

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

Volume 24 Number 15  
Council Chambers, Pablo, MT

Held: December 7, 2023  
Approved: December 12, 2023

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

**MEMBERS ABSENT:** Martin Charlo, Secretary (White House Tribal Nations Summit – Washington, DC).

**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 Ellie Bundy.

The **Tribal Council Meeting Minutes** for December 5, 2023 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for December 5, 2023, with corrections. Seconded by Mike Dolson. Carried, unanimous (9 present).

The **agenda** was presented for approval.

**MOTION** by Jennifer Finley to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (9 present).

**David Wall** requested hunter assistance for one month for his sons to assist him while hunting big game on the reservation due to medical reasons.

**MOTION** by Carole Lankford to authorize hunter assistance for one month for David Wall’s sons to assist him while hunting big game on the reservation, due to medical reasons. Seconded by Ellie Bundy. Carried, 8 for; 1 opposed (Terry Pitts).

**Terry Pitts** commented that we have tribal members willing to offer assistance to those people that need help. He would like to try that process and if it doesn't work then come back to these decisions. We have mentioned in the past we have hunters available to assist hunters with needs and he would like that to be exercised first, and if that's not working then we can revisit this. Terry had been told there is a list of tribal members willing to go with hunters that have needs. **Chairman McDonald** clarified that program is set up for landowners with depredation issues, so maybe that program could be expanded to assist hunters in need. **Len TwoTeeth** stated these types of requests come up over and over and the council gets questioned by the Culture Committees because they are concerned we are jeopardizing our treaty rights when we allow nontribal members to hunt with our tribal members. Len wants further discussion with the Culture Committees and review policy. **Carole Lankford** clarified that nonmembers are not allowed to hunt; they are only allowed to accompany the tribal member in need.

**Art Trahan** requested approval for Kyle to hunt for his grandma Donna to get some buffalo. Kyle is 14 years old and went through the class yesterday. He would be accompanied by Art, Art's brother, or Jim Durglo.

**MOTION** by Carole Lankford to authorize Kyle to hunt for his grandmother Donna, so long as he is accompanied by a CSKT tribal member adult hunter. Seconded by Bing Matt. Carried, unanimous (9 present).

**Art Trahan**, Division of Fire, informed Terry Pitts that he checked on the pile by the old pole yard that Terry wanted burned. There is too much stuff in there so the pram cannot burn it. Art suggested community members burn it on March 1. It would be illegal for the Division of Fire to burn it due to the type of material in there.

**Ellie Bundy** gave a report on the Salish Kootenai Housing Board of Commissioners Policy Review meeting she attended Monday and Tuesday. Topics of discussion included the public water and sewer system, the transfer policy, passage of a resolution place a hold on all nonemergency transfers between units to catch up on the backlog, travel policy, general office procedures, occupancy program, the tenant-based program and vacant units, discussion on rent increases at the market rate due to income guidelines, the 2022 strategic plan, make plans to move forward, struggles SKHA has with ADP, and for the Housing Authority staff to meet with the Tribal Council on quarterly basis to discuss housing issues and provide updates. **Carole Lankford** would like to see the strategic plan and she suggested that the council concur with the plan. Receiving quarterly reports would be helpful to the council members. She would like a list of all vacant units and their location. She does not that the vacant housing is getting done. Carole would like to look at whether SKHA should continue to operate the water and sewer program or place the program elsewhere. Ellie

Tribal Council Meeting Minutes  
December 7, 2023

advised there were mediators doing the strategic planning session and she can provide a copy of the full report to Carole. They went over all vacant units, locations, and why they are vacant. The number is going down. The staffs wants to meet with council in January to go over the details. There are currently 50 vacant units. Carole is aware of a unit in the elder duplex that has been vacant for 2.5 years and no rehab has occurred yet. **Bing Matt** told council that his son cleaned 9 of the units yesterday and there are still a few more that need to be cleaned. Many of the homes need repairs, so it may be a while before anyone is allowed to move in. If SKHA does not adequate staff to do the work, they hire contractors to do it. Ellie informed council that the SKHA staff is requesting that the council ask the individuals that have complaints to submit the grievance request so the Board of Commissioners can review the complaint.

**Jennifer Trahan** informed council that she and Jableau have been going out to the communities to hand out absentee voting ballots for the upcoming Tribal Council election. They were in St. Ignatius yesterday and will be in Arlee today. Erica was hired on contract to assist. The staff will be knocking on doors and going to the Elders meeting, jails, rest homes, elder homes, hospitals, tribal corporations, Salish Kootenai College, etc. to offer tribal member voters an absentee ballot. The voters place their ballot in the locked box. **Carole Lankford** appreciated the efforts to increase voting, but she thought the process should have been approved by the Election Board since it deals with ballots. **Chairman McDonald** does not like only having one location for absentee voting and this is just an expansion of the services we already offer. He is happy the staff is providing this service to the membership so long as the chain of custody is followed. **Terry Pitts** does not want the ballots just sitting somewhere so he wants to make sure they are timely.

**Chairman McDonald** gave a report on yesterday's Environmental Quality Council hearing. There was a tie vote to support the initiative. The Environmental Quality Council did not endorse the initiative, which was a good thing. There has been overwhelming support against the initiative and 30,000 signatures will be needed from a certain number of voting districts. **Mike Dolson** commented that the folks supporting it were arguing for private property rights to support property rights and taxes which have nothing to do with the privileges of hunting. **Chairman McDonald** thought tribal staff covered it very well. The proponent of the initiative wants to come into our boundaries and establish non-CSKT members hunting rights on private lands on our Reservation. Based upon the State of Montana, Tribal members do not have the right to exercise our hunting rights on private lands outside of the external boundaries, so it is a proposed double standard. Other area Columbia River Treaty States believe that open and unclaimed lands include private lands within their traditional use areas, since that was the land status when the Treaty was signed and individual Tribal members may hunt on those lands, but Montana is unique in its interpretation of open and unclaimed lands and do not concur with treaty

hunting rights on private lands outside of the Reservations. There are many things are not included in the draft initiative that make it impossible for the Tribes to manage and protect their resources.

**Mike Dolson** followed up on the rumor that the Hot Springs High School was changing their logo again. Mike spoke to the superintendent and was told that it is not true and is just a rumor.

**Randy Ashley**, Natural Resources Department, informed council that the Wilmington Trust has notified the CSKT of a final determination allocation of funding. With the funds allocated under two previous rounds, two brand new Volvo semis were purchased for the SKC heavy equipment program. There were significant delays due to the Pandemic and the assembly line being shut down. There are two remaining semis to be purchased. Quotes have been received and there is just enough funding available to make this purchase although prices are significantly higher than what was originally budgeted. Randy requested approval to accept the final VW Allocation of \$78,607.25. CSKT was notified that there is a deadline of December 20, 2023, that Appendix D10 needs to be submitted and a call accepted by the designated party to verbally confirm the agreement to accept this settlement allocation and its terms.

**MOTION** by Ellie Bundy to accept the final VW Allocation of \$78,607.25. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Randy Ashley** informed council that on December 20, 2023, the trustee will call to make sure that the person is who they said they are and are acting on behalf of the Tribes, so Randy will need to be there to take the call.

**Abby Dupuis**, Appellate Court, requested approval of a judicial services contract with Robert McDonald to serve as Associate Lay Justice for a three-year term.

**MOTION** by Carole Lankford to approve by resolution a judicial services contract with Robert McDonald to serve as Associate Lay Justice for a three-year term. Seconded by Mike Dolson. Carried, 9 for; 0 opposed; 0 not voting.

## **RESOLUTION 24-020**

### **A RESOLUTION TO ENTER INTO A JUDICIAL SERVICES CONTRACT WITH ROBERT MCDONALD**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Robert McDonald to provide judicial services needed for the administration of the Confederated Salish and Kootenai Tribes Court of Appeals' authorized activities contained in Ordinance 103-A, as amended, the CSKT Laws Codified; **NOW, THEREFORE**,

**BE IT RESOLVED** that beginning November 12, 2023, Robert McDonald shall act as Associate Justice of the Confederated Salish and Kootenai Tribes' Court of Appeals providing services in accordance with the terms and conditions of the contract attached hereto.

**Abby Dupuis**, Appellate Court, requested approval of a judicial services contract with Gregory T. Dupuis to serve as Associate Lay Justice for a three-year term.

**MOTION** by Ellie Bundy to approve by resolution a judicial services contract with Gregory T. Dupuis to serve as Associate Lay Justice for a three-year term. Seconded by Terry Pitts. Carried, 9 for; 0 opposed; 0 not voting.

#### **RESOLUTION 24-021**

#### **A RESOLUTION TO ENTER INTO A JUDICIAL SERVICES CONTRACT WITH GREGORY T. DUPUIS**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Gregory T. Dupuis to provide judicial services needed for the administration of the Confederated Salish and Kootenai Tribes Court of Appeals' authorized activities contained in Ordinance 103-A, as amended, the CSKT Laws Codified; **NOW, THEREFORE**,

**BE IT RESOLVED** that beginning November 12, 2023, Gregory T. Dupuis shall act as Associate Justice of the Confederated Salish and Kootenai Tribes Court of Appeals providing services in accordance with the terms and conditions of the contract attached hereto.

Council met in **executive session**.

Council reconvened into **regular session**.

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

**Mark Couture** and **Tara Irvine**, Tribal Lands Department, requested to meet with council in **executive session** to discuss a departmental matter.

**Rick Eneas**, Tribal Executive Officer, requested to meet with council in **executive session** to provide an update.

Council reconvened into **regular session**.

**Janet Camel**, Economic Development Office; **Rick Eneas**, Tribal Executive Officer; **Lisa Shourds**, Administrative Services Director; and **John Neiss**, Facilities Maintenance; gave an update on the Kicking Horse master plan and requested approval of the master plan as proposed. It was recommended that the dorms be demolished due to various issues, such as the way the roof is built, poor insulation, leaking pipes, and the significant amount of work that would need to be done to make the water and sewer system adequate. The asbestos results are still pending at this time. **Carole Lankford** would like to have a construction engineer look it over and make a recommendation. Janet could have Jackola Engineering look at the dorms again. She would like to know what the cost would be to bring the structures up to par prior to making a decision to demolish them. **Bing Matt** mentioned the condition of and issues with the dorms that have occurred. He had hopes to use those buildings to be used for homelessness and during the COVID-19 pandemic. Bing was hoping the facility could be repaired and upgraded for future use. **Chairman McDonald** wondered why SKHA would not take on this project. Janet responded SKHA told her the program could not take on this project because the Housing Authority is understaffed and underfunded. **Terry Pitts** would like to use the dorms for the homeless. **Council** wanted to look into renovating the structures. Janet commented that the security issues would need to be addressed. The opposition to placing the homeless population at KHJCC is due to vandalism and the need for them to be near services. There was talk about having a hostile. There are 30-32 rooms in each dorm with 8 beds in each room. Carole would like the council involved in the process. **Council** gave direction for the staff to proceed as discussed. Council will be sent information as meetings are scheduled. Janet asked if council wanted to add the road to the BIA road system or keep them private roads. It was the **consensus** of council to have the roads evaluated to see if they can be added the BIA road system.

**Melissa Schlichting**, Legal Department; **Teresa Wall-McDonald**, Mission Valley Power Utility Board Member; and **Zachary Conko-Camel**, Mission Valley Power General Manager; requested to meet with council in **executive session** to discuss a legal matter.

**Teresa Wall-McDonald**, Mission Valley Power Utility Board Member; and **Zachary Conko-Camel**, Mission Valley Power General Manager; **Michael Wheeler** and **Shane Morigeau**, Legal Department, requested to meet with council in **executive session** to discuss utility issues.

Tribal Council Meeting Minutes  
December 7, 2023

Council reconvened into **regular session**.

**MOTION** by Len TwoTeeth to adjourn the meeting.

Council **adjourned** at 12:25 p.m., and is scheduled to meet again on Tuesday, December 12, 2023, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Martin A. Charlo  
Tribal Council Secretary