

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

Volume 24 Number 21
Council Chambers, Pablo, MT

Held: January 11, 2024
Approved: January 16, 2024

MEMBERS PRESENT: Mike Dolson, Chairman; Tom McDonald, Vice-Chairman; Martin Charlo, Secretary; James Steele, Jr., Treasurer; Jennifer Finley; Carole Lankford; Jim Malatare; Danielle Matt; James “Bing” Matt; and Len TwoTeeth.

OTHERS PRESENT: Jennifer Trahan, Tribal Council Support; 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 Chairman Dolson.

The **Tribal Council Meeting Minutes** for January 4, 2024 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for January 4, 2024, with corrections. Seconded by Tom McDonald. Carried, 9 for; 1 abstention (Martin Charlo).

The **Tribal Council Meeting Minutes** for January 5, 2024 were presented for approval.

MOTION by Tom McDonald to approve the Tribal Council Meeting Minutes for January 5, 2024, with corrections. Seconded by Jim Malatare. Carried, unanimous (10 present).

The **agenda** was presented for approval.

MOTION by James Steele, Jr. to approve the agenda, with changes. Seconded by Martin Charlo. Carried, unanimous (10 present).

Louise Mitchell discussed the low election turnout. She had a question about how our voting members are able to see who is voting in their polling places and by absentee ballot. **Jennifer Trahan** advised that information is contained in the final certification that went out after the tallying was completed. It was also

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on the Char-Koosta News website, Facebook, and email. Every voter is identified. Louise commented that the Tribal Council should be concerned because they are not getting even a quarter of eligible voters to vote in tribal elections and they should find out why tribal members are not voting. **Jennifer Trahan** let Louise know that there is an opportunity for tribal members to sign up to serve as election judges. That information was sent out five times and it is up to tribal members to apply for those positions. **Jennifer Finley** stated Louise is a single mother, takes care of her elderly mother, and is employed full time. **Carole Lankford** agreed we need to improve communication and get information out to the membership. **James Steele, Jr.** commented that the low voter turnout is happening across the board and not just in tribal elections. People do not show interest in the government unless there is a hot-button issue. James agreed with Louise's statements and appreciates her views. Louise wants the council members to do better, because the people they represent are hurting and are upset so they are not voting in the elections. She plans to form committees to improve voter turnout. Louise asked the council members to show integrity and own up to the things people are whispering about. **Jennifer Finley** appreciated Louise coming in today; it is not easy to speak up. She agreed with Louise's concerns.

Weemus Wilder requested to meet with council in **executive session** to discuss a personal matter. **Patricia Hibbeler**, Tribal Member Services Director, was present for discussion.

Council reconvened into **regular session**.

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

Ruth Swaney, Financial Management, presented a request from the Tribal Health Department to purchase capital equipment consisting of 2 pieces of physical therapy equipment for a not-to-exceed amount of \$13,000.00. Funding is available from the American Rescue Plan Act program and no budget increase is required. **Carole Lankford** asked why it requires council action. Ruth explained that the funding and justifications for capital equipment are included in the budgeting process and any requests after the budget is approved requires council action.

MOTION by Tom McDonald to approve the purchase of capital equipment consisting of 2 pieces of physical therapy equipment for the Tribal Health Department for a not-to-exceed amount of \$13,000.00. Seconded by Carole Lankford. Carried, unanimous (10 present).

Jamie Cahoon, Tribal Health Department, requested approval to hire Kiona Gardipee-Cantrell on a temporary employment agreement until her background check gets completed. Kiona is a nursing student and will work at The Retreat

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20 hours per week when needed to provide coverage when employees are on leave.

MOTION by Tom McDonald to approve a waiver of the background check policy for the hire of Kiona Gardipee-Cantrell on a temporary employment agreement at The Retreat until her background check gets completed. Seconded by Bing Matt. Carried, unanimous (10 present).

Carole Lankford asked what happened to the building in Polson. **Jamie Cahoon** responded they are waiting for the building audit. They toured the building on the hill on Monday as another option.

Seth Makepeace, Natural Resources Department, requested approval of noncompetitive negotiations with McMillen, Inc. to execute a contract to design the Placid Canal headworks structure and provide support through the construction completion period; and a contract with McMillen, Inc. in the amount of \$749,207.00 to provide design services, permitting, and construction management support for the Placid Canal Headworks project. These types of projects are difficult because they are working through a river system. The projects are done in different phases. Each project is custom and unique. The timeframes for contracts are based on construction schedules. There are markers under the scope of work and tight schedules are in place.

MOTION by James Steele, Jr. to approve noncompetitive negotiations with McMillen, Inc. to execute a contract to design the Placid Canal headworks structure and provide support through the construction completion period. Seconded by Tom McDonald. Carried, unanimous (10 present).

MOTION by Tom McDonald to approve a contract with McMillen, Inc. in the amount of \$749,207.00 to provide design services, permitting, and construction management support for the Placid Canal Headworks project. Seconded by Jim Malatare. Carried, unanimous (10 present).

Tabitha Espinoza and **Seth Makepeace**, Natural Resources Department, requested approval of modification 3 to Contract No. 21-208 with DOWL Engineering to add tasks 12 and 13 which include finalizing bid documents and bidding phase services for the Lower Jocko J Diversion project and increase compensation by \$99,210.60, for new a total not-to-exceed amount of \$797,608.60. **James Steele, Jr.** would like to have an economic study done on the Tribes' economic impacts to the state. Seth advised Greg Spahr is working on those numbers so that information could be provided to the Tribal Council.

MOTION by Carole Lankford to approve modification 3 to Contract No. 21-208 with DOWL Engineering to add tasks 12 and 13 which include finalizing bid documents and bidding phase services for the Lower Jocko J

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Diversion project and increase compensation by \$99,210.60, for new a total not-to-exceed amount of \$797,608.60. Seconded by Tom McDonald. Carried, unanimous (10 present).

Dan Decker, Chelsea Colwyn, Brian Upton, Zach Zipfel, Lynsey Gaudio, Shane Morigeau, Melissa Schlichting, and John Harrison, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Steve McDonald**, Tribal Forestry, joined the discussion.

Dan Decker, Chelsea Colwyn, Brian Upton, Zach Zipfel, Lynsey Gaudio, Shane Morigeau, Melissa Schlichting, and John Harrison, Legal Department, continued to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Martin Charlo to approve the contract for the BIA FWS Liaison position. Seconded by Tom McDonald. Carried unanimous (10 present).

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

Carolyn Upton, USDA Lolo National Forest Supervisor; **Jeremy Casterson**, USDA Lolo National Forest Deputy Forest Service Supervisor; **Tony Incashola, Jr.**, Tribal Resources Management Director; and **Katie McDonald**, Tribal Relations Specialist; gave an update on the progress of the Forest Plan Revision. CSKT had entered into an memorandum of agreement to be a cooperating agency on the Forest Plan Revision. The proposed action and draft plan will be put out to the public by the end of this month. They continue to hold interdisciplinary team meetings each month, and the team met with both Culture Committees. Mountain goats were added to the concerned species list.

Tony Incashola, Jr., Tribal Resources Management Director; and **Kari Kingery**, Natural Resources Department; discussed the 2024-2025 Moose Harvest Seasons and Hunting Regulations. There were some substantive changes proposed for the Moose Harvest Regulations. There has been a decrease in the annual population trends. An aerial survey was conducted for 2005-2010, and 64 moose were tracked during that five-year period. Tribal member hunter success was 500 moose harvested both on and off-reservation. The State closed their cow harvest due to low numbers. CSKT started seeing declines, as well, so the cow harvest was closed. The 2011-2016 survey detected 38 moose and 71 were harvested; the 2017-2021 survey detected 31 moose and 42 were harvested; the 2022 survey detected 7 moose and 19 were harvested; and no moose were detected during the 2023 survey. There has not been a survey conducted in the Jocko area for several years.

Jennifer Finley left the meeting to take care of a personal matter.

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There was a 20% hunter success rate in the 1990s and in the last two years there has only been a 2% success rate. The proposed changes include: (1) Having a hunting season be from September 1 to March 31 each year. (2) Set an annual harvest quota based on the annual flight count and previous six-year population trends, which is similar to the Bighorn Sheep and Ferry Basin Bull Elk quotas. (3) Hold an annual permitting drawing by having the same system as the Little Money Bighorn Sheep and Ferry Basin Bull Elk. It would be on a point system and the points would accrue each year, increasing the probability of draw. If drawn, the tribal member would be eligible to continue applying after three years. (4) Permit holders could have a designated hunter if the tribal member is aged 62 or older and/or is handicapped. The proposed changes were presented to both Culture Committees.

Patricia Courchane, Department of Human Resources Development, informed council that she would like to be able to send the Transit drivers back to the compound due to extreme weather conditions. It was the **consensus** of council to close at 2:00 p.m. today due to bad weather conditions.

Kari Kingery requested approval for the 2024-2025 Moose Harvest Seasons and Hunting Regulations be put out for a 30-day public comment period.

MOTION by Tom McDonald to approve the draft regulations to be put out for a 30-day public comment. Seconded by James Steele, Jr. Carried, unanimous (9 present).

Kari Kingery, Natural Resources Department, informed council that there will be a Draft EIS on feed lots and she plans on submitting a written comment. CWD in a mule deer was identified last year. It was the **consensus** of council to authorize the Wildlife staff to sign the comment letter.

Jordan Thompson, Tribal Executive Office, requested to meet with council in **executive session** to provide an update.

Jennifer Finley returned to the meeting.

Council reconvened into **regular session**.

Jennifer Finley stated in July she became aware that a nontribal member received a contract for \$15,000 per month and she is disappointed that it happened and how it happened. There is a lack of transparency to the council for such exorbitant and excessive contracts with nontribal members and a lack of transparency to the membership.

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MOTION by Jennifer Finley that all nontribal member contracts need to come before council so we are aware of such contracts and it is transparent to the membership. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

MOTION by Len TwoTeeth to adjourn the meeting. Seconded by Tom McDonald. Carried, unanimous (10 present).

Council **adjourned** at 2:18 p.m., and is scheduled to meet again on Tuesday, January 16, 2024, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary