

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

Volume 23 Number 52
Council Chambers, Pablo, MT

Held: June 6, 2023
Approved: June 8, 2023

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

MEMBERS ABSENT: Tom McDonald, Chairman (Inter-Tribal Bison Meeting – Gardiner, Montana); Jennifer Finley (National Congress of American Indians Conference); and James “Bing” Matt (Inter-Tribal Bison Meeting – Gardiner, Montana).

OTHERS PRESENT: Jableau Arlee, Council Office Manager; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:10 a.m. Quorum established.

The meeting was opened with a **prayer** by Len TwoTeeth.

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

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for June 5, 2023, with corrections. Seconded by Mike Dolson. Carried, 6 for; 1 abstention (Ellie Bundy).

The **agenda** was presented for approval. The Tribal Council will be attending Tony Incashola, Sr.’s memorial at the Long House today.

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

Catherine Baylor informed council she got a contract to work as the Licensing Program Manager at Tribal Social Services and was notified that she needed a current background check. She had a background check done previously and she passed it. Catherine requested a waiver of the new background check and permission to use the previous one so she can begin work immediately. The background check will take about three weeks to be completed. **Council** will

follow up with Rick Eneas.

Tara Irvine, Tribal Lands Department, informed council that Myrna Dumontier does the education aspect of culture for Early Childhood Services along with the Tribal Education Department. Myrna requested permission to use the northeast portion of the Arlee Campgrounds from today through Friday. Myrna would have the area blocked off where it would be away from the construction site so the activities would not interfere with the construction, and she would bring in some porta potties. There would be adults only today and tomorrow and up to 12 children in attendance on Thursday and Friday. The insurance would be covered by the Tribal Education Department. If granted permission, Myrna would need a group-use permit and be required to pay a \$15 administrative fee. **Len TwoTeeth** requested that the boundaries be clearly identified on the permit.

MOTION by Martin Charlo to grant Myrna Dumontier a free-use group permit for this specific event and waive the administrative fee, with the caveat that nobody go near the construction site. Seconded by Mike Dolson. Carried, unanimous (7 present).

Vernon Finley, Kootenai Culture Committee, requested to meet with council in **executive session** to discuss a personnel matter. **Mark Couture**, Tribal Lands Department; and **Rick Eneas**, Tribal Executive Officer; were present for discussion.

Mark Couture, Tribal Lands Department; and **Vernon Finley**, Kootenai Culture Committee; requested to meet with council in **executive session** to discuss a departmental matter.

Council reconvened into **regular session**.

MOTION by Martin Charlo to approve a group-use permit for the volunteers to access tribal land to eradicate the rush skeletonweed in the Big Draw area today and tomorrow. Seconded by Terry Pitts. Carried, unanimous (7 present).

Ruth Swaney, Financial Management, requested approval of modification 13 to the fiscal year 2023 Total Budget Allocations. The budget was increased for the Bison Range funding and for the award of Aquatic Invasive Species funding for watercraft inspection stations.

MOTION by Martin Charlo to approve by resolution modification 13 to the fiscal year 2023 Total Budget Allocations. Seconded by Carole Lankford. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 23-112

**RESOLUTION APPROVING MODIFICATION 13 TO THE FISCAL YEAR 2023
 TOTAL BUDGET ALLOCATIONS**

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

WHEREAS, 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

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

Function	Total Revised Mod 12 - 5/25/2023	Total Increase/ (Decrease) Compacts, Contracts and Grants	Total Revised Mod 13 - 6/6/2023
PERMANENT			
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
SUBTOTAL, PERMANENT	\$15,686,000	\$0	\$15,686,000
MANDATORY			
Government Services	\$19,163,357		\$19,163,357
Health and Human Services	\$100,883,299	\$7,573	\$100,890,872
Natural Resources	\$64,745,457	\$2,451,173	\$67,196,630
Government Operating	\$2,064,000		\$2,064,000
Education	\$10,706,981		\$10,706,981
Administration	\$21,755,896		\$21,755,896
Court/Probation	\$1,696,548		\$1,696,548
Law Enforcement	\$3,234,891		\$3,234,891
Legal	\$3,436,000		\$3,436,000
Forestry	\$7,785,997		\$7,785,997
Capital Programs	\$865,000		\$865,000
Indirect Costs	\$4,041,000		\$4,041,000
SUBTOTAL, MANDATORY	\$240,378,427	\$2,458,746	\$242,837,173
Function	Total Revised Mod 12 - 5/25/2023	Total Increase/ (Decrease) Compacts, Contracts and Grants	Total Revised Mod 13 - 6/6/2023
DISCRETIONARY			
Government Services	\$11,168,750		\$11,168,750

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Health and Human Services	\$17,836,500		\$17,836,500
Natural Resources	\$11,709,000		\$11,709,000
Government Operating	\$820,350		\$820,350
Education	\$585,845		\$585,845
Administration	\$181,250		\$181,250
Tribal Earmarks	\$4,549,651		\$4,549,651
SUBTOTAL, DISCRETIONARY	\$46,851,346	\$0	\$46,851,346
TOTAL APPROPRIATIONS	\$302,915,773	\$2,458,746	\$305,374,519

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 13 to the FY 2023 Total Budget Allocations for Compacts, Contracts, and Grants for a net increase of \$2,458,746; and

BE IT FURTHER RESOLVED that the FY 2023 Total Budget Allocations are increased from \$302,915,772 to \$305,374,519; 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.

Ruth Swaney, Financial Management, presented a request from the Natural Resources Department to purchase capital equipment in the amount of \$225,000 for the Bison Range, consisting of 1 snowplow for \$10,000; 4 light utility trucks for \$175,000; 1 weed spray trailer with 4-wheeler hauler for \$15,000; and 1 magnesium chloride holding tank for \$25,000, to be funded by additional transition funds received from the Department of the Interior. The program also received some deferred maintenance funding.

MOTION by Mike Dolson to authorize the purchase of capital equipment for the Bison Range. Seconded by Ellie Bundy. Carried, unanimous (7 present).

Len TwoTeeth briefed Ruth on the request for retention pay to be paid to specific individuals that did some work for the Kootenai Culture Committee and the Tribal Lands Department Elmo Fencing Crew. **Ruth Swaney**, Financial Management, informed council that the department head had been instructed last year to not pay those individuals as employees, but the Kootenai Culture Committee continues to pay them in that manner. They are being paid as vendors, so they are not employees and were not included in the retention pay. Ruth asked how the Elmo Fencing Crew were hired. She was told they are working for the Tribal Lands Department. The Tribal Council had taken action to approve retention pay for all individuals on the payroll system as of May 16, 2023. The practice of not hiring those individuals as employees and paying them through accounts receivable should not be done in any case. The department

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cannot pay people for services if they are not a contractor, a company, or a business. The program is spending money from a budget in a manner that was not approved by the Tribal Council. **Council** directed Ruth to follow up on the request for incentive pay for those individuals identified.

Aric Cooksley, Boys and Girls Club, gave a report on the Club's activities. Tash Williams was hired as the Cultural Engagement Coordinator. The St. Ignatius Boys and Girls Club opened in December and served 25 children per day. The club has no capacity to offer transportation. The Ronan and Polson Clubs are at capacity, due to limited staff. **Terry Pitts** told Aric that the Elmo community wanted some basketball time at the facility in Polson or Ronan. Aric discussed the facility/gym use and access. Anyone that uses the facility is required to obtain liability insurance for a minimum amount of \$1 million and the policy must include the Boys and Girls Club as an additional insured. **Mike Dolson** asked how the staff and volunteers are screened and if a background check is done. Aric advised a full fingerprint background check is done for anyone that works with the children. Employees are also required to pass a prehire drug test. There is a need for volunteers. An email was previously sent to supervisors approving the request and Aric asked if it was possible to send it out again to get the word out to the employee group. There is a need to get positive adults in front of the children. Aric gave an overview of the summer feeding program that the club has offered for the past six or seven years. They worked with the school to provide breakfast and lunch through the school's feeding program and the Boys and Girls Club provided the snacks. Those programs are funded by the USDA. As things wrapped up from COVID-19, it was brought to their attention that the programs were not following how things were supposed to go. The federal regulations state that no child can have no more than two meals per day from any of those programs or a combination of those programs. The Boys and Girls Club and the school have been very clear on the meals they offer to children and there were no problems. It went back to the State and the State told them they were not administering this correctly and that they cannot do that anymore, so the club can no longer work with the school for the meals. The club is now doing a breakfast and lunch and are reimbursed for that cost. Food is a security issue and the Boys and Girls Club is trying to figure out how to provide a hardy snack late in the afternoon. Aric asked if the Tribes could help offset the cost of the afternoon snack. It would cost about \$20,000 for the summer. **Len TwoTeeth** informed Aric that the Rocky Mountain Tribal Leaders Council has specific grant funds for Boys and Girls Clubs. Len requested the budget request in writing so the Tribes can follow up on finding funding to help with the snacks. **Martin Charlo** suggested that Aric reach out to the Headwaters Foundation since the foundation has grant funding.

Vernon Finley, Kootenai Culture Committee, met with council to follow up on his request from this morning. **Len TwoTeeth** told him that some of the individuals were vendors so the Tribal Executive Officer is working on an option

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to get them paid. Vernon had been told the employees had to be on the job as of May 16 in order to qualify for the retention pay, and he clarified the individuals were hired but they were not on the job yet as of that date. Rick Eneas will follow up to find the right avenue to be able to pay them.

Jim Steele, Sr. requested clarification on the job duties and responsibilities for the Door Monitor and the Sergeant at Arms. The job was designed for them to remain at the desk at all times and identify whether any individual entering the room is a threat.

Council **adjourned** at 10:27 a.m., and is scheduled to meet again on Thursday, June 8, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary