

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

Volume 24 Number 19
Council Chambers, Pablo, MT

Held: January 4, 2024
Approved: January 11, 2024

MEMBERS PRESENT: Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Ellie Bundy, Treasurer; Mike Dolson; Jennifer Finley; Carole Lankford; Jim Malatare; and James “Bing” Matt.

MEMBERS ABSENT: Martin Charlo, Secretary (Cultural Leave); and Terry Pitts.

OTHERS PRESENT: Jennifer Trahan, Tribal Council Support; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:03 a.m. Quorum established.

The meeting was opened with a **prayer** by Jennifer Finley.

The **Tribal Council Meeting Minutes** for December 19, 2023 were presented for approval.

MOTION by Mike Dolson to approve the Tribal Council Meeting Minutes for December 19, 2023, with corrections. Seconded by Jennifer Finley. Carried, 7 for; 1 abstention (Len TwoTeeth).

The **agenda** was presented for approval.

MOTION by Jim Malatare to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (8 present).

Tom Johnson, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter. **Greg Spahr**, Financial Management, was present for discussion.

Council met in **executive session**. **Rick Eneas**, Tribal Executive Officer; and **Patricia Hibbeler**, Tribal Member Services Director; joined the discussion.

Council reconvened into **regular session**.

Rick Eneas, Tribal Executive Officer, requested approval of a noncompetitive contract with Six Pony Hitch through March 31, 2024 for a not-to-exceed amount of \$17,981.50 to design the 2023 Annual Report. Six Pony Hitch has designed the reports since 2019. The annual report is on track to be completed in a timely manner.

MOTION by Len TwoTeeth to approve the noncompetitive contract with Six Pony Hitch through March 31, 2024 for a not-to-exceed amount of \$17,981.50 to design the 2023 Annual Report. Seconded by Jim Malatare. Carried, unanimous (8 present).

Ruth Swaney, Financial Management, requested approval of modification 4 to the fiscal year 2024 Total Allocations. Adjustments in Self-Governance Compacts for fiscal year 2023 carryover and increases in Contracts and Grants require modification to the fiscal year 2024 Total Allocations. The adjustments in Self-Governance Compacts for fiscal year 2023 carryover amounts may be made after final fiscal year 2023 closeout.

MOTION by Mike Dolson to approve by resolution modification 4 to the fiscal year 2024 Total Allocations. Seconded by Jennifer Finley. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 24-022

RESOLUTION APPROVING MODIFICATION 4 TO THE FISCAL YEAR 2024 TOTAL ALLOCATIONS

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

WHEREAS, adjustments in Self-Governance Compacts for FY 2023 carryover and increases in Contracts and Grants require modification to the FY 2024 Total Allocations; and

WHEREAS, adjustments in Self-Governance Compacts for FY 2023 carryover amounts may be made after final FY 2023 closeout; and

WHEREAS, the increases by Function and by Fund are reflected below for a total increase of \$43,644,033:

Function	Total Functions Revised Mod 3 11/30/2023	Increase/ (Decrease) SG Compacts	Increase/ (Decrease) Contracts and Grants	Total Increase/ (Decrease)	Total Functions Revised Mod 4 1/4/2024
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Government Services	\$21,832,403	\$288,416	\$489,196	\$777,612	\$22,610,015
Health and Human Services	\$70,021,069	\$29,546,859	\$2,030,673	\$31,577,532	\$101,598,602
Natural Resources	\$71,956,080	\$9,884,550	\$779,995	\$10,664,544	\$82,620,625
Government Operating	\$3,678,000			\$0	\$3,678,000
Education	\$2,024,419	\$8,055		\$8,055	\$2,032,474
Administration	\$23,590,866			\$0	\$23,590,866
Court/Probation	\$1,627,000			\$0	\$1,627,000
Law Enforcement	\$3,043,500	\$31,659		\$31,659	\$3,075,159
Legal	\$3,931,906			\$0	\$3,931,906
Forestry	\$6,095,396	\$315,630	\$250,000	\$565,630	\$6,661,026
Capital	\$3,606,000	\$19,000		\$19,000	\$3,625,000
Per Capita	\$12,150,000			\$0	\$12,150,000
Indirect Costs	\$4,400,000			\$0	\$4,400,000
Tribal Earmark	\$1,208,876			\$0	\$1,208,876
Total	\$229,165,516	\$40,094,169	\$3,549,863	\$43,644,033	\$272,809,548

Fund	Total Fund Revised Mod 3 11/30/2023	Total Increase/ (Decrease)	Total Fund Revised Mod 4 1/4/2024
General Fund	\$75,070,498	\$0	\$75,070,498
IHS Compact	\$37,740,000	\$19,871,490	\$57,611,490
IA Compact	\$27,116,591	\$20,222,679	\$47,339,270
Contracts and Grants	\$16,792,092	\$3,549,863	\$20,341,955
Third Party	\$18,296,000	\$0	\$18,296,000
Settlement Funds	\$4,150,335	\$0	\$4,150,335
Water Compact	\$50,000,000	\$0	\$50,000,000
Total	\$229,165,516	\$43,644,033	\$272,809,548

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 4 to the FY 2024 Total Allocations for a total increase of \$43,644,033; and

BE IT FURTHER RESOLVED that adjustments in Self-Governance Compacts for FY 2023 carryover amounts made be made after final FY 2023 closeout; and

BE IT FURTHER RESOLVED that Modification 4 increases the FY 2024 Total Allocations from \$229,165,516 to \$272,809,548; and

BE IT FURTHER RESOLVED that the Office of Financial Management is delegated authority to revise, reallocate, and correct the amounts for programs, services, functions, and activities within the Total Allocations approved in the aforementioned Funds.

Mike Dolson out of the room participating in a conference call.

Ruth Swaney, Financial Management, requested approval of a resolution designating the CSKT Director of Financial Management to prepare reports for the National Tribal Opioid Litigation Settlement.

MOTION by Jennifer Finley to approve by resolution the designation of CSKT Director of Financial Management to prepare reports for the National Tribal Opioid Litigation Settlement. Seconded by Len TwoTeeth. Carried, 7 for; 0 opposed; 1 not voting (Mike Dolson out of the room participating in a conference call).

RESOLUTION 24-023

RESOLUTION APPROVING THE DESIGNATION OF CSKT DIRECTOR OF FINANCIAL MANAGEMENT TO PREPARE REPORTS FOR THE NATIONAL TRIBAL OPIOID LITIGATION SETTLEMENT

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES (“TRIBES”) THAT:

WHEREAS, the Tribes have recently been awarded settlements in national Tribal Opioid Litigation; and

WHEREAS, the settlements set forth a court-approved reporting requirement for which the Tribes must comply on an annual basis; and

WHEREAS, the Tribes designate the CSKT Director of Financial Management, or his/her designee, to be responsible for compliance with the annual reporting requirements; now, therefore

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby designates the CSKT Director of Financial Management, or his/her designee, to be responsible for compliance with annual reporting requirements pursuant to settlements that are part of national Tribal Opioid Litigation in 2023.

Lisa Shourds, Administrative Services; **Renee Joachim** and **Cory Clairmont**, Personnel Department; discussed options for the Temporary COVID-19 Pandemic Leave Policy. **Chairman McDonald** was opposed to extending the COVID-19 leave, due to the Tribes having a generous leave policy. There are no preventative measures for COVID-19 or any type of flu environment. Tribal employees have the benefit of receiving personal time off and leave sharing. He would prefer to take action on COVID-19 leave on a case-by-case basis after employees have exhausted all other leave options.

MOTION by Ellie Bundy to approve by resolution the termination of the Temporary COVID-19 Pandemic Leave Policy. Seconded by Len TwoTeeth. Carried, 6 for; 0 opposed; 1 abstention (Bing Matt); 1 not voting (Mike Dolson out of the room participating in a conference call).

RESOLUTION 24-024

RESOLUTION TERMINATING THE TEMPORARY COVID-19 PANDEMIC LEAVE POLICY

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

WHEREAS, on January 21, 2021 Council adopted Resolution 23-045 establishing a temporary COVID-19 Pandemic Leave Policy; and

WHEREAS, the COVID-19 pandemic continues to affect working conditions including employee leave; and

WHEREAS, it is necessary to modify the policy to terminate the usage of COVID-19 leave; and

WHEREAS, it is policy that resolutions be prepared prior to their presentation before the Tribal Council; and **NOW, THEREFORE**,

WHEREAS, the termination of this policy will be implemented by memo to all Tribal employees in which this resolution will be referenced by number; and

BE IT FURTHER RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby terminates the COVID-19 leave policy for all employees.

Chairman McDonald out of the room participating in a conference call.

Lisa Shourds informed council that an outside entity would like to obtain a copy of the emergency hire list. This would be a viable option to help tribal members be offered employment opportunities. The Personnel Department would only release the individuals' names and phone numbers for those consenting to have their information shared with outside entities for additional employment opportunities.

Miranda Burland, Tribal Education Department; **Jason Sargent**, **Ms. Moore**, **Ms. McClure**, and **Shawn Hendrickson**, St. Ignatius School District; presented the annual Indian Education Report. The report included a copy of the comprehensive needs assessment. The school is overcoming the impacts of the

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COVID-19 pandemic and academic achievements is the school's number one priority. Attendance has remained above 90% and the graduation rate is 91%. There is a five-year plan for students to be college or career ready. The students must complete 40 hours of community service. The school works with the Tribal Education Department for an advisory curriculum. Goals for next year include developing a data separated quarterly report, add Title VI demographics, develop and adopt a plan for reporting, and work with the Tribal Education Department to get the Indian Education Committee back into the school district. **Len TwoTeeth** would like the school to offer a Kootenai language program.

MOTION by Jennifer Finley to accept the annual Indian Education Report for the St. Ignatius School District. Seconded by Ellie Bundy. Carried, unanimous (6 present – Chairman McDonald and Mike Dolson out of the room participating in a conference call).

Dan Decker and **Brian Upton**, Legal Department, requested approval of a letter to the Archipelago Management Board showing interest for the CSKT and US Fish & Wildlife Service to jointly visit the Gwaii Haanas National Park Reserve and Haida Heritage site to examine the co-management relationship that the Haida Nation and Parks Canada have successfully developed. It was the **consensus** of council to authorize the Tribal Chairman to sign the letter.

Dan Decker, Brian Upton, Melissa Schlichting, Katie Jones, Lynsey Gaudioso, and **Christina Courville**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council met in **executive session**.

Council reconvened into **regular session**.

Council **adjourned** at 11:25 a.m., and is scheduled to meet again on Friday, January 5, 2024, at 9:00 a.m., for the quarterly council meeting.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary