

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

Volume 20 Number 42  
Council Chambers, Pablo, MT

Held: March 3, 2020  
Approved: March 17, 2020

**MEMBERS PRESENT:** Shelly Fyant, Chairwoman; Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; James “Bing” Matt; Fred Matt; Mike Dolson; Charmel Gillin; and Len TwoTeeth.

**MEMBERS ABSENT:** Carole Lankford.

**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 9:01 a.m. Quorum established.

The meeting was opened with a **prayer** by Mike Dolson.

The **Tribal Council Meeting Minutes** for February 25, 2020 were presented for approval.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for February 25, 2020, with corrections. Seconded by Fred Matt. Carried, 8 for; 1 abstention (Ellie Bundy McLeod).

The **agenda** was presented for approval.

**MOTION** by Charmel Gillin to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Tara Irvine**, Tribal Lands Department, requested a change of duty for tribal employees to attend language class from eleven to twelve on Tuesdays and Thursdays. Tara will compile a list of employees and track who attends and send that information to the timekeepers. **No action taken.** **Chairwoman Fyant** told her that the council needs the specific names. **Charmel Gillin** suggested looking at Ordinance 69-C and get a recommendation from John Carter. It may be educational leave rather than a change of duty.

**Thomas “Sonny” Lozeau, Jr.**, Tribal Member, informed council that he believes the 1973 amendments to the constitution (5 and 6) are invalid and why the

Tribal Council Meeting Minutes  
March 3, 2020

elections since that time were done illegally since voters must be at least 21 years of age and reside on the reservation for at least one year prior to the election. That would make any elections that have taken place since 1973 invalid and that is voter fraud. Sonny let the new superintendent know that he is drafting a letter to address these issues. **Dan Decker**, Legal Department, advised that legal would look into this issue and report back to council.

**Monica Tranel**, Public Service Commission District 4 Candidate, introduced herself to the council. She discussed her background and the importance of climate change. Mission Valley Power is in District 4 and has the lowest energy rates in the nation. Monica has been a staff attorney for the Public Service Commission. The energy transition in Montana is underway and we all need to work together in this new energy world.

**Ken Clairmont**, Probation Office, requested approval of a revised organizational chart. The Youth Clerk positions will no longer maintain the youth files so those duties are no longer included in their position descriptions. Rene Wildcat's new position will be Administrative Assistant. Bernie Atwin's new position will be Receptionist. There will be no change in the rates of pay.

**MOTION** by Fred Matt to approve the revised organizational chart for the Probation Office. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

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

**Mike Durglo**, Preservation Office; **Tom McDonald**, **Willie Keenan** and **Dan Lozar**, Natural Resources Department; discussed cultural impacts language in a comment letter to the Council on Environmental Quality opposing amendments to the federal NEPA Act. Mike will submit a separate comment letter. March 10 is the deadline to submit comments on the proposed changes.

**MOTION** by Anita Matt to approve the comment letter to the Council on Environmental Quality regarding the proposed changes to the federal NEPA Act. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

**Tom McDonald**, Natural Resources Department, requested approval of an IBMP facilitator contract with Scott Bischke, Mountain Works, Inc. A contract is required annually.

**MOTION** by Len TwoTeeth to approve the IBMP facilitator contract with Scott Bischke, Mountain Works, Inc. Seconded by Martin Charlo. Carried, unanimous (9 present).

**Tom McDonald**, Natural Resources Department, informed council that trap operations are underway and there are six animals in the trap. There are some tribes that are still hunting. Some of the animals were wounded and went into the park. The department puts out the information to the public each year. CSKT has harvested the most bison to date.

**Patricia Courchane** and **Kelly Parker**, Department of Human Resources Development, requested approval to hire Erika Koskela on a one-year contract as a personal home caregiver for Terry Tanner. **Len TwoTeeth** questioned why the contract provides for employee benefits, such as PTO and bereavement leave. Patricia advised that is how all the caregiver contracts are written. **Melanie Piedalue**, Personnel Department, commented that the benefits are negotiated and those have not been questioned by the Personnel Department. **Charmel Gillin** questioned the caregiver being out of service when they are hired to provide a medically needed service and how care is provided when they are on leave.

**MOTION** by Len TwoTeeth to approve the hire of Erika Koskela on a one-year contract as a personal home caregiver for Terry Tanner. Seconded by Bing Matt. Carried, 7 for; 1 opposed (Ellie Bundy McLeod); 1 not voting (Shelly Fyant out of the room).

**Rick Eneas** and **Ruth Swaney**, Financial Management Office, requested approval of modification 2 to the fiscal year 2020 Dedicated Trust Fund Budget. It is necessary to increase the budget for the Kootenai Language Conference expense.

**MOTION** by Len TwoTeeth to approve by resolution modification 2 to the Dedicated Trust Fund Budget. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 1 not voting (Shelly Fyant out of the room).

### **RESOLUTION 20-073**

#### **RESOLUTION APPROVING MODIFICATION 2 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 increase the budget for language conference expense; and

**WHEREAS**, the budget will be allocated as follows:

Tribal Council Meeting Minutes  
 March 3, 2020

Programs, Functions, Services, and Activities	Budget Account	Current FY 2020 Budget	Increase/ (Decrease)	Revised FY 2020 Budget
Kootenai Language Conference	20-504-6xxx	0	5,000	5,000
Total			5,000	

**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 increases the total FY 2020 Dedicated Trust Fund Budget from \$2,113,350 to \$2,118,350.

**Rick Eneas** and **Ruth Swaney**, Financial Management Office, requested approval of modification 4 to the fiscal year 2020 Indian Health Service Self-Governance Compact Budget. The Indian Health Service has awarded funding for Dental Prevention and it needs to be allocated to the budget; and Modification 3 (Resolution 20-068) erroneously allocated budgets for Sanitation Facilities Construction projects that are not Title V agreements, and therefore, the projects should not be included in the IHS Self-Governance Compact Budget and should be administered by Contracts & Grants.

**MOTION** by Ellie Bundy McLeod to approve by resolution modification 4 to the fiscal year 2020 Indian Health Service Self-Governance Compact Budget. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 1 not voting (Shelly Fyant out of the room).

**RESOLUTION 20-074**

**RESOLUTION APPROVING MODIFICATION 4 TO THE FISCAL YEAR 2020 IHS SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, the Indian Health Service has awarded funding for Dental Prevention and it needs to be allocated to the budget; and

**WHEREAS**, Modification 3 (Resolution 20-068) erroneously allocated budgets for Sanitation Facilities Construction projects that are not Title V agreements, and therefore, the projects should not be included in the IHS Self-Governance Compact Budget and should be administered by Contracts & Grants; and

**WHEREAS**, the budget will be allocated as follows:

Programs, Functions, Services, and Activities	Budget Account	FY 2020 Current Budget	Increase/ (Decrease)	Revised FY 2020 Budget Authority
BI-19-N90 Houle Villa Fe/Mn Reduction	11-501-4172	78,000	(78,000)	0
BI-19-N93 Woodcock Wastewater Treatment	11-501-4173	622,000	(622,000)	0
BI-19-N96 Pache Lagoon Upgrade	11-501-4174	448,000.00	(448,000)	0
Dental Prevention	11-502-4117	237,751.13	75,000	312,751.13
Total Increase/(Decrease)			(1,073,000)	

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2020 IHS Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the FY 2020 IHS Self-Governance Compact Budget is decreased from \$29,819,362.87 to \$28,746,362.87; and

**BE IT FURTHER RESOLVED** that prior years' unexpended funds, in addition to Third Party Revenues, are available to appropriate for budget expenditures pending final obligation of FY 2020 funds.

**Rick Eneas** and **Ruth Swaney**, Financial Management Office, requested approval of modification 1 to the fiscal year 2020 Tribal General Fund Budget. There is a need to allocate a budget for CSKT License Plate Scholarships and Local Revenues are available to appropriate for that purpose. The license plates are not going to be renewed because there were fewer than 400 license plates purchased. It is being appealed.

**MOTION** by Martin Charlo to approve by resolution modification 1 to the fiscal year 2020 Tribal General Fund Budget. Seconded by Mike Dolson. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-075**

**RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2020 TRIBAL GENERAL FUND BUDGET**

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

**WHEREAS**, there is a need to allocate a budget for CSKT License Plate Scholarships and Local Revenues are available to appropriate for that purpose; and

**WHEREAS**, the budget will be allocated as follows:

Account	Program Description	Current Budget Authority	Increase/ (Decrease)	Revised Budget Authority
02-505-6706	CSKT License Plate Scholarships	0	7,000	7,000
Total Increase/(Decrease)			7,000	

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

**BE IT FURTHER RESOLVED** that the total FY 2020 General Fund Budget is increased from \$27,715,237 to \$27,722,237; and

**BE IT FURTHER RESOLVED** that the total budget reflected in Resolution 19-194 had a numerical error and such budget total is corrected by this Resolution; and

**BE IT FURTHER RESOLVED** that the ending surplus/(deficit) of the FY 2020 General Fund remains 0.

**Rick Eneas** and **Ruth Swaney**, Financial Management Office, requested approval of a resolution designating signature authority for the Office of Special Trustee.

**MOTION** by Anita Matt to approve by resolution the designation of signature authority for the Office of Special Trustee. Seconded by Ellie Bundy McLeod. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-076**

**RESOLUTION AUTHORIZING TRIBAL OFFICIALS TO INITIATE DISBURSEMENTS, ELECTION AND TERM INFORMATION.**

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

**WHEREAS**, the following individuals are recognized by Tribal Council resolution to conduct business with the Office of the Special Trustee for American Indians:

Tribal Officials Authorized to Initiate Tribal Disbursements:

Rick Eneas	Director of Financial Management
Clayton Matt	Director of Tribal Services
Zachary Conko Camel	Accounting Manager
Violet F. Trahan	AP & AR Manager

Tribal Officials Authorized to Provide Investment Instructions:

Rick Eneas	Director of Financial Management
Zachary Conko Camel	Accounting Manager
John Whitworth	Cash Flow Manager

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes that the individuals listed above are authorized to initiate or provide direction on Tribal business with the Office of the Special Trustee for American Indians:

**BE IT FURTHER RESOLVED** that this resolution shall continue forth in the Certification of the individuals list in the resolution, until written notice to the contrary is duly served to the Office of the Special Trustee for American Indians in the form of a Tribal resolution.

**Rick Eneas** and **Ruth Swaney**, Financial Management Office, presented the quarterly financial report. **Chairwoman Fyant** requested a report on whether the permit sales were affected by the price increase. **Len TwoTeeth** would like the local youth groups to receive an annual donation from the Tribes.

**MOTION** by Charmel Gillin to accept the first quarter financial report. Seconded by Fred Matt. Carried, unanimous (9 present).

**Dan Decker**, Legal Department, reminded council of the Big Arm hearing next Tuesday at 9:30 a.m. in Missoula.

**Dan Decker** and **Stu Levit**, Legal Department, gave an update on the BiOp litigation. The draft environmental impact statement went public last week. There is a meeting set for March 26 in Kalispell. Down river interests pose a threat. Stu will return at a later date to provide a briefing and make recommendations on how to proceed.

**Dan Decker**, **Brian Upton** and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

**Waylen Denny**, BIA Superintendent; and **Brian Mercier**, Regional Director; met with council to introduce Brian, who is visiting CSKT this week. Mr. Mercier provided an overview of his background and experience. Mr. Mercier informed council that there is one confirmed case of the coronavirus at the Umatilla Tribe. He encouraged the CSKT to be proactive in preventing this disease from spreading and providing public education on the importance of good hygiene. The Emergency Planning Team in DC is working on this issue. **Chairwoman Fyant** advised that a press release will go out in tomorrow's newspaper. The Tribal Health Department is prepared. The tribal council has canceled all travel plans due to the coronavirus. **Len TwoTeeth** informed him that the Big Arm right of way case will go to court next week. **Mr. Mercier** commented that based on the outcome of the case, he would coordinate with the Solicitor's Office and Department of Justice to take a position on an appeal. He has to wait to see how it turns out first. Mr. Denny plans on attending the court hearing. **Chairwoman Fyant** told them that the small loggers have not been put back to work since the BIA review was done on the Tribal Forestry program. She would like to know how to change the CFR. She invited Mr. Denny to attend next Tuesday's meeting. We asked Fred Matt to bring up the issue to the Inter-Tribal Timber Council. **Mr. Mercier** commented that we need to figure out how to fix that. They have a trust obligation to the assets on these lands. It would be a rulemaking process and would include a federal register notice to establish new regulations. We would need to demonstrate the need for the changes.

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

**Len TwoTeeth** left the meeting for the remainder of the day.

**Michelle Mitchell**, **Patricia Nomee Songers**, **Miranda Burland**, **Alisha McDonald**, Tribal Education Department; **Marie Torosian**, **Agnes Incashola** and **Loushie Charlo**, The People's Center; provided orientation on the Education Department.

**Miranda Burland** asked if council appointed a representative to the Washington State University Native American Advisory Board. **Anita Matt** told her that council discussed it and decided it would be more beneficial to have someone from the TED serve on that board.

**MOTION** by Fred Matt to adjourn the meeting.



Tribal Council Meeting Minutes  
March 3, 2020

Council **adjourned** at 3:25 p.m., and is scheduled to meet again on Thursday, March 5, 2020, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

---

Ellie Bundy McLeod  
Tribal Secretary