

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

Volume 19 Number 86
Council Chambers, Pablo, MT

Held: September 24, 2019
Approved: October 10, 2019

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

MEMBERS ABSENT: Shelly Fyant, Secretary (Crown of the Continent – Kwataqnuq Resort – Polson, Montana); and Charmel Gillin (Personal Time Off).

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

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

The meeting was opened with a **prayer** by Carole Lankford.

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

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Fred Matt. Carried, unanimous (8 present).

David Spear and **Two Eagle River School Students** let council know about their New Mexico trip and thanked council for the donation.

Art McNair, Tribal Member, requested approval for his nontribal member son, Thomas McNair, assist him with hunting this year for 30 days (September 24, 2019 – October 23, 2019).

MOTION by Myrna DuMontier to approve Thomas McNair to assist Art McNair with hunting this year for 30 days (September 24, 2019 – October 23, 2019). Seconded by Dennis Clairmont. Carried, 7 for; 1 abstention (Fred Matt).

Dorothy Frost, Tribal Member, requested approval for her nontribal member son to assist with her getting firewood for personal use for the winter. **Council** told that her she needs to go sign up at Tribal Forestry.

MOTION by Anita Matt to approve the request for Dorothy Frost's son to assist her with getting firewood for personal use, depending on getting the paperwork from Forestry. Seconded by Fred Matt. Carried, 8 for; 1 abstention (Leonard Gray).

Leonard Gray, for the record, "I thought there was an age limit."

Gail Graves, Tribal Member, requested a tribal flag for her grandson, Tel Motichka, who is deployed in Syria. He is a graduate of West Point and is a descendant from our Tribe.

MOTION by Fred Matt to give Gail Graves' grandson, Tel Motichka, a tribal flag. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

Shane Morigeau, Legal Department, introduced Raph Graybill. Mr. Graybill is currently working as Chief Legal Counsel for Governor Bullock and is running for Attorney General. He gave an overview of his background and experience.

Whitney Danz and **Corky Sias**, Department of Human Resources Development, requested a three-month contract extension for Marcella Adolf and Shyla Collicot. DHRD received a three-month extension of the grant to finish existing projects, which include making a video for mental health consultation and developing parenting messaging. **Anita Matt** was in favor the request, but she would have liked to see the contracts.

MOTION by Carole Lankford to approve a three-month contract extension for Marcella Adolph from October 1, 2019 through December 31, 2019. Seconded by Myrna DuMontier. Carried, unanimous (8 present).

MOTION by Anita Matt to approve a three-month contract extension for Shyla Collicot from October 1, 2019 through December 31, 2019. Seconded by Myrna DuMontier. Carried, unanimous (8 present).

Corky Sias, Department of Human Resources Development, gave an update on Quicksilver and requested approval to accept the proposal for GW Petroleum of Missoula. It is just a name change from Moore Oil to GW Petroleum. GW will take over the Moore Oil contract on October 1. **Council** asked Corky to present back on Thursday with the contract and to get scheduled with Jennifer.

Tony Incashola, Jr. and **James Lozeau**, Tribal Forestry Department, discussed the fiscal year 2019 and fiscal year 2020 Forest Management Deductions Expenditure Plan and Report and requested approval of resolutions to accept the budget and expenditure plans for fiscal year 2020.

MOTION by Leonard Gray to approve by resolution to accept the Fiscal Year 2020 Tribal Forest Management Deductions (FMD) Program Budget. Seconded by Fred Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-211

RESOLUTION APPROVING FISCAL YEAR 2020 TRIBAL FOREST MANAGEMENT DEDUCTIONS (FMD) PROGRAM BUDGET

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

WHEREAS, funds are made available from deductions from timber sale revenues for the administration of various Forestry Programs; and

WHEREAS, a budget has been developed for Fiscal Year 2020 from those revenues projected to be received during the fiscal year;

NOW THEREFORE, BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that the amount of \$109,649 for the Tribal Forestry Forest Management Deductions Program in Fiscal Year 2020 is hereby authorized.

MOTION by Anita Matt to approve by resolution the Fiscal Year 2020 Expenditure Plan for Forest Management Deductions. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-212

RESOLUTION APPROVING FISCAL YEAR 2020 EXPENDITURE PLAN FOR FOREST MANAGEMENT DEDUCTIONS

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

WHEREAS, the Expenditure Plan for Forest Management Deductions is administered under the authority of the Code of Federal Regulations Title 25, Subchapter B, Section 163.25 (f)(1); and

WHEREAS, the Expenditure Plan requires the approval of both the Tribes and the Bureau; and

WHEREAS, funds are available from the deductions from timber sale revenues for the administration of the Expenditure Plan;

NOW THEREFORE, BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes that the Fiscal Year 2020 Expenditure Plan for Forest Management Deductions is hereby approved and the approval of the Bureau of Indian Affairs is requested.

BE IT FURTHER RESOLVED that the Forest Management Deductions collected will be properly deposited and expended on items designated in the Expenditure Plan and in accordance with 25 CFR.

Tony Incashola, Jr. and **James Lozeau**, Tribal Forestry Department; and **Renee Joachim**, Personnel Department; requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

Tony Incashola, Jr. and **James Lozeau**, Tribal Forestry, requested acceptance of the low bid for the fall planting bid for 123 acres. There were two bidders. The high bid was from a nontribal member. The low bid was from a tribal member who is a Tribal Forestry employee and is on the Indian Preference Business List. After consultation and review, it was determined that it is not a conflict of interest for the Glacier Cone Company to be awarded the contract.

MOTION by Leonard Gray to accept the low bid for the fall planting of 123 acres. Seconded by Dennis Clairmont. Carried, 7 for; 1 abstention (Anita Matt).

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

CloAnn Westerman and **Desi'Rae Nault**, Tribal Lands Department, requested approval of the service contracts for fiscal year 2020.

MOTION by Anita Matt to accept the contract with Advanced Environmental Technology in the amount of \$40,000 for fiscal year 2020. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

MOTION by Anita Matt to accept the contract with Duffy Survey in the amount of \$9,500 for fiscal year 2020. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

MOTION by Dennis Clairmont to accept the contract with First American Title Company Survey in the amount of \$7,500 for fiscal year 2020. Seconded by Anita Matt. Carried, unanimous (8 present).

MOTION by Fred Matt to accept the contract with Jette Appraisal & Consulting in the amount of \$10,000 for fiscal year 2020. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

MOTION by Dennis Clairmont to accept the contract for Lake County Abstract & Title Company and Fidelity Title in the amount of \$7,500 for fiscal year 2020. Seconded by Myrna Dumontier. Carried, unanimous (8 present).

MOTION by Anita Matt to accept the contract with McGinnis Real Estate Appraisal Group, LLC in the amount of \$10,000 for fiscal year 2020. Seconded by Fred Matt. Carried, unanimous (8 present).

MOTION by Len TwoTeeth to accept the contract with Oakland Right of Way Services (for the Blackfoot and Sprint work) in the amount of \$20,000 for fiscal year 2020. Seconded by Anita Matt. Carried, unanimous (8 present).

MOTION by Fred Matt to accept the contract with Western Montana Land Services in the amount of \$9,500 for fiscal year 2020. Seconded by Anita Matt. Carried, unanimous (8 present).

Jim Taylor, Tribal Prosecutors Department, gave an update on the grant that was submitted by the program to study jurisdiction expansion on the Violence Against Women Act and the Tribal Law & Order Act in domestic cases involving tribal members and nontribal members. The CSKT was awarded a two-year study grant and a consultant will be hired to explore expanded jurisdiction.

Ann Miller, Tribal Defenders Office, requested approval of her attorney contract for a one-year term.

MOTION by Carole Lankford to approve by resolution a one-year attorney contract with Ann Miller. Seconded by Fred Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-213

RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH ANN MILLER

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Ann Miller to provide criminal defense through the Tribal Defenders Office to Indians under the

jurisdiction of the Tribal Court or the Montana State Courts of the local counties and to act as the Managing Attorney of the Tribal Defenders Office;

WHEREAS, it is the intent of all contracting parties that Ann Miller shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2019, Ann Miller shall act as Managing Attorney and provide criminal defense through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2020.

Ann Miller, Tribal Defenders Office, requested approval of a one-year contract with James G. Gabriels.

MOTION by Carole Lankford to approve by resolution a one-year attorney contract with James G. Gabriels. Seconded by Fred Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-214

RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH JAMES G. GABRIELS

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with James Gabriels, to provide criminal defense and assistance in civil matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties.

WHEREAS, it is the intent of all contracting parties that James Gabriels shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2019, James Gabriels shall provide criminal defense and assistance in civil matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2020.

Ann Miller, Tribal Defenders Office, requested approval of a one-year contract with Michael Wheeler.

MOTION by Anita Matt to approve by resolution a one-year attorney contract with Michael Wheeler. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-215

RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH MICHAEL WHEELER

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Michael Wheeler to provide criminal defense and assistance in civil matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties.

WHEREAS, it is the intent of all contracting parties that Michael Wheeler shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE,**

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2019, Michael Wheeler shall provide criminal defense and assistance in civil matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2020.

Ann Miller, Tribal Defenders Office, requested approval of a one-year contract with Rachel Wanderscheid.

MOTION by Carole Lankford to approve by resolution a one-year attorney contract with Rachel Wanderscheid. Seconded by Fred Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-216

RESOLUTION APPROVING AN ATTORNEY CONTRACT WITH RACHEL WANDERSCHIED

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an Attorney Contract with Rachel Wandersheid to provide representation and assistance in civil, juvenile, and criminal matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties.

WHEREAS, it is the intent of all contracting parties that Rachel Wanderscheid shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2019, Rachel Wanderscheid shall provide representation and assistance in civil matters through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2020.

Ann Miller, Tribal Defenders Office, requested approval of a one-year contract with George Madman.

MOTION by Anita Matt to approve by resolution a one-year attorney contract with George Madman. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-217

RESOLUTION APPROVING AN EMPLOYMENT CONTRACT WITH GEORGE MADMAN

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into an employment contract with George Madman to provide criminal advocacy services through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court.

WHEREAS, it is the intent of all contracting parties that George Madman shall commence working under a contract with the Tribes according to terms and conditions stated therein; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish and Kootenai Tribes that beginning on October 1, 2019, George Madman shall provide criminal advocacy services through the Tribal Defenders Office to Indians under the jurisdiction of the Tribal Court or the Montana State Courts of the local counties until the expiration of this contract on September 30, 2020.

Loran Frazier, TD&H Engineering; **Dan Lozar**, Natural Resources Department; **Tony Incashola, Sr.**, Salish Pend d'Oreille Culture Committee; and **Trevor Iman**, WJIM Group; discussed the new road/access near the Medicine Tree on Highway 93 south of Darby and informed council that the Connor north and south project will be moving forward. Loran wants to ensure this is how the Tribes want to move forward and that the project is done right. Tony thinks the retaining wall will be a lot safer.

MOTION by Carole Lankford to accept the conceptual design for the Medicine Tree improvement. Seconded by Myrna DuMontier. Carried, unanimous (8 present).

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

Rhonda Swaney and **Dan Decker**, Tribal Legal Department, requested approval to amend a contract for consultation and professional services with Honcoop Technology Services.

MOTION by Carole Lankford to approve by resolution to amend a contract for consultation and professional services with Honcoop Technology Services. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 1 abstention (Myrna DuMontier).

RESOLUTION 19-218

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

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

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

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

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

WHEREAS, the Tribes and Contractor desire to amend Article I, Term of Agreement, Article II, Scope of Work/Services, and Article III, Compensation to complete facilitate ongoing support for OpenText and provide Owner's Representation and Project Management Services during the alignment and execution of upgrades of the OpenText environments to version 16; and

WHEREAS, it is the intent of all the contracting parties that Honcoop Technology Services shall commence working under the approved contract and Amendment 1 with the Tribes according to the terms and conditions stated therein for the period of time commencing on execution of said contract.

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

Rhonda Swaney and **Dan Decker**, Tribal Legal Department, requested approval of an amendment to the consultation and professional services contract between the Confederated Salish and Kootenai Tribes and Historical Research Associates, Inc., dated May 14, 2019.

MOTION by Anita Matt to approve by resolution the amendment to the consultation and professional services contract between the Confederated Salish and Kootenai Tribes and Historical Research Associates, Inc., dated May 14, 2019. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-219

A RESOLUTION TO AMEND CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH HISTORICAL RESEARCH ASSOCIATES

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Nation wish to amend a Contract with Historical Research Associates, Inc. for their consultation and professional services with the Confederated Salish and Kootenai Tribes; and

WHEREAS, it is the intent of all the contracting parties that Historical Research Associates, Inc. shall continue working under the parameters of the original contract dated October 2, 2018 and the amended contract with the Tribes according to the terms and conditions stated therein.

NOW, THEREFORE, BE IT RESOLVED, that beginning September 24, 2019, Historical Research Associates, Inc. shall continue providing consultation and professional services in accordance with the terms and conditions of the Contract Amendment.

Rhonda Swaney and **Dan Decker**, Tribal Legal Department, requested approval to amend contract for consultation and professional services with Historical Research Associates, in accordance with the terms and conditions of the contract amendment.

MOTION by Dennis Clairmont to approve by resolution to amend the contract for consultation and professional services with Historical Research Associates, in accordance with the terms and conditions of the contract amendment. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-220

A RESOLUTION TO AMEND CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH HISTORICAL RESEARCH ASSOCIATES.

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Nation wish to amend a Contract with Historical Research Associates, Inc. for their consultation and professional services with the Confederated Salish and Kootenai Tribes; and

WHEREAS, it is the intent of all the contracting parties that Historical Research Associates, Inc. shall continue working under the parameters of the original contract dated May 14, 2019 and the amended contract with the Tribes according to the terms and conditions stated therein.

NOW, THEREFORE, BE IT RESOLVED, that beginning September 24, 2019, Historical Research Associates, Inc. shall continue providing consultation and professional services in accordance with the terms and conditions of the Contract Amendment.

Anita Matt asked if there has been any update from MDT regarding a building for Dixon. **Dan Decker** responded that he would let council know when the

agreement is finalized with MDT and he asked if a specific site in Dixon has been identified yet. Anita has a location that is ready for the building. Also, the lease needs to get done through the Tribal Lands Department.

Rhonda Swaney and **Ryan Rusche**, Tribal Legal Department, requested approval to enter into a contract for consultation and professional services with Cascade Economics.

MOTION by Carole Lankford to approve by resolution to enter into a contract for consultation and professional services with Cascade Economics. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-221

A RESOLUTION TO ENTER INTO A CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH CASCADE ECONOMICS

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

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

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

WHEREAS, the Confederated Salish and Kootenai Tribes had secured, and Cascade Economics is currently providing personal professional services, consultation and testimony as an expert economist on behalf of the Confederated Salish and Kootenai Tribes' water rights negotiation and litigation efforts; and

WHEREAS, Cascade Economics shall work in consultation with attorneys for the Confederated Salish and Kootenai Tribes as well as Tribal experts, including, but not limited to, DOWL Engineering; and

WHEREAS, Cascade Economics has agreed to provide their personal professional services according to the terms and conditions of a contract for consultation and professional services.

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

Carole Lankford acknowledged the legal team for attending her district meeting to provide information about water rights and the straw poll language, and she thanked them for a job well done.

Rhonda Swaney and **Ryan Rusche**, Tribal Legal Department, requested approval to enter into an attorney contract with ABS Legal, PLLC.

MOTION by Anita Matt to approve by resolution to enter into an attorney contract with ABS Legal, PLLC. Seconded by Leonard Gray. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-222

A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH ABS LEGAL, PLLC

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 law firm of ABS LEGAL, PLLC, 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 ABS LEGAL, PLLC, has agreed to provide legal services according to the terms and conditions of the Attorney Contract for the period of October 1, 2019, through September 30, 2020;

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**, Tribal Legal Department, requested approval to enter into a contract for consultation and professional services with DOWL HKM.

MOTION by Anita Matt to approve by resolution to enter into a contract for consultation and professional services with DOWL HKM. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-223

A RESOLUTION TO ENTER INTO A CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH DOWL HKM

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

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

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

WHEREAS, the Confederated Salish and Kootenai Tribes wish to secure, and DOWL wishes to provide their personal, professional and scientific expertise, services, consultation, and testimony on water rights claim filing and defense, and

WHEREAS, DOWL has agreed to provide their personal professional services according to the terms and conditions of a contract for consultation and professional services.

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

Rhonda Swaney and **Ryan Rusche**, Tribal Legal Department, requested approval to enter into a contract with George Waters Consulting Services.

MOTION by Leonard Gray to approve by resolution to enter into a contract with George Waters Consulting Services. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-224

A RESOLUTION TO ENTER INTO A CONTRACT WITH GEORGE WATERS CONSULTING SERVICES

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, George Waters Consulting Services has proposed to provide governmental affairs consulting services to the Tribes relative to the Tribes' water rights settlement and the Reserved Water Rights Compact, and other matters, as assigned;

WHEREAS, the George Waters Consulting Services has agreed to provide services according to the terms and conditions of the Contract for the period of October 1, 2019, through September 30, 2020;

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**, Tribal Legal Department, requested approval to enter into a consulting contract with Mercury Public Affairs, LLC.

MOTION by Carole Lankford to approve by resolution to enter into a consulting contract with Mercury Public Affairs, LLC. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 19-225

A RESOLUTION TO ENTER INTO A CONSULTING CONTRACT WITH MERCURY PUBLIC AFFAIRS, LLC

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 Mercury Public Affairs, LLC, has proposed to provide strategy and management services and consulting, public affairs administration;

WHEREAS, Mercury has agreed to provide such services according to the terms and conditions of the Consultant Contract for the period of October 1, 2019 through September 30, 2020;

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

Rhonda Swaney and **Shane Morigeau**, Tribal Legal Department, gave an update on the Education Code of the Confederated Salish and Kootenai Tribes. Shane sent the draft document out for review by both Culture Committees, the Tribal Council, and the Tribal Education Department staff. He gave an overview of the feedback he received from those departments and discussed the intent of the code.

Rhonda Swaney, **Dan Decker**, **Shane Morigeau**, and **John Harrison**, Tribal Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Rick Eneas and **Bill Bjarko**, Financial Management Office, requested approval to renew a one-year contract with Linda Putney for preparation of the fiscal year 2019 audit. Linda has been under contract with the CSKT since fiscal year 2015 and is the only Certified Public Accountant (CPA) that has the required knowledge of CSKT to assist in accounting, audit matters, and IDC proposals. There are no tribal member CPAs on the Indian Preference list. Linda was originally hired on contract five years ago due to the recommendation of the auditor during our audit to have a CPA assist us with our audits. The discussion continued in **executive session**.

Council reconvened into **regular session**.

MOTION by Myrna DuMontier to go with the department head's recommendation and approve a one-year contract with Linda Putney. Seconded by Leonard Gray. Carried, 7 for; 1 opposed (Carole Lankford).

Tony Incashola, Sr. and **Chaney Bell**, Salish-Qlispe Culture Committee; and **Vernon Finley**, Kootenai Culture Committee; discussed the fiscal year 2020 Montana Indian Language Program grant in the amount of \$89,062.50 for both Culture Committees and requested approval of a resolution supporting the submission of a grant application under the Montana Indian Language Program to the Montana Department of Commerce to fund the projects of the Séliš-Qłispé and Kootenai Culture Committees.

MOTION by Fred Matt to approve by resolution the MILP grant for the Fiscal Year 2020 for the Salish-Qlispe Culture Committee and Kootenai Culture Committee. Seconded by Anita Matt. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 19-226

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

WHEREAS, in 2005, the Confederated Salish and Kootenai Tribes adopted the Heritage Language Policy, which recognized the vital importance of the survival of the Salish and Kootenai languages for the survival of our cultures as a whole, and for our well-being and survival as a people; and

WHEREAS, the CSKT Heritage Language Policy designated the Séliš-Qłispé and Kootenai Culture Committees as having the responsibility to "guide, monitor, and coordinate language efforts"; and

WHEREAS, the Séliš-Qłispé Culture Committee and Kootenai Culture Committee were established by the CSKT to preserve, protect, and perpetuate our cultures, histories, and languages; and

WHEREAS, the objectives of the Séliš-Qłispé and Kootenai Culture Committees include working to ensure their survival of the Salish and Kootenai languages for future generations, including teaching, recording, and developing materials in our two languages; and

WHEREAS, in 2019, with the support of the CSKT and other tribes, the Montana legislature passed, and the Governor signed into law, the Montana Indian Language Program, making grant funds available of up to \$89,062.50 to tribal governments located in Montana for certain kinds of language work, and with certain other requirements and stipulations specified in the act; and

WHEREAS, the staff of the Séliš-Qłispé and Kootenai Culture Committees have developed excellent proposals, budgeted at \$44,531.25 each and detailed in forms provided by the Montana Department of Commerce, to use these funds in

ways that both meet the requirements of the act and also support critically needed work for the survival of our endangered languages;

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission by the Tribes of a grant application under the Montana Indian Language Program to the Montana Department of Commerce to fund the projects of the Séliš-Qlispé and Kootenai Culture Committees.

Dennis Clairmont left the meeting for the remainder of the day.

Tony Incashola, Sr. and Chaney Bell, Salish Qlispe Culture Committee; and **Malia Vanderburg, Andrew Bigcrane, Daniel Brown, Kristina Mays, Donald Stanger, Alisha Sheridan and Cierra Burns**, Salish Qlispe Culture Committee Apprentices; gave a presentation on the Apprentice Program.

Anita Matt asked about the change of duty for the People's Center's event this week. **Jennifer Trahan** stated Miranda Burland from Education Department sent an email to council but will come in when they give her a complete list of names request for change of duty.

Anita Matt asked about available grant funding to assist the Elders Program with projects outside the scope of the current Elders Program. **Myrna DuMontier** wants additional funding put into the program to help the elders. The council members have received many requests from tribal elders for home repairs. **Chairman Trahan** wanted Patricia Courchane and Constance Morigeau scheduled for the next chairman's meeting on September 30, 2019 to discuss the Elders Program.

MOTION by Anita Matt to adjourn the meeting.

Council **adjourned** at 2:50 p.m., and scheduled to meet again on Thursday, September 26, 2019, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Shelly R. Fyant
Tribal Secretary