

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

Volume 23 Number 44  
Council Chambers, Pablo, MT

Held: April 25, 2023  
Approved: April 27, 2023

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

**MEMBERS ABSENT:** Martin Charlo, Secretary (Tribal Business – Washington, DC); and Jennifer Finley (Economic Development Conference – Helena, Montana).

**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 Bing Matt.

The **Tribal Council Meeting Minutes** for April 11, 2023 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for April 11, 2023, with corrections. Seconded by Ellie Bundy. Carried, 7 for; 1 abstention (Bing Matt).

The **Tribal Council Meeting Minutes** for April 20, 2023 were presented for approval.

**MOTION** by Jim Malatare to approve the Tribal Council Meeting Minutes for April 20, 2023, with corrections. Seconded by Bing Matt. Carried, 7 for; 1 abstention (Mike Dolson).

The **agenda** was presented for approval. **Chairman McDonald** announced there is a muscle walk for the youth tomorrow beginning at 9:30 a.m., and the Administrative Professional’s Day event for the staff is tomorrow at the Kwataqnuq Resort & Casino.

**MOTION** by Bing Matt to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (8 present).

**Leroy Black**, Department of Human Resources Development, requested clarification of the motion from yesterday's chairman's meeting. **Chairman McDonald** clarified that the Tribal Council wants to generate information and respond within sixty days, and all tribal departments will participate in the security assessment for their buildings to be part of the planning document to be developed.

**MOTION** by Len TwoTeeth to have all tribal departments participate in the security threat assessment and have it completed within sixty days. Seconded by Mike Dolson. Carried, 7 for; 1 abstention (Ellie Bundy – was not present for yesterday's discussion).

**Josiah Black**, S&K Gaming, requested to meet with council in **executive session** to discuss a personnel matter.

**Council** met in **executive session**.

Council reconvened into **regular session**.

**Ruth Swaney**, Financial Management, requested approval of modification 11 to the fiscal year 2023 Total Budget Allocations. General fund revenues and increases in Compacts, Contracts, and Grants are available to appropriate in fiscal year 2023 to the programs, services, functions, and activities approved by the Tribal Council.

**MOTION** by Mike Dolson to approve by resolution modification 11 to the fiscal year 2023 Total Budget Allocations. Seconded by Len TwoTeeth. Carried, 7 for; 0 opposed; 1 abstention (Carole Lankford).

## **RESOLUTION 23-081**

### **RESOLUTION APPROVING MODIFICATION 11 TO THE FISCAL YEAR 2023 TOTAL BUDGET ALLOCATIONS**

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

**WHEREAS**, general fund revenues and increases in Compacts, Contracts, and Grants are available to appropriate in FY 2023 to the programs, services, functions, and activities approved by the Tribal Council; and

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**WHEREAS**, the increases and decreases in total allocations by Fund and by Function are as follows:

Function	Total Revised Mod 10 - 3/16/2023	Total Increase/ (Decrease) General Fund	Total Increase/ (Decrease) Dedicated Trust	Total Increase/ (Decrease) Compacts, Contracts, and Grants	Total Increase/ (Decrease)	Total Revised Mod 11 - 4/25/2023
<b>PERMANENT</b>						
Government Services	\$840,000					\$840,000
Government Operating	\$750,000					\$750,000
Capital Programs	\$2,000,000					\$2,000,000
Per Capita	\$12,096,000					\$12,096,000
<b>SUBTOTAL, PERMANENT</b>	<b>\$15,686,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$15,686,000</b>
<b>MANDATORY</b>						
Government Services	\$19,018,826					\$19,018,826
Health and Human Services	\$97,037,190			\$3,445,009	\$3,445,009	\$100,482,199
Natural Resources	\$63,284,373			\$490,895	\$490,895	\$63,775,268
Government Operating	\$2,064,000					\$2,064,000
Education	\$3,074,756			\$3,767,878	\$3,767,878	\$6,842,634
Administration	\$21,755,896					\$21,755,896
Court/Probation	\$1,696,548					\$1,696,548
Law Enforcement	\$2,983,450			\$251,441	\$251,441	\$3,234,891
Legal	\$3,436,000					\$3,436,000
Forestry	\$6,373,496					\$6,373,496
Capital Programs	\$865,000					\$865,000
Indirect Costs	\$4,041,000					\$4,041,000
<b>SUBTOTAL, MANDATORY</b>	<b>\$225,630,536</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,955,223</b>	<b>\$7,955,223</b>	<b>\$233,585,759</b>
<b>DISCRETIONARY</b>						
Government Services	\$11,137,000	\$31,750			\$31,750	\$11,168,750
Health and Human Services	\$17,836,500					\$17,836,500
Natural Resources	\$11,746,000		(\$37,000)		(\$37,000)	\$11,709,000
Government Operating	\$820,350					\$820,350
Education	\$585,845					\$585,845
Administration	\$172,000	\$9,250			\$9,250	\$181,250
Tribal Earmarks	\$4,549,651					\$4,549,651
<b>SUBTOTAL, DISCRETIONARY</b>	<b>\$46,847,346</b>	<b>\$41,000</b>	<b>(\$37,000)</b>	<b>\$0</b>	<b>\$4,000</b>	<b>\$46,851,346</b>
<b>TOTAL APPROPRIATIONS</b>	<b>\$288,163,882</b>	<b>\$41,000</b>	<b>(\$37,000)</b>	<b>\$7,955,223</b>	<b>\$7,959,223</b>	<b>\$296,123,105</b>

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 11 to the FY 2023 Total Budget Allocations for

General Fund, Dedicated Trust, and Compacts, Contracts, and Grants for a net increase of \$7,959,223; and

**BE IT FURTHER RESOLVED** that the FY 2023 Total Budget Allocations are increased from \$288,163,882 to \$296,123,105; 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 Budget Allocations authorized and available in the aforementioned Funds.

**Melinda Charlo**, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for the WS 3 - Johnson Wetland Mitigation, STPX 24(55), UPN 8583000 project. The project will be let in late 2023 and completed in 2024.

**MOTION** by Len TwoTeeth to approve the project specific agreement with the Montana Department of Transportation for the WS 3 - Johnson Wetland Mitigation, STPX 24(55), UPN 8583000 project. Seconded by Jim Malatare. Carried, unanimous (8 present).

**Dana Hewankorn**, Food Sovereignty Program, requested approval of a resolution supporting the 2023 application to USDA Local Food Purchase Assistance Agreement for Food Sovereignty Program funding in the amount of \$400,000. The program is a partner with Mission West Co-Op.

**MOTION** by Ellie Bundy to approve the resolution supporting the 2023 application to USDA Local Food Purchase Assistance Agreement for Food Sovereignty Program funding. Seconded by Bing Matt. Carried, 8 for; 0 opposed; 0 not voting.

## **RESOLUTION 23-082**

### **A RESOLUTION SUPPORTING THE 2023 APPLICATION TO USDA LOCAL FOOD PURCHASE ASSISTANCE AGREEMENT FOR FOOD SOVEREIGNTY PROGRAM FUNDING**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes' ("CSKT" or "Tribes") Tribal Council has the power and duty to protect the health, economy, security, and general welfare of the Tribes and thereby all the residents of the Flathead Reservation; and

**WHEREAS**, the Tribal Council, in Resolution No. 21-090, has identified hunger as a risk to the health, security, and general welfare of the Tribes, and as such, determined that it is necessary to establish food security consistent with the traditional principles and values as described in the Tribes' Mission and Vision statements; and

**WHEREAS**, the USDA Local Food Purchase Assistance Agreement Program (LFPA), has noncompetitive grant funding available for causes that promote tribal government purchases of local foods within a 400 miles of delivery to support local, regional and underserved producers; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes began a Food Sovereignty Pilot Program that work to strengthen the Tribal food system on the Flathead Indian Reservation by distributing fresh, local, and culturally relevant food to tribal elders in the community, meet with Tribal departments to ensure a strong food system is being created, and work to provide educational opportunities for the community, as the Tribes look to create a permanent food entity that will support a robust Tribal food sovereignty effort on the Reservation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Council hereby approves submission of the grant application to USDA Local Food Purchase Assistance Cooperative Agreement Program for the CSKT's Food Sovereignty effort; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Tribal Council or his designated representatives are authorized to negotiate and execute the application on behalf of the Tribes.

**Laurence Kenmille** and **Chasity Haynes**, Enrollment Office, requested approval of a resolution to go back to the old resolution to distribute funds back to the beneficiaries. The Burial and Cremation Benefits Policy was changed, but a resolution is required. **Carole Lankford** would like any changes to policy to be reviewed and approved by the council. The council members were all taken off guard to find out about the changes to policy because they thought any leftover burial funds were paid to the families. Carole wants the policy to be retroactive so all beneficiaries would be reimbursed the remaining balance of the burial funds that were paid. **Len TwoTeeth** suggested placing this matter on the five-day rule. Laurence can make a report on how many families would be affected. **Mike Dolson** requested the grammatical errors in the resolution be corrected. It was the **consensus** of council to place the request on the five-day rule.

**Laurence Kenmille** and **Chasity Haynes**, Enrollment Office, presented for approval a resolution establishing the approval of the DNA results for #203-UO09678 to increase the blood quantum using the biological father's blood quantum. The request was reviewed by the Enrollment Committee. **Ellie Bundy**

requested that the typos in the resolution be corrected. Chasity will make the needed corrections.

**MOTION** by Len TwoTeeth to approve the resolution establishing the approval of the DNA results for #203-UO09678 to increase the blood quantum using the biological father's blood quantum. Seconded by Mike Dolson. Carried, 8 for; 0 opposed; 0 not voting.

**RESOLUTION 23-083**

**RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR #203-UO09678 TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM**

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

**WHEREAS**, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

**WHEREAS**, in those cases where the natural parent at the time of birth of applicant or the natural father's name is not on the Certificate of Live Birth, genetic DNA (sibling) testing determining paternity is required; and

**WHEREAS**, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

**WHEREAS**, the DNA results prove that 203-UO05292 is the biological father of 203-UO09678;

**BE IT RESOLVED**, The Tribal Council accepts the DNA results, and approved the blood degree correction for 203-UO09678 from 1/2 to 27/32 and to correct the blood degrees of his descendants;

**BE IT FURTHER RESOLVED**, DNA testing results for the sole purpose of enrollment eligibility are reimbursed 1/2 the cost of which the individual has paid, providing documentation.

**Laurence Kenmille** and **Chasity Haynes**, Enrollment Office, presented for approval a resolution approving the relinquishment of Keya Marie Birdsbill (203-UO10121) from the CSKT rolls. The request was reviewed by the Enrollment Committee. **Ellie Bundy** mentioned there are some typos in the resolution that need to be corrected. Chasity will make the needed corrections.

**MOTION** by Carole Lankford to approve by resolution the relinquishment of Keya Marie Birdsbill (203-UO10121) from the CSKT rolls. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 0 not voting.

**RESOLUTION 23-084**

**RESOLUTION AUTHORIZING THE RELINQUISHMENT OF KEYA MARIE BIRDSBILL (203-UO10121)**

**WHEREAS**, Keya Marie Birdsbill has requested in writing relinquishment of membership from the Confederated Salish and Kootenai Tribes of the Flathead Reservation, MT; and

**WHEREAS**, Article II, Section 5 (1) of the Tribes' Constitution provides that membership in the Tribe may be lost by resignation in writing to the Tribal Council, **NOW, THEREFORE**,

**BE IT RESOLVED**, that Keya Marie Birdsbill has relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits
3. All Hunting and Fishing now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes.

**BE IT FURTHER RESOLVED**, that the request for relinquishment of Keya Marie Birdsbill is hereby approved;

**BE IT FURTHER RESOLVED**, that any individual who has relinquished their rights or membership voluntarily in the Confederated Salish and Kootenai Tribes shall not be entitled to reinstatement or re-adoption;

**BE IT FINALLY RESOLVED**, that the Office of Tribal Enrollment of the Confederated Salish and Kootenai Tribes must be in receipt of documentation that Keya Marie Birdsbill has become an official member of the Mandan, Hidatsa & Arikara Nation before she will be relinquished from the Confederated Salish and Kootenai Tribes.

**Mike Dolson** left the meeting to participate in a litigant's meeting.

**Greg Spahr** and **Ruth Swaney**, Financial Management, requested to meet with council in **executive session** to provide a report.

**Mike Dolson** returned to the meeting.

Council reconvened into **regular session**.

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

**Melissa Schlichting** and **Zach Zipfel**, Legal Department; **Seth Makepeace**, Natural Resources Department; and **Mark Couture**, Tribal Lands Department; requested to meet with council in **executive session**.

Council reconvened into **regular session**.

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

**Dan Decker**, **Zach Zipfel**, **Melissa Schlichting**, **John Harrison**, **Katie Jones**, **Grace Judge**, **Lynsey Gaudio**, **Chelsea Colwyn**, **Michael Wheeler**, and **Stu Levit**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

**Chad Cottet**, S&K Technologies, met with council for a meet and greet with the DCMA contractors and staff who are visiting the S&K Technologies headquarters this week.

Council **adjourned** at 3:14 p.m., and is scheduled to meet again on Thursday, April 27, 2023, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Martin A. Charlo  
Tribal Council Secretary