with the recommendation of the Land Committee and show disinterest in this property. Seconded by Dennis Clairmont. Carried, 6 for; 2 opposed (Shelly Fyant and James Steele, Jr.).

Shelly Fyant, for the record, "One parcel is river front along the Jocko River and there is infrastructure on here. I wasn't at the land committee meeting, but I believe there is infrastructure on the 20-acre parcel."

Carolee Wenderoth explained the recommendation to show disinterest by the land committee was due to no funding available in the land acquisition budget.

Chairman Trahan joined the meeting.

Carolee Wenderoth, Tribal Lands Department, discussed Allotment 2498 that was offered to the Tribes. The property is located in the Boulder area and contains 120 acres. All three landowners are willing to sell their undivided interest in the allotment. The land committee recommended showing interest in purchasing the parcel. An appraisal would need to be ordered to find out the value of the property, and a funding source would need to be identified if the council decides to make the purchase.

MOTION by James Steele, Jr. to order an appraisal on Allotment 2498. Seconded by Anita Matt. Carried, 8 for; 1 abstention (Ron Trahan).

Carolee Wenderoth, Tribal Lands Department, presented a request from William Trosper for the Tribes to show disinterest in purchasing Flathead Tract No. 4434, containing 30 acres, on North Foothills Road. Mr. Trosper has a buyer for the tract and would like to take the property out of trust status. The land committee recommended approving a letter of disinterest. **NO ACTION TAKEN; REQUEST DEEMED DENIED.**

Len TwoTeeth discussed prior action on Allotment 2498 and asked if those 3 land owners would be able to begin negotiating with someone else to purchase that allotment while we order the appraisal. **Carolee Wenderoth**, Lands Department, commented that she thought so since council did not take action to show interest in purchasing. Carolee will verify with a solicitor's opinion on whether we are waiving our first right of refusal if we do not show interest in purchasing and only order the appraisal and report back to council.

Thomas "Sonny" Lozeau wanted to discuss an issue about Housing. **Chairman Trahan** wanted to make sure that the Housing Board had the opportunity to address any complaints prior to this issue coming to the tribal council. Sonny commented that there are some conflict issues that he wants to discuss with council first that involves the Housing Authority, Child Protection Services, and Law & Order. It's about one incident. Then they could come back on Tuesday when Jason Adams is available to be present. Council told Sonny that they would not discuss anything regarding an open CPS case. Council wants Sonny to follow the proper processes in place. **Council** directed Jami Pluff to meet with Sonny to explain the process to him.

Sonny Lozeau made a comment for the record about the drug testing policy that CPS does not follow, because we have a drug testing policy that requires for pre-hire in a controlled environment, such as a hospital, instead of having CPS workers conducting UAs in people's homes, at Cenex and other locations. These are peoples' lives being affected by these unauthorized UAs in a controlled environment. It violates their constitutional rights and are doing

Tribal Council Meeting Minutes
May 3, 2018

unauthorized searches and drug testing. Council asked Sonny to provide the information to Jami Pluff and she will follow up. Len TwoTeeth requested the information in writing so council can follow up on any policies that are not being followed.

Teresa Wall McDonald, Tribal Health Department, requested approval of the proposed changes to the organizational chart that were reviewed by the Health Committee on April 27, 2018. The purpose of these changes is to stabilize the department and improve services to the clients. There are currently 236 positions within the department. 116 of those positions are exempted from the pay classification and 120 are classified positions. 29 of the identified positions are Guided Care in THIP. The proposed changes are: Position No. 1001 - Department Head. Added supervision of HIPAA/HR Coordinator, Reports/Data Admin Executive, QA Director, and Allied Health Services Division Director & Medical Director, for a total of 10 positions under her supervision. Removed Communications Director. Position No. 1006 - Health/Prevention Executive Director. Title change from Operations Policy & Planning & Planning Director and supervises Nursing Division Director, Pharmacy Division Director, Dental Division Director, Health & Wellness Division Director, and THIP. Position No. 1007 - HIPAA/HR Coordinator. Supervisor changes from Operations Policy & Planning Director to Department Head. Position No. 1008 - Reports/Data Admin Executive. Supervisor changes from Operations Policy & Planning Director to Department Head. Position No. 1065 - QA Director. Title change from QA Division Director and supervisor changes from Operations Policy & Planning Director to Department Head. Position No. 1019 - Allied Health Services Division Director. Supervisor changes from Operations Policy & Planning Director to Department Head. Added supervision of the entire Behavioral Health Division, CACI, CACII. Removed supervision of the 3 Physical Therapy positions who will move under the Medical Director. Position No. 1153 - IT/Network Manager. Added supervision of 2 Guided Care IT Tech Support boxes. Removed supervision of the Help Desk. Position No. 3008 - Guided Care IT Tech Support. New position that is grant funded. Position No. 3009 - Guided Care IT Tech Support. New position that is grant funded. Position No. 1152 - IT Admin Assistant/RPMS Manager. Supervises Help Desk. Position No. 1156 - Help Desk. Supervisor changes from IT Network Manager to IT Admin Assistant/RPMS Manager. Position No. 1178 - Facilities Support Admin Assistant. New position. Requested 05/03/18 due to the number of facilities. Position No. 1132 - Revenue/Resource Division Manager. Supervises Lead Patient Account Representative, and no longer supervises 3 Patient Account Representatives. Position No. 1136 - Lead Patient Accounts Representative. Title change from Accounts Receivable Tech. Added supervision of 1 Guided Care Patients Account Representative and 3 Patient Accounts Representatives. Position No. 3004 - Guided Care Patient Account Representative. New position - THIP Grant. Position No. 1133 - Patient Account Representative. Supervisor

Tribal Council Meeting Minutes
May 3, 2018

changed from Revenue/Resource Division Manager to Lead Patient Account Representative. Position No. 1134 - Patient Account Representative. Supervisor changed from Revenue/Resource Division Manager to Lead Patient Account Representative. Position No. 1135 - Patient Account Representative. Supervisor changed from Revenue/Resource Division Manager to Lead Patient Account Representative. Position No. 1137 - Certified Medical Coder Manager. Deleted 1 Certified Medical Coder which was vacant and not filled. Position No. 1165 - Paid Healthcare Division Manager. No longer supervises 4 Patient Account Representatives, and supervises new Lead Paid Healthcare Patient Account Representative. Position No. 1169 - Lead Paid Healthcare Patient Account Representative. Added supervision of 3 Paid Healthcare Representatives and 1 new Guided Care Paid Healthcare Patient Account Representative (prior council action). Position No. 1166 - Paid Healthcare Patient Account Representative. Supervisor changed to the Lead Paid Healthcare Patient Account Representative from the Paid Healthcare Division Manager. Position No. 1167 - Paid Healthcare Patient Account Representative. Supervisor changed to the Lead Paid Healthcare Patient Account Representative from the Paid Healthcare Division Manager. Position No. 1168 - Paid Healthcare Patient Account Representative. Supervisor changed to the Lead Paid Healthcare Patient Account Representative from the Paid Healthcare Division Manager. Position No. 3007 - Guided Care Healthcare Patient Account Representative. New position funded by two-year THIP grant. Position No. 1127 - Finance Division Manager. Added supervision of 1 Guided Care Accounts Payable/Accounts Receivable/Bookkeeping/Payroll. Position No. 3006 - Guided Care AP/AR Bookkeeping/Payroll. New position funded from THIP grant. Position No. 1128 - AP/AR Bookkeeper/Payroll. Title change from Payroll Technician. Position No. 1129 - Financial Services Officer. Added supervision of 1 Guided Care AP/AR Bookkeeper. Position No. 3005 - Guided Care AP/AR Bookkeeper. New position authorized by prior action. Position No. 1157 - Healthcare Resources Division Manager. Deleted Insurance Specialist box and added supervision of Guided Care Switchboard Operator. Position funded by THIP grant. Position No. 1164 - Lead Registration Scheduling Specialist. Retitled position that now supervises 2 Registration Scheduling Specialist positions. Position No. 1163 - Registration Scheduling Specialist. Supervisor changed from Healthcare Resources Program Manager to Lead Registration Scheduling Specialist. Title changed from Patient Registration Specialist. Position No. 1161 - Registration Scheduling Specialist. Supervisor changed from Healthcare Resources Program Manager to Lead Registration Scheduling Specialist. Title changed from Patient Registration Specialist. Position No. 1162 - Lead Registration Scheduling Specialist. Retitled position that now supervises 2 Registration Scheduling Specialists. Position No. 1173 - Registration Scheduling Specialist. Supervisor changed from Healthcare Resources Program Manager to Lead Registration Scheduling Specialist. Title changed from Patient Registration Specialist. Position No. 1172 - Registration Scheduling Specialist. Supervisor changed from Healthcare Resources

Tribal Council Meeting Minutes
May 3, 2018

Program Manager to Lead Registration Scheduling Specialist. Title changed from Patient Registration Specialist. Position No. 3010 – Guided Care Switchboard Operator. New position funded by THIP grant. Position No. 3011 – Guided Care Resource Coordinator. New position funded by THIP grant. Position No. 1009 – Medical Director. Added supervision of Medical Clinician/Clinic Nurse Manager. Position No. 1011 – Medical Clinician/Clinic Nurse Manager. Title change from Medical Clinician. Added supervision of Care Coordinators (M) and (P), all Clinic R.N.'s, Clinic R.N. (SKC), Senior Clinic Nurse (A). Position No. 1053 - Care Coordinator (M). Supervisor changed from Nursing Division Manager to Medical Clinician/Clinic Nurse Manager. Position No. 1038 - All Clinics R.N. Supervisor changes from Nursing Division Director to Medical Clinician/Clinic Nurse Manager. Position No. 1023 – PT Program Manager. Supervisor changes from Allied Health Services Division Director to Medical Director. Position No. 1042 – Care Coordinator (P). Supervisor changes from Nursing Division Director to Medical Clinician/Clinic Nurse Manager. Position No. 1063 – Clinic R.N. (SKC). Supervisor changes from Nursing Division Director to Medical Clinician/Clinic Nurse Manager. Position No. 1061 – Senior Clinic R.N. (A). Supervisor changed from Community Health R.N. (A) to Medical Clinician/Clinic Nurse Manager. Position No. 1062 – Office Manager (A). Supervisor changed from Community Health R.N. (A) to Senior Clinic Nurse (A). Position No. 2014 - Lead Fitness Specialist. Added supervision of 3 new Fitness Specialists. Position No. 2004 – Diabetes Program Coordinator. Title change from Diabetes Case Manager to Coordinator because grant related requirements of diabetes grant. Position No. 1018 – Clinical Pharmacist – Supervisor changed from Medical Director to Pharmacy Division Director. Position No. 1176 – Pharmacy Tech (P). New position (DOJ related). Position No. 1177 – Pharmacy Tech (P). New position (DOJ related). Position No. 1175 – Pharmacy Clerk (P). New position (DOJ related). Position No. 1109 – Behavioral Health Division Director – Supervisor changed from the Operations Policy & Planning Director to the Allied Health Services Division Director who will report to the Department Head. Position No. 1028 – Medical Records Manager – Title clarification from Health Information Manager due to similar EPIC related titles. Position No. 1155 – Clinical Applications Coordinator I. Supervisor changed from Data/IT Division Manager to Allied Health Services Division Director (EPIC related). Position No. 1154 – Clinical Applications Coordinator II. Supervisor changes from Data/IT Division Manager to Allied Health Services Division Director (EPIC related). Position No. 1034 – Nursing Division Director. Removed supervision of the Senior Clinic R.N. (A), Office Manager (A), Care Coordinator (M), Clinic R.N. (M), Medical Assistant (M), X-Ray Tech (M), Office Manager (M), Care Coordinator (P), Clinic R.N. (P), Clinic R.N. (P), X-Ray Tech (P), Office Manager (P), Clinic R.N. (SKC), Office Manager SKC). Added supervision of Guided Care Program Manager and Guided Care R.N. (Pablo). Position No. 3028 – Guided Care Program Manager – New position. THIP grant. Position No. 3025 – Guided Care Registered Dietician. New position. THIP grant. Position No. 3026 – Guided Care Social

Tribal Council Meeting Minutes
May 3, 2018

Advocate. New position. THIP grant. Position No. 3027 - Guided Care Social Advocate. New position. THIP grant. Position No. 3023 - Guided Care Referral Coordinator. New position. THIP grant. Position No. 3024 - Guided Care Referral Coordinator. New position. THIP grant. Position No. 3022 - Guided Care Referral Coordinator. New position. THIP grant. Position No. 3021 - Guided Care R.N. (Pablo). New position. THIP grant. Position No. 3029 - Guided Care CHR (Pablo). New position. THIP grant. Position No. 1060 - Community Health R.N. (A). Removed supervision of Senior Clinic R.N., Office Manager. Added supervision of Guided Care R.N., Guided Care Community Advocate, and Guided Care Office Manager. Position No. 3012 - Guided Care R.N. (A). New position. Position No. 3013 - Guided Care Community Advocate (A). New position. Position No. 3014 - Guided Care Office Manager (A). New position. Position No. 1047 - Community Health R.N. (P). Added supervision of Guided Care R.N., Guided Care Community Advocate, Guided Care Office Manager. Position No. 3018 - Guided Care Community Advocate (P). New position. Position No. 3019 - Guided Care Office Manager (P). New position. Position No. 1058 - Community Health R.N. (M). Added supervision of Guided Care CHR, Guided Care R.N., and Guided Care Community Advocate. Position No. 3015 - Guided Care CHR (M) - New position. Position No. 3016 - Guided Care R.N. (M). New position. Position No. 3017 - Guided Care Community Advocate (M). New position. Position No. 1049 - Community Health R.N. (R). Added supervision of Guided Care R.N. Position No. 1036 - Community Health R.N. (E-HS). Added supervision of Guided Care R.N. and Guided Care Community Advocate. Position No. 3020 - Guided Care Community Advocate (E-HS). New position.

MOTION by James Steele, Jr. to approve the revised organizational chart for the Tribal Health Department. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Charmel Gillin, for the record, "I agree with approving the changes, especially in consideration that you would like to come back in 6 months to see if this works, and we want to give you the opportunity to show us how you can make things work at Tribal Health."

Teresa Wall McDonald, Tribal Health Department, informed council that she will broaden the advertisement of the Medical Director position. Minimum productivity standards were identified for the job. Teresa requested authorization to appoint Amy Johnson as the Interim Medical Director until the vacancy is filled. **James Steele, Jr.** asked Teresa to remind the staff of the confidentiality policy. James would like to be notified of the next HIPAA training so he can attend. Council used to require walk-ins to sign a release of information when they discussed personal matters, such as their health care.

MOTION by James Steele, Jr. to approve the hire of Amy Johnson

as the Interim Medical Director. Seconded by Anita Matt. Carried, unanimous (8 present – Len TwoTeeth out of the room).

Teresa Wall McDonald, Tribal Health Department, requested approval of a three-year contract with Dr. Tanner Diggs to fill the St. Ignatius Clinic Dental Clinic Division Manager position. Minimum productivity standards were instituted for the position. The vacancy was advertised, and there were no qualified tribal member applicants. Teresa is establishing a baseline. If doctors work 10 hour a days they need to see a minimum of 10 clients. If they work 8 hours a day they are required to see at least 8 patients. Those minimum productivity standards get moved to the performance evaluation tool so those numbers are on there as a standard. If they meet the minimum standards they would receive a satisfactory score on their evaluation for that standard. She is trying to improve productivity to provide efficient services to the customers. **James Steele, Jr.** commented that in the past some medical providers would only see one or two patients a day. He is happy she is improving access to services. Teresa wants to do walk ins from 7:30 a.m. to 9:00 a.m. for medical and dental care, and she wants to educate people on that and provide better access to care. **Shelly Fyant** wants to provide people with a patient satisfaction survey. Teresa has a survey now, and on April 26, she had 100 of those mailed out. She wants to mail out 100 surveys a quarter to the clients who have been to the clinics. The front desk will also hand out those surveys, and they will be available on website and Facebook. This model will be evaluated and she will take into consideration the patient feedback. Teresa wants to change the Pablo Clinic to have services provided to TERS students and staff, Pablo residents, and tribal employees.

MOTION by Anita Matt to approve a three-year contract with Dr. Tanner Diggs to fill the Dental Clinic Division Manager position at the stated rate of pay. Seconded by Leonard Gray. Carried, unanimous (8 present – Len TwoTeeth out of the room).

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

Dan Lozar, Natural Resources Department, gave an update on construction projects consisting of the upcoming major chip seal projects, the safety projects in 2018, and the major highway reconstruction projects on and off the reservation. **Charmel Gillin** brought up concerns she has received regarding Indian preference. Dan reported that the department informs the Indian Preference Office of all projects.

Dan Lozar, Natural Resources Department, provided information on the Crow Dam lower spillway replacement project. A risk analysis was done on doing the project at this time. There is a major fill restriction on that spillway. The runoff has not peaked and the snow pack is high. They are working closely with the

Irrigation Project and are decreasing any risks.

Dan Lozar, Natural Resources Department, requested approval of modification 1 to Contractor Agreement No. 18-03 with Stone Ridge Construction to construct the South Fork Valley Creek and Valley Creek Bridge replacement projects to increase the not-to-exceed amount by \$9,500.

MOTION by Shelly Fyant to approve modification 1 to Contractor Agreement No. 18-03 with Stone Ridge Construction to construct the South Fork Valley Creek and Valley Creek Bridge replacement projects. Seconded by Carole Lankford. Carried, unanimous (9 present).

Brian Upton, Legal Department, informed council of next week's meetings regarding the National Bison Range, comprehensive conservation plan, EIS, and assessment. May 9 is an open house at the Lost Trail Refuge and they will accept public comments. On Thursday, May 11, at Leon Hall, from 5-8 p.m., they will hold a public meeting. In Kalispell, on May 10 at the MFWP Office, there is a meeting. On Friday there is an open house at the Bison Range Headquarters all day.

Jordan Thompson, Legal Department, discussed the boat check stations and requested approval of an amendment to the Traffic Code. Jordan will work with Rob to get a notice of this amendment published in the Char-Koosta News.

MOTION by Shelly Fyant to approve Amendment 36 to the Law and Order Code 103-A. Seconded by Charmel Gillin. Carried, 9 for; 0 opposed; 0 not voting.

ORDINANCE 103-A, AMENDMENT 36

BE IT ENACTED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT AMENDMENT NO. 36 SHALL AMEND ORDINANCE 103A AS FOLLOWS:

TITLE II CHAPTER 1 – TRIBAL OFFENSES Part 13 – Traffic Violations

2-1-1301. Violation of Montana traffic laws.

Add subsection 1(c) as follows:

(c) Sections 80-7-1003, 1010, 1011, 1012, 1014, 1015, and 1019

Jordan Thompson, Legal Department, discussed the proposed Cultural Waterways Ordinance. Regulation and management plans need to be developed. He thought it would be good for council to inform the people at the River Honoring event that council is working on an ordinance to protect the rivers on the reservation. Those regulations and management plans would probably take up to a year to develop. The Yale Law Students are working on this and one of the students received a fellowship, so she will be working here next year and can continue to work on this ordinance.

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

Ruth Swaney, Financial Management, met with council in **executive session**.

Council reconvened into **regular session**.

Governor Steve Bullock; Lesa Evars, Tribal Relations Manager for Montana Public Health and Human Services; **Tom Lopatch**, Governor's Chief of Staff; **Raphe Graybill**, Chief Counsel; **Patrick Holmes**, Natural Resources Department Policy Advisor; **Redge Michael**, Department of Corrections Director; **Jim Williams**, Montana Fish, Wildlife & Parks Regional Supervisor; **Craig McClure**, Lake County Democrats; **Nicholas Gochese**, Attorney for Montana Department of Revenue; **Shane Stack**, Montana Department of Transportation; **Ed Toavs**, Montana Department of Transportation Administrator; Siri Smilie, Governor's Advisor on Education; **Jason Smith**, Office of Indian Affairs; **Rhonda Swaney, Ryan Rusche, Daniel Decker**, and **Jordan Thompson**, Tribal Legal Department; met with the council to discuss tribal issues. **Ryan Rusche** discussed the water compact. **Governor Bullock** informed council that the budget will be done in November. **Daniel Decker** discussed the Ronan Urban project. The Ronan District is the largest tribal member voting district on the reservation. He would like an agreement made so the highway project can get done. **Chairman Trahan** discussed Post Creek Hill. **Ed Toavs** reported that they are working through challenges in that area. It is a priority to get that project constructed as quickly as possible. Chairman Trahan also discussed the need to have a bike path. Ed reported that MDT is looking at having wildlife fencing in the St. Ignatius area. **Len TwoTeeth** brought up concerns about how the Tribes were told how the highway funds were supposed to be spent by the Tribes by replacing health care services; he thinks how the Tribes replace those services is up to the Tribes and we should not be told how we can spend the money. One of our elders was instrumental in the comment period of the water compact and acknowledged our rights as indigenous people and also language preservation. Len requested that the Governor's Office reach out to Pat Pierre's family since he passed away this week. **Governor Bullock** expressed his condolences for the loss of Pat and will reach out to the family. Len discussed inspection sites trying to defend perimeter fences around the lake. He wants a boat inspection site developed in

Elmo. It is one of the main highways that comes in from the west. Len has a budget proposal he wants the Governor to consider.

Anita Matt left the meeting on personal time off for the remainder of the day.

Germaine White, Natural Resources Department, discussed aquatic invasive species and the boat inspection sites. There are some people doing drive-bys instead of stopping for an inspection. We have a robust education program and enforcement of the stations. Having check stations is critical to the protection of the lake and waterbodies.

Chairman Trahan brought up the importance of health care. **Governor Bullock** discussed the Medicaid Expansion. An additional 93,000 Montanans were provided coverage through Medicaid Expansion. The cuts in the legislative session impacted people and continue to impact people. He is hopeful the next legislation they will underscore the revenue impacts. There have been staff cuts since he has been in office due to budget cuts.

James Steele, Jr. raised concern about there only being one representative for Native Americans on the Gaming Advisory Council and the gaming industry has three representatives. The Tribes and State have not always had a good relationship, especially with gaming, hunting and fishing. There is an economic impact to the Tribes. Every major company has a contract with Energy Keepers, so CSKT touches every part of the state directly or indirectly. That is often unseen and people forget that. The Tribes have issues with the Lake County Commissioners. **Governor Bullock** encouraged the council to have a discussion with Attorney General Fox about the council's concerns on gaming.

Shelly Fyant appreciates the shared use bike path in Arlee; it gets a lot of use and increases the health and wellbeing of our people. Shelly worked with the team on the TIGER grant, but the grant was not successful this year. The path could bring more economic opportunity in our community. She discussed health disparity, and a lot of those are due to diet and nutrition. We are on the Native Farm Bill Coalition for our most vulnerable people. Shelly asked what the State is doing to lobby for the Farm Bill. **Patrick Holmes** sent a letter to the Montana delegation regarding nutrition, the Farm Bill and the role they play in the state, and priorities for the Farm Bill. Shelly thanked the governor for appointing her to the State-Tribal Economic Development Commission. She discussed the Bureau of Indian Education funding for Two Eagle River School. We have 400 native students at Two Eagle River School and Northern Cheyenne School that are served by BIE schools. We are BIE funded and drafted a conservative bill to ask for state funding for the school to get parity. In that request, we asked for the lowest pots of money that state schools get, and we were unsuccessful with that. We want a cooperative agreement to

achieve parity for our school. **Governor Bullock** commented that he appointed Carole Lankford to the Equal Work for Equal Pay Commission, and that commission works to take care of gender disparity. They work with the Department of Commerce to make sure there is a specific voice and focus on our Indian nations. He is willing to look at any education bill. It becomes a challenge and he understands the frustration with BIE funding. It's trying to figure out how to do this with a school that is outside local boards for education.

Carole Lankford thanked the governor for appointing her to the Equal Work for Equal Pay Commission. **Governor Bullock** said that the Indian Affairs Committee was formed to better the relationships.

Arlene Templer, Department of Human Resources Development, thanked the governor for appointing her to the Child Abuse and Neglect Commission. Arlene also serves on the Voc-Rehab Council. Arlene discussed the number of SNAPS providers and wanted to know why we were excluded from that. She asked him to follow up and keep us in mind. **Governor Bullock** will follow up.

Charmel Gillin welcomed the governor and thanked him for the nomination of designation of opportunity zoning. Given the property values around the lake we could not put Elmo in that designation. She also thanked him for all the support he has given to the people suffering from flooding in the state of Montana. The Tribes are concerned with the Smurfit Stone area and the waters of the Clark Fork. She thanked him for everything he does for tribal people in the state. **Governor Bullock** commented that the threat of flooding is very real. He received a briefing yesterday and we may have go to moderate level.

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

Martin Charlo and **Arlene Bigby**, Kicking Horse Job Corps Center; and **Vern Clairmont**, Financial Management; gave an update on KHJCC issues and the call with Victoria Collins for follow-up matters that need to be taken care. Victoria sent an email to Chairman Trahan. There was a meeting with Sovereign Leasing & Finance yesterday. The center is finalizing everything that needs to be submitted. The forms that were missing will be put in place. The Accreditation Review Team was at the center, and it was a good visit. Vern gave report on the meeting with SLF attempting to come to an agreement on the amount of payments for capital leases that were reimbursed by the DOL so that issue can be finalized. The 7 or 8 leases identified are only part of the capital leases that were involved during FY 2017. Some of the leases go back to 2006. Some of the leases were paid off prior to 2017 but some payments were made in 2017. Some of them go beyond July 1, 2017, so we have not received any payments by the DOL because the invoices submitted were

Tribal Council Meeting Minutes
May 3, 2018

denied. Prior to July 1, 2017 there were some other lease payments that were identified. From 2006 through 2017, that \$53,000 to pay back to the federal government is considerably larger than that, and are probably in excess of \$200,000 that we will have to pay back. He is not sure we can offer the \$53,000 at this point. The auditors are still waiting for documentation on lease amounts and invoices. Vern tried to match up the report from SLF and that has been a challenge because it does not include all the fees and amounts. So Vern needs to get that information. Some of the capital leases are indicated as loans.

Craig Couture, Law & Order, requested to meet with council in **executive session**.

Council met in **executive session**.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to adjourn the meeting. Seconded by Shelly Fyant. Carried, unanimous (7 present - James Steele, Jr. and Len TwoTeeth out of the room).

Council **adjourned** at 4:55 p.m., and is scheduled to meet again on Tuesday, May 8, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary