

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

Volume 22 Number 21
Council Chambers, Pablo, MT

Held: January 4, 2022
Approved: January 11, 2022

MEMBERS PRESENT: Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; Carole Lankford; James “Bing” Matt; Charmel Gillin; James Steele, Jr.; Mike Dolson; and Len TwoTeeth.

MEMBERS ABSENT: Shelly Fyant, Chairwoman (Personal Time Off).

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 9:00 a.m. Quorum established.

The meeting was opened with a **prayer** by Ellie Bundy McLeod.

The **Tribal Council Meeting Minutes** for December 28, 2021 were presented for approval.

MOTION by James Steele, Jr. to approve the Tribal Council Meeting Minutes for December 28, 2021, with corrections. Seconded by Mike Dolson. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Ellie Bundy McLeod to approve the agenda, with changes. Seconded by Bing Matt. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, informed council that the purchase of the ranch property was finalized last week. Since it has been finalized, the Tribes purchased the 220 tons of hay on the property. Mark wanted to know what council’s wishes are for what to do with this hay. He suggested offering it to the membership at an allocated rate. **Carole Lankford** thought it was a programmatic thing and Lands should be allowed to determine the best way to handle it.

MOTION by Carole Lankford to advertise it at an allocated rate and to make sure they are using it for their own operation and do not broker it. Seconded by Len TwoTeeth. Carried, 8 for; 1 opposed (Martin Charlo).

***Martin Charlo**, for the record, "I'm opposed because just right before this we said it should be a Lands decision and then we told them what to do. I'm all for helping our producers and giving this hay out to help our people here. Maybe one thing too is to allow all of them to do it, but we already made the decision."*

Anita Matt stated there are usually 32 bales per semi so she asked if Lands would limit it. **Mark Couture** advised it is 20 tons per semi so they can offer it out for 11 semi loads of hay for producers, so it could help 11 of our producers. If they want smaller trailer amounts it could assist more producers. We can do a semi load to provide for 11 producers unless we get a lot more bids on it. The maximum would be 20 tons. **Mike Dolson** asked what would happen if we get 30 and whether we would allocate to them all. Mark will have an advertised rate and then it depends on the number of applicants we get. They will split it to assist as many producers as possible. He will email the advertisement to council. It will be on a first come first serve basis. **Ellie Bundy McLeod** did not think it would be first come first serve since it was being bid out. Mark explained it would be because there are limited supplies of hay. The department will track the date/time producers contact the Lands Department. Anita wanted to know who would be loading the hay. Mark advised there is a tractor on site and people on site to load the hay. Anita wanted to make sure the department will advertise the times to pick up and when to pay for it. Mark told her yes, they will. **James Steele, Jr.** commented that years ago we bought some land in St. Ignatius, but then folks stole just about everything from the property and the owner had to go to the neighbors and get that stuff back. Anita suggested putting a chain on that gate. Mark stated that he has some guys watching it and putting a hot wire on the fence.

Carole Lankford has been getting requests for use of the centers for recovery meetings and a group wants to use the center in Polson for a meeting tonight. Patricia told her they're trying to get them open this month but she doesn't know what to tell those individuals. She knows Martin has a request for Polson too. She would like them to come together and work on it. She asked if there is a temporary location for them to use. **Charmel Gillin** stated the Boys and Girls Club in Polson has made their meeting room available, so that might be an option. **Anita Matt** thought they could coordinate it with DHRD and how people apply to use them and make a schedule. Carole thinks these guys very careful about their locations. She went to a meeting in Dixon on Tuesday and they forgot the key at Quicksilver so she had to give them ten bucks for gas. It would be nice to give them a key to the building to make it more convenient. Anita thinks we need to look at the departments and how much it's costing them if they are coordinating. Carole informed council that that Catholic Church in St. Ignatius

Tribal Council Meeting Minutes
January 4, 2022

had some gas stolen and said law enforcement doesn't do anything and there were tracks across the street. She hopes when law enforcement gets a call, they try to investigate it, especially when there is a video. It sounds like there was not much response. The church had a TV stolen on a different occasion. **Patricia Hibbeler**, Tribal Member Services Director, joined the discussion. Carole told her about the group wanting to use the Polson Center for a recovery meeting tonight. She can check with the Boys and Girls Club to see if that is an option until the center opens up in Polson. Patricia did not think we have them in the policy yet because they are looking to open them at the end of the month. She can follow up with DHRD and look into other options for that particular meeting.

James Steele, Jr. followed up on pay issues related to various departments where they did the paperwork and the employees have yet to receive their pay increases. Some people say in the rank and file that their departments filed the paperwork and there is a delay, and this has been going on since October. He knows last week the executives were going to investigate it with the various departments. Some employees got the pay raise and some did not, and it is causing some low morale in the staff.

James Steele, Jr. commented it has been an honor and privilege to serve on the council and be the last official second council member for the St. Ignatius District. It has been an honor to serve the Arlee and St. Ignatius districts. We, as a people, need to be very careful of this republican administration. He paid attention to the January 6 committee that's investigating activities of January 6, 2021. It is clear the president of the United States at that time was planning to overthrow the government and a duly elected president (Biden). They were going to steal the electoral ballots from congress. He encourages the council to be careful with this administration because they support a president who wanted to overthrow the government. The majority of the republicans are supporting a president that wanted to overthrow the government like a third world dictatorship. These are far right-wing republicans who took over the party. Liz Chaney was kicked out of the republican party because she decided not to swear allegiance to Trump but the U.S. As we move forward with the Tribes, we cannot throw our eggs into the republican party. Be cautious of the US government. We heard from the school superintendents on the reservation and none of them showed support for Elsie Arntzen and they clearly stated the problems they are having with Elsie and that office. One superintendent recommended that position to be a nonpartisan position, but that would take an amendment to the constitution. It's okay to say no to the state and take them to court. We have proven successful many years in battling the state in court. Often times you can only get them to sit at the table if you take them to court. We have proven having good attys to battle in court have been successful. Water rights and the Bison Range are good examples. James wished Shelly Fyant and Charmel Gillin many blessings in their future endeavors and their families. We are a blessed nation. We have one of the most beautiful nations in the US. We are a prosperous nation

Tribal Council Meeting Minutes
January 4, 2022

and need to make sure all our people have access and enjoy that prosperity and not just the top of our economic structure. We have a very severe addiction problem on the reservation. That affects our healthcare, justice system, and our elders. What happens is we kick them out of housing and they move in with other family. He knows of homes where people moved in because they have no other place to live. We think there's not homelessness on the reservation, but there is. It may be due to their own actions but it affects our elders and others that love those folks and they are addicts. It's easy to say let the justice system handle them but that's not the complete answer. As council moves forward in hiring the director for THD we need to think of someone who thinks outside the box with addiction. He thanked the council for allowing him to serve with them for the St. Ignatius District. He blessed all the families who lost loved ones due to COVID-19.

Martin Charlo gave an update on COVID-19. The County hasn't posted updated numbers. He encouraged people to be safe, get the third shot if they received the vaccine, consider getting the vaccine if people are unvaccinated, wear a mask, and social distance. He hopes we can get through this sooner rather than later. Omicron is in Montana. Missoula County had a case. It will most likely spread to the reservation, so people need to be diligent. He asked people to check on those who are isolated. They need social interaction, especially the elders and family members that have lost people. People need to take care of their mental and physical health. He sent condolences to his cousin that lost a child. It makes you rethink things when you lose a child. Physical health helps with COVID-19 recovery. People that made resolutions should try to keep up on those. There will a food distribution today at the Hot Springs Senior Center from 1:00 p.m. to 3:00 p.m.; Elmo pow wow grounds today from 4:00 p.m. to 7:00 p.m.; Dixon new building on Wednesday from 1:00 p.m. to 3:00 p.m.; St. Ignatius on Wednesday from 4:00 p.m. to 7:00 p.m. (location to be determined); Arlee on Thursday from 4:00 p.m. to 7:00 p.m. (location to be determined); and SKC in Pablo on Thursday from 4:00 p.m. to 7:00 p.m. **Charmel Gillin** commented in addition to what Martin referenced, with the loss of the person last night she considers a member of her family as well. One thing that they were remembering was a person was asking to go to inpatient treatment and it was quite a topic on council's text messaging chain. It inspired her and some of council to call for a priority of inpatient substance abuse treatment. She believes every dollar spent on a person that's willing to go is worth it. There are a number of people she continues to pray for and she sees the on the court docket. There is a small window of time that might happen. She prays for the people still struggling. She's thankful for when that trouble comes to an end. It's a blessing to support that family now. **Carole Lankford** worked the last food distribution from 3:00 p.m. to 7:00 p.m. at KHJCC. It was cold and they gave out 400 boxes. She thanked them for their efforts for what they do. She knows they get paid but it is not easy carrying those boxes. Insurance will cover inpatient treatment and she doesn't know why we never moved on that. We have lots of people wanting to go to treatment. If we

make the recovery locations available that'll help too. She thanked James for stepping up and taking on that job; it was honor to work with him and get his insights about what is going on nationally and globally. She appreciates having him here again. She acknowledged Shelly Fyant for all her efforts and what she has done during her tenure as the chairwoman; and she thanked Charmel Gillin for her knowledge in the financial arena. It has been an honor to work with both of them.

Joe Vanderburg, Tribal Forestry, requested permission to advertise the Sunny Slope 5&10 Combined timber sale, containing 46 acres. It is a tribal member only sale. **Anita Matt** asked why they were combined. Joe advised that they had been bid out separately but the person awarded the bids returned them to the department due to time constraints.

MOTION by Ellie Bundy Mcleod to approve by resolution the advertisement of the Sunny Slope 5&10 Combined timber sale. Seconded by Bing Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 22-042

RESOLUTION APPROVING SALE OF TIMBER ON SUNNY SLOPE 5 & 10 COMBINED LOGGING UNIT

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

WHEREAS, the Tribal Forestry Department proposes to offer the sale of tribal timber in an area known as the Sunny Slope 5 & 10 Combined Logging Unit,

Sale Information

<u>Sale</u>	<u>Volume</u>	<u>Advertised Bid Rate</u>	<u>TSI</u>
Sunny Slope 5 & 10 L U	773 TONS	\$20.00/TON -DF & O	\$3.00/TON
	104 TONS	\$16.00/TON- PP	\$3.00/TON

WHEREAS, the sale will provide for the salvaging of mature, overmature and diseased trees; and

WHEREAS, the minimum acceptable bid rate for sawlogs on the Sunny Slope 5 & 10 Combined Logging Unit is \$16.00 per Ton for Ponderosa Pine and \$20.00/Ton for Douglas-fir and Other Species, and,

WHEREAS, an additional amount will be collected to cover Timber Stand Improvement on this unit;

NOW THEREFORE, BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the sale of timber on the above-listed timber sale unit; approves the contract; and authorizes the Chairperson of the Tribal Council to sign the timber sale contract on the above-listed unit for and on behalf of said Tribes, after review of bids by the Tribal Council, and

BE IT FURTHER RESOLVED, that the Approving Officer is authorized to make error corrections in the contract without referral to the Tribal Council, provided such corrections do not materially alter the form and substance of the contract.

Joe Durglo, Tribal Health Department, requested approval to submit an application to the Rocky Mountain Tribal Leaders Council Public Health Response grant in the amount of \$152,750.00 to support the Tribal Health Department's continued efforts against COVID-19.

MOTION by James Steele, Jr. to approve by resolution submission of the application to the Rocky Mountain Tribal Leaders Council Public Health Response grant in the amount of \$152,750.00 to support the Tribal Health Department's continued efforts against COVID-19. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 22-043

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

WHEREAS, the CSKT Tribal Council is the duly elected governing body of the Confederated Salish and Kootenai Tribes and is authorized to act on behalf of the CSKT Tribes; and the CSKT Tribal Council established the Tribal Health Department pursuant to Public Law 93-638 to administer and manage its healthcare programs and services per CSKT Tribal Ordinance 83; and

WHEREAS, the Confederated Salish and Kootenai Tribes consider the safety of tribal people to be one of the most important responsibilities of tribal government; and

WHEREAS, in meeting this responsibility, the Tribes continue to prevent, prepare for and respond to COVID-19; and

WHEREAS, COVID-19 contact tracing and/or testing is essential to providing a safe work environment and communities;

WHEREAS, the Tribes qualify for a \$152,750 grant to support the Tribal Health Department's continued efforts against COVID-19;

NOW THEREFORE, BE IT RESOLVED that the CSKT Tribal Council supports the submission of the Rocky Mountain Tribal Leaders Council Public Health Response Grant; and

BE IT FURTHER RESOLVED, the Tribal Council authorizes that Tribal Council Chairwoman the authority to execute any documents and agreements necessary as may be required to give effect to the transactions herein contemplated and to take such other actions as may be hereby necessary and appropriate to carry out the obligations there under; and that this resolution shall take effect immediately.

Tom McDonald, Lester Bigcrane and **Dan McClure**, Natural Resources Department, requested final approval of the 2022-2023 Flathead Reservation Regulation changes. The changes went out for public comments, and the comments were provided to the council.

MOTION by James Steele, Jr. to approve the final 2022-2023 Flathead Reservation Regulation changes. Seconded by Carole Lankford. Carried, unanimous (8 present – Charmel Gillin out of the room).

Anita Matt informed the staff that there was some confusion among the Kootenai Elders and she asked them to reach out to them to provide clarification on the regulation changes. **Dan McClure** informed council that the County Attorney was supportive of the changes, along with the trespass issues. There will be signs posted on tribal lands notifying the public of no trespassing without purchasing a tribal conservation permit. **Lester Bigcrane** informed council that in addition to holding a public comment period, the staff gave a presentation on the proposed changes to both Culture and Elders Committees and various Tribal Council district meetings. Anita reported that some of the confusion was about the land closures. Lester will have the information/education program get the word out. Anita asked we have someone take minutes when we meet with the elders so the council knows what's discussed, what directives were given, and where we're at with those.

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

Dan Decker, John Harrison, Chelsea Colwyn, and **Melissa Schlichting**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Ellie Bundy McLeod to approve the resolution authorizing Robert McDonald to provide an affidavit on behalf of the

Confederated Salish and Kootenai Tribes. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 1 abstention (Mike Dolson).

RESOLUTION 22-044

A RESOLUTION AUTHORIZING ROBERT MCDONALD TO PROVIDE AN AFFIDAVIT ON BEHALF OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES

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

WHEREAS, on behalf of its members, the Tribes' own interests, and in the name of protecting the Tribes' political power in the federal system, the Confederated Salish and Kootenai Tribes of the Flathead Reservation brought suit challenging HB 530, banning organizational ballot collection, and HB 176, banning same day voter registration;

WHEREAS, the Tribes regularly assists members register to vote on Election Day and HB 176 will make it more difficult for CSKT to register voters and will make it more difficult for CSKT Tribal members to register to vote;

WHEREAS, organizations such as Western Native Voice provide assistance picking up and dropping off ballots on the Flathead reservation and HB 530 will make it more difficult for WNV to provide that assistance;

WHEREAS, because HB 530 fails to adequately define the scope of its government exemption, CSKT is likely to be confused about who is restricted from picking up and dropping off ballots and the lack of clarity makes it difficult for CSKT to know whether it would run afoul of the law;

WHEREAS, HB 530 and HB 176 make participation in elections by CSKT Tribal members substantially more difficult and disproportionately burdens Native American voters compared to non-Native voters due to disproportionate rates of poverty, lack of vehicle access, reliance on post offices, and reliance on same day registration;

WHEREAS, due to these disproportionate barriers placed on CSKT, Tribal members' attempts to register and vote are more likely to be unsuccessful and CSKT's political power and ability to advocate for CSKT's needs would be reduced by HB 530 and HB 176;

WHEREAS, the CSKT Tribal Council is concerned CSKT will be denied full participation in the federal system through its diminished political power;

NOW, THEREFORE BE IT RESOLVED, that the Tribal Council authorizes Robert McDonald to be briefed and provide a Tribal affidavit in support of the litigation challenging HB 530 and HB 176 and authorizes him to attach the foregoing tribal resolution.

Carole Lankford wanted to know when there would be a discussion among the council and make sure the new council members are notified. **Anita Matt** stated it would be at 8:00 a.m. Friday morning. **James Steele, Jr.** suggested asking them why they want to be the officers of council and why they think they are the best candidate. They will be representing the council and the membership.

MOTION by James Steele, Jr. to adjourn the meeting.

Council **adjourned** at 11:40 a.m., and is scheduled to meet again on Friday, January 7, 2022, at 9:00 a.m., for the quarterly council meeting.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary