

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

Volume 24 Number 16
Council Chambers, Pablo, MT

Held: December 12, 2023
Approved: December 14, 2023

MEMBERS PRESENT: Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Martin Charlo, Secretary; Ellie Bundy, Treasurer; Mike Dolson; Carole Lankford; and Jim Malatare.

MEMBERS ABSENT: Jennifer Finley (Accelerating Indigenous Tourism Development – Building on NATIVE Act Success Lecture Services - George Washington University); James “Bing” Matt (Inter-Tribal Timber Council Meeting – Las Vegas, Nevada); and Terry Pitts (Inter-Tribal Agriculture Council Meeting – Las Vegas, Nevada).

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

The meeting was called to **order** at 9:06 a.m. Quorum established.

The meeting was opened with a **prayer** by Chairman McDonald

The **Tribal Council Meeting Minutes** for December 7, 2023 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for December 7, 2023, with corrections. Seconded by Jim Malatare. Carried, 6 for; 1 abstention (Martin Charlo).

The **agenda** was presented for approval.

MOTION by Mike Dolson to approve the agenda, with changes. Seconded by Jim Malatare. Carried, unanimous (7 present).

Jordan Stasso discussed issues regarding the Salish Kootenai Housing Authority. He was denied help from the Housing Board. Jordan’s family wants to move out of tribal housing as soon as possible and asked the board not to increase his rent to fair market value and they agreed to give him a six-month extension. Jordan purchased ten acres and plans to have a home there. Due to unforeseen delays, Jordan was not able to get things accomplished during that

Tribal Council Meeting Minutes
December 12, 2023

extension so he received a second extension. SKHA increased his rent from \$275.00 per month to \$535.00 per month. He still could not things accomplished on the development of his land during that time due to the lack of contractors and the timelines it has been taking to get things done through the Tribal Lands Department and Tribal Credit, so he requested another extension. The board denied the request and told him he could not go back to them for any further assistance. SKHA then increased his rent to \$1,100.00 per month beginning on January 1, 2024. The board recorded the meeting and Jordan requested a copy of the recording, but the board refused. Jordan is willing to pay rent, but he would appreciate some help while he is trying to develop his land and obtain a home instead of SKHA continuing to increase his rent. **Ellie Bundy** was present at that board meeting. Jordan was offered two six-month extensions. The purpose of increasing his rent was not to hold him down, but he has significant income and SKHA is trying to get his rent up to fair market value. The board has tried to start the increases slowly and provide tenants advanced notice of the increased rental amount. There are many low-income and homeless tribal members the Housing Authority is trying to serve. Jordan had received a one-year extension. The Housing Authority will start meeting with the Tribal Council on a quarterly basis and it may be beneficial to educate the council members on why rental amounts were increased and why things are the way they are. Jordan stated he would have vacated his housing unit already if he was not overcharged rent. He wants to vacate the unit as quickly as possible and then it can be available for a family in need. **Jody Cahoon-Perez**, Salish Kootenai Housing Authority, explained that she asked Jordan to request a copy of the recording in writing so she could take it to board for approval. Jordan sent her the email request on October 27 and had a timestamp of his email, so Jody asked him to forward it to Jennifer since she never received it. The board's decision was based on the information provided by Jordan. Jody put together a packet of information for Jordan outlining the process, budget, and timelines for what he is trying to do. The federal regulations do not allow an individual with income to receive the same benefits as low-income individuals and the policy requires tenants with income to pay fair market value. **Carole Lankford** wants the Tribes to figure out the process and get it streamlined for situations like this. Water and sewer needs to be reserved for people in this situation to prevent additional delays. She wants the council to ask the Housing Board of Commissioners to reconsider Jordan's request for a lower rent payment and have Rick Eneas go to Tribal Credit to get that part streamlined. Our programs need to help people in these situations so it will open up a unit for another person in need once he vacates. Carole would like to review the policy. She is not in favor of increasing rent to fair market value because it will cause hardships for the membership. She understands costs are increasing, but \$1,100.00 per month is a huge jump. **Len TwoTeeth** told Jordan he is proud of him and he would like to continue helping him reach his goal to own his own home. **Chairman McDonald** wants to be fair to all tribal members. Part of the process is trying to be fair and they want to give everyone opportunities. If CSKT had its our own housing units that would help those

Tribal Council Meeting Minutes
December 12, 2023

individuals. It is a bigger scope than just housing. **Martin Charlo** commented that the world we live in is the more individuals do the less help they receive. There has been some discussion on having a moratorium if someone is trying to move up in the world and not penalize them by taking assistance away and we should assist them to get out of low-income housing. He commended Jordan for what he is trying to do. SKHA is a good rental agency and some people are happy to live in those units forever. CSKT had to create a corporation to assist the Tribes with contractors, so they all know it is an issue. Jordan should not receive any retaliation for bringing up this matter.

It was the **consensus** of council to request the Salish Kootenai Housing Authority Board of Commissioners to reconsider a revised package of request for assistance.

Joe Durglo, Tribal Health Department, requested to meet with council in **executive session** to discuss a personnel matter.

MOTION by Carole Lankford to go along with the recommendation of the department head and authorize a temporary waiver of the background check for Cammie Dupuis Pablo to fill the Communications Director position while waiting for the background investigation to get completed. Seconded by Ellie Bundy. Carried, unanimous (7 present).

Pat Amborn, Tribal Forestry, requested acceptance of the high bid from Courville Logging for the NBZ Salvage Logging Unit.

MOTION by Mike Dolson to accept the high bid from Courville Logging for the NBZ Salvage Logging Unit. Seconded by Carole Lankford. Carried, unanimous (7 present).

Lisa Shourds, Administrative Services Director; and **Dan Durglo**, SKMM; requested approval of Task Order 33 for the Records Management warehouse building capital project at KHJCC.

MOTION by Martin Charlo to approve Task Order 33, as presented, for the Records Management warehouse building capital project at KHJCC. Seconded by Mike Dolson. Carried, unanimous (7 present).

Lisa Shourds, Administrative Services Director; and **Dan Durglo**, SKMM; requested approval of Task Order 28 for the Longhouse project.

MOTION by Martin Charlo to approve Task Order 28 for the Longhouse project. Seconded by Jim Malatare. Carried, unanimous (7 present).

Carole Lankford mentioned the council will be touring the KHJCC dorms this Thursday and wondered if Dan Durglo should participate in the tour. **Mr. Durglo** will be putting together a proposal in task order form in the near future.

Len TwoTeeth requested an Election Board meeting today.

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

Yolanda Page, Lynsey Gaudioso, John Harrison, Chelsea Colwyn, and Katie Jones, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Zachary Conko-Camel, Mission Valley Power General Manager; **Teresa Wall-McDonald, Dan Depoe, Gordon Fyant, Cindy Benson, and Michael McKee**, Mission Valley Power Utility Board; met with council to deliver the required contractor report and hold its annual meeting. Zack has been on board for 68 days. The annual report has evolved throughout the years and the goal is to add more to the report next year. Two of the board members have served on the board for 24+ plus years. The Customer Service Department does an outstanding job working with customers. In 2023, there were 4,000 customers on the disconnect list, 502 red cards were delivered, and there were zero nonsufficient funds or broken agreements. Zack would like to increase the number of payment kiosks to make it more convenient for customers. Richard Larance, Keinan Kenniston and Bob Paro participated in the lineman rodeo this past summer to compete against other lineman and they received the team trophy for the first time. The Engineering Department is responsible for making sure work orders are processed and a plan is created for substations. 5 substations are in dangerous care and are being repaired. The Biden Infrastructure Law (BILS) funding will be used for those repairs. Joe Caye applied for a grant of \$750,000 and that funding is intended for the west shore substation. It is important to note that MVP/CSKT has also been invited to participate in the award recipient webinar scheduled for this Thursday, December 14th. There are 71 customers on solar plans that are trying to meter zero.

The BIA condition assessment is reviewed continuously and it gives Zack a template on what needs to be addressed. There is a backlog of deferred maintenance that is needed, which has an estimated cost of \$22 million. The Operations Department replaces miles of lines, poles, and everything that connects the system. The Apprentice Program has 7 participants at the utility. There were discussions during the union negotiations about having groundman positions. Those positions provide those individuals the opportunity to move up

Tribal Council Meeting Minutes
December 12, 2023

to the apprentice program. Zack wants to look into bringing back those positions. Zack thinks the Department of Human Resources Development might have funding to provide that training. There was a question about MVP's outage time compared to other utilities and Zack will follow up. **Len TwoTeeth** asked if MVP is obligated to allow entities to hang their wires on our poles at no cost since the utility is a nonprofit. There are companies installing fiber and he did not know if they were using our poles. Zack can get that information for the council. MVP has line attachment agreements with entities that do that. Len heard the Polson line is on overload and he wanted to know if there could be a moratorium for new construction and new customers since it jeopardizes the community having an overload. Zack said MVP does not have anything in place right now, but Engineering and Operations consider that when hooking up new customers. Support Services has a program that provides assistance to organizations and individuals. The utility can approve up to \$500 without council approval. The annual report reflects the organizations that received a donation. Mission Valley Power has a customer of the month club and if customers pay their bill on time they are entered into a drawing for a credit to their utility bill. Over \$5,000 was awarded to customers.

The financial highlights were presented. MVP collected \$41,838,000 in 2023 and expended just under \$134,000,000 that was moved into the capital reserve account. MVP works toward building its emergency reserve, capital reserve, and savings account for future needs. If the rate increase does not go into effect as planned, the utility will need to use their reserves. Len asked if they help people get their pets off the power lines. Zack said if it interferes with service they will. Chairman McDonald remembered they had to get a mountain line off a line one time. MVP does not provide energy audits to households, but they can provide information and websites on how individuals can make their homes more efficient. There are 23,000 customers and 16,000 of them are residential. Zack provided a budget review. The approved budget was \$41,904,000, which included an 8% increase that was approved by the Utility Board. Total sales revenue projected with the rate increases would bring in total revenue of \$42,311,000. If the proposed rate increases are delayed, it cuts it in half and they would need to use their reserves. **Martin Charlo** would like to support tribal businesses and suggested having the utility vehicles purchase their fuel at Quicksilver as much as possible.

The Utility Board members provided closing comments. **Dan Depoe** commented that the meters had a rocky start. The board put an emphasis on getting the meters installed before the warranties expired and had 15,000 meters installed. **Gordon Fyant** has served on the board many years and he seldom hears anything about MVP. **Teresa Wall-McDonald** spoke about Engineering and Operations and deferred maintenance. It is a public obligation and needs to be charged to the payroll. She hopes to refine the NISC system in the future and how work orders are tracked. The BIA condition assessment drives their focus.

Len's comments on a moratorium on new service is an interesting comment and the utility needs to have a plan A and plan B for the west shore substation. **Michael McKee** has been on the Utility Board for 68 days. Prior to serving in that capacity he had no experience in power and utilities, and he has learned a lot. Last month Zack hosted other Northwest Regional managers, and that is the first time MVP hosted that event. **Cindy Benson** commented Teresa came on the board at a time the utility needed her, and she has taken the reins and has been the driving force to get things done that had not been done. Zack has changed the whole demeanor of the utility and the employees are happier and feel they have someone supporting them. The employees make the utility the success it is and it is necessary for them to receive support. Zack needs a team to work with, but the problem with that is the supervisors are members of the union.

MOTION by Martin Charlo to accept the Mission Valley Power Annual Report. Seconded by Ellie Bundy. Carried, unanimous (7 present).

Martin Charlo gave an update and report on his trip to Washington, DC last week. Martin attended the White House Tribal Nations Summit. President Biden signed an executive order on reforming federal funding and support for tribal nations to better embrace our trust responsibilities and promote the next era of tribal self-determination. Tribal member Ira Matt will be detailed to the White House for the next year and Martin would like an article about that in the Char-Koosta News.

Council **adjourned** at 2:23 p.m., and is scheduled to meet again on Thursday, December 14, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

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Martin A. Charlo
Tribal Council Secretary