

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

Volume 24 Number 10  
Council Chambers, Pablo, MT

Held: November 16, 2023  
Approved: November 21, 2023

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

**MEMBERS ABSENT:** Jennifer Finley, National Congress of American Indians Annual Convention – New Orleans, Louisiana); Carole Lankford (Tribal Business – Washington, DC).

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

The meeting was called to **order** at 9:02 a.m. Quorum established. **Mike Dolson** is on travel status in Washington, DC, and will join the meeting later.

The meeting was opened with a **prayer** by Stephen Smallsalmon.

The **Tribal Council Meeting Minutes** for November 2, 2023 were presented for approval.

**MOTION** by Terry Pitts to approve the Tribal Council Meeting Minutes for November 2, 2023, with corrections. Seconded by Martin Charlo. Carried, 6 for; 1 abstention (Bing Matt).

The **agenda** was presented for approval.

**MOTION** by Jim Malatare to approve the agenda, with changes. Seconded by Ellie Bundy. Carried, unanimous (7 present).

**Ellie Bundy** presented a request from David Gardipe for his son Allen Gardipe to be his assistant hunter, due to medical reasons. He completed the hunter assistance form. David wants the request to include Ferry Basin.

**MOTION** by Martin Charlo to approve the hunter assist request for Allen Gardipe to assist David Gardipe, due to medical reasons, and include Ferry Basin. Seconded by Jim Malatare. Carried, 6 for; 1 abstention (Ellie Bundy).

**Ellie Bundy** informed council that Myrna DuMontier does the animal shelter park in Arlee. They are looking at the old Nicholson property to house some kennels, and George and the team determined it is a suitable location. They would like that portion of the property sectioned off from the agricultural piece. **Chairman McDonald** advised the Tribal Lands Department would need to bring it in after doing a comprehensive review.

**Jennifer Trahan** informed council that Dari Ann Morigeau has requested that her son Devon Arlee be designated as her hunter at Ferry Basin, due to medial reasons. Jennifer will find out if the request requires council action.

**Chairman McDonald** announced Two Eagle River School will be hosting a Tribal Council candidate forum on November 30, 2023, from 5:30 p.m. to 7:00 p.m. All Tribal Council candidates, Tribal Council members, and community members are invited.

**Stephen Smallsalmon**, Tribal Member, requested to meet with council in **executive session** to discuss personal matters. **Patricia Hibbeler**, Director of Tribal Member Services, joined the discussion.

**Council** met in **executive session**. **Patricia Hibbeler**, Director of Tribal Member Services, was present for discussion.

**Council** met in **executive session**. **Lisa Shourds**, Director of Administrative Services, joined the discussion.

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

Council reconvened into **regular session**.

**Terry Pitts** received a call from a Tribal elder regarding the highway crossing in Elmo. An individual dressed in black crossed the highway and the elder did not see the person. The elder recommended getting some lighting in that area.

**Terry Pitts** received a call regarding Mission Valley Power. Once the new meters were installed, the individual's lights flicker on and off all day. The Mission Valley Power telephone system has a long menu and when the person clicked on it, the phone went to another menu, so the individual could not reach anyone. Mission Valley Power needs to make their system more user friendly. **Chairman McDonald** will follow up.

**Art Trahan**, Division of Fire, requested permission to burn piles during the closed burning season. **Terry Pitts** reported the Tribal Lands Department needs to do some burning at the Dixon Agency and he wants that included in the

action. Art requested a map of the area that needs to be burned, and he will follow up. **Martin Charlo** informed council that the Dixon Rural Fire Department wanted to do some burn training and he thought they wanted to do the burn there. Art advised the program activities are based on what they can do with the proper training, and he would need to follow up on that.

**MOTION** by Martin Charlo to authorize the Division of Fire to do burn activities during the closed burning season from December 1, 2023 through February 29, 2024. Seconded by Bing Matt. Carried, unanimous (7 present).

**Ruth Swaney**, Financial Management, requested approval of modification 2 to the fiscal year 2024 Total Allocations. Tribal Council approved an increase in the budget for donations and there are General Fund revenues available to appropriate for that purpose; and a correction is needed to the amount for Health and Human Services as reflected in Resolution 24-006 which approved Modification 1.

**MOTION** by Bing Matt to approve by resolution modification 2 to the fiscal year 2024 Total Allocations. Seconded by Len TwoTeeth. Carried, 7 for; 0 opposed; 0 not voting.

**RESOLUTION 24-014**

**RESOLUTION APPROVING MODIFICATION 2 TO THE FISCAL YEAR 2024 TOTAL ALLOCATIONS**

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

**WHEREAS**, increases in Contracts and Grants require modification to the FY 2024 Total Allocations; and

**WHEREAS**, Tribal Council approved an increase in the budget for Donations and there are General Fund revenues available to appropriate for that purpose; and

**WHEREAS**, a correction is needed to the amount for Health and Human Services as reflected in Resolution 24-006 which approved Modification 1; and

**WHEREAS**, the increases by Function and by Fund are reflected below for a total increase of \$3,742,905:

Function	Revised Mod 1 10/19/2023 with Corrections	Increase/ (Decrease) General Fund	Increase/ (Decrease) Contracts & Grants	Total Increase/ (Decrease)	Total Function Revised Mod 2 11/16/2023
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Government Services	\$21,101,953		\$679,254	\$679,254	\$21,781,207
Health and Human Services	\$67,146,195		\$71,583	\$71,583	\$67,217,778
Natural Resources	\$67,758,860		\$2,899,370	\$2,899,370	\$70,658,230
Government Operating	\$3,655,000	\$23,000		\$23,000	\$3,678,000
Education	\$1,539,344		\$69,697	\$69,697	\$1,609,041
Administration	\$23,590,866				\$23,590,866
Court/Probation	\$1,627,000				\$1,627,000
Law Enforcement	\$3,040,000				\$3,040,000
Legal	\$3,931,906				\$3,931,906
Forestry	\$5,269,710				\$5,269,710
Capital	\$3,604,000				\$3,604,000
Per Capita	\$12,150,000				\$12,150,000
Indirect Costs	\$4,400,000				\$4,400,000
Tribal Earmark	\$0				\$0
<b>Total</b>	<b>\$218,814,834</b>	<b>\$23,000</b>	<b>\$3,719,905</b>	<b>\$3,742,905</b>	<b>\$222,557,739</b>

Fund	Revised Mod 1 10/19/2023 with Corrections	Increase/ (Decrease)	Total Fund Revised Mod 2 11/16/2023
General Fund	\$73,838,622	\$23,000	\$73,861,622
IHS Compact	\$35,160,000		\$35,160,000
BIA Compact	\$25,679,500		\$25,679,500
Contracts and Grants	\$11,690,378	\$3,719,905	\$15,410,282
Third Party	\$18,296,000		\$18,296,000
Settlement Funds	\$4,150,335		\$4,150,335
Water Compact	\$50,000,000		\$50,000,000
<b>Total</b>	<b>\$218,814,834</b>	<b>\$3,742,905</b>	<b>\$222,557,739</b>

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 2 to the FY 2024 Total Allocations for a total increase of \$3,742,905; and

**BE IT FURTHER RESOLVED** that the amount for Health and Human Services is increased \$853,000 to correct the FY 2024 Total Allocations reflected in Resolution 24-006 from \$217,961,834 to \$218,814,834; and

**BE IT FURTHER RESOLVED** that Modification 2 increases the FY 2024 Total Allocations from \$218,814,834 to \$222,557,739; 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 Allocations approved in the aforementioned Funds.

**Ruth Swaney**, Financial Management, requested approval to purchase capital equipment, consisting of some restroom showers and laundry units for mobile deployment, where needed. The equipment will be placed at the Warming Center and at various locations in the community. ARPA funds will be used for up to \$100,000 for the first unit.

**MOTION** by Ellie Bundy to approve the purchase of capital equipment consisting of some restroom showers and laundry units for mobile deployment. Seconded by Martin Charlo. Carried, unanimous (7 present).

**Ruth Swaney**, Financial Management, requested approval to purchase capital equipment consisting of air compression units for the Dental program for up to \$25,000 from Third Party funding.

**MOTION** by Len TwoTeeth to approve the purchase of capital equipment consisting of air compression units for the Dental program. Seconded by Jim Malatare. Carried, unanimous (7 present).

**Ann Miller**, Tribal Defenders Office, requested approval of a resolution to accept funding from Providence Health and Services – Montana for Implementation of Substance Abuse Disorder Services at the Tribal Defenders Office.

**MOTION** by Martin Charlo to approve the resolution to accept funding from Providence Health and Services – Montana for Implementation of Substance Abuse Disorder Services at the Tribal Defenders Office. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

#### **RESOLUTION 24-015**

#### **RESOLUTION FOR CSKT TO ACCEPT FUNDING FROM PROVIDENCE HEALTH AND SERVICES – MONTANA FOR IMPLEMENTATION OF SUBSTANCE ABUSE DISORDER SERVICES WITHIN THE TRIBAL DEFENDERS OFFICE**

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

**WHEREAS**, The Confederated Salish and Kootenai Tribe is a federally recognized Tribe, recognized by the United States Government and all of its governing bodies and agencies for the Tribal Council to act pursuant to its inherent and retained sovereignty, empowered in all matters that concerns the health, safety, and wellbeing of the Tribe and its tribal members; and

**WHEREAS**, The Tribal Council has determined care, services and support of their tribal member and descendent children and the family is the utmost importance; and

**WHEREAS**, The Tribal Council, through issuance of eight priority resolutions, see the importance of improved substance abuse treatment and supportive services as part of increasing coordinated service delivery for individuals involved directly with our Tribal Defenders Office; and

**WHEREAS**, this Initiative provides the basis for a partnership with the Tribal Defenders Office and the Tribal Health Department Behavioral Health Division by providing direct clinical coordinated care for people in the program; and

**WHEREAS**, the Tribal Council is fully supportive of the acceptance of funding from Providence Health and Services – Montana and the development well-coordinated substance abuse treatment planning and implementation for Tribal Defender clients; **NOW, THEREFORE**,

**BE IT RESOLVED**, that the Confederated Salish and Kootenai Tribal Council respectfully approves the receipt of funding from Providence and is highly supportive of the substance use treatment services in support of Tribal Defender clients.

**Whisper Camel-Means**, Natural Resources Department, informed council that the department was awarded the AARP Community Challenge Grant for ADA items at the Bison Range. The memorandum of understanding requires the program to announce the award to the Tribal Council and host a community event. Council was invited to attend the Community Volunteer Day event on November 22, 2023, from 9:00 a.m. to 12:00 p.m. The council and community members are invited to help with construction projects at the Bison Range.

**Rich Janssen**, Natural Resources Department; **Tom Bansak** and **Jim Elser**, University of Montana Flathead Lake Biological Station; and **Kevin Askan**, Tribal Preservation Office; informed council the FLBS will be celebrating its 125th anniversary. The FLBS wants to be inclusive and respectful of CSKT culture and history while celebrating its anniversary. CSKT works closely with the FLBS, receives training on water quality monitoring, and shares data. Kevin gave an overview of the historical significance of the Yellow Bay Biological Station area. **Chairman McDonald** appreciates the partnership with the Flathead Lake Biological Station. It would be symbolic to give the land back to the Tribes and then have the Tribes enter into a lease for the Biological Station. It is important to keep the mining out of the North Fork of the Flathead. **Terry Pitts** commented that the Ravalli check station is not open right now and he is concerned about contaminated boats entering the waterbodies. Rich responded that all boats are checked, so there should not be any unchecked boats entering the waterbodies.

Boatowners are aware that their boats must be checked. **Len TwoTeeth** mentioned the goal to hire 10 additional Game Wardens and wanted to know the status of that. Rich advised the program has a total of 10 Game Wardens, but did not meet the goal to hire 10 additional positions due to budgetary constraints. Mr. Elser asked who the CSKT point of contact is to consult with on any of the materials they release to the public. **Chairman McDonald** asked him to work through Rich Janssen.

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

**Renee Camel** and **Celeste Hewankorn**, Information Technologies; **Renee Joachim**, Personnel Department; and **Lisa Shourds**, Director of Administrative Services; requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

**MOTION** by Bing Matt to waive the 90-day return to work deadline in the Substance Abuse Policy and allow the employee to return to work after treatment is completed. Seconded by Ellie Bundy. Carried, unanimous (7 present).

**Chairman McDonald** gave an update on the tiny homes project. The manager wants to start working on the homes during the next three months, and Tom gave him the go-ahead to begin working on 5 homes. The plan is to obtain 20 tiny homes.

**Chairman McDonald** informed council that Ellie and Martin joined him in a meeting with the 4-H students last week. The students attended a summer camp in Bozeman and gave a slideshow on that. They did some research on drones in the KHJCC Reservoir area.

**Chairman McDonald** informed council that Representative Zinke introduced a bill to require discharge of the Hungry Horse water into Flathead Lake to maintain that top one foot of pool elevation during the summer months. The Tribes have not taken a formal position on that.

**Bing Matt** informed council of a poetry reading at the Johnny Arlee and Victor Charlo Theater today at 6:00 p.m. by award-winning author DQ Okpik. She is a recipient of the Windham Campbell prize for poetry. DQ's most recent book *Blood Snow* was named as a finalist for the 2023 Pulitzer Prize.

**Chairman McDonald** discussed a meeting he and Len participated in last week. Canada is willing to engage the Boundary Waters Commission. It appeared they are willing to address all contaminants and pollution from mining and have a

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broad definition of the drainage. **Len TwoTeeth** commented that many participants were frustrated due to a lack of response from the State Department. The Canadian government engaged, but it was not what was anticipated. Len wanted to see some solid dates and plans and it was like we are spinning our wheels and they told us what we wanted to hear. When they left the meeting, no other proposed date to set the outcomes was made. The Tribes need to be aggressively engaged and get out to the media. Len saw an article yesterday that indicated Tech Mining was going to sell their Elk River assets. He thought both governments would come together and have a plan, but we laid out the whole platform for them and they did not really engage. **Chairman McDonald** mentioned Glencore is the company purchasing the Tech Mining assets.

**Dan Decker, John Harrison, Michael Wheeler, and Shane Morigeau**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

**MOTION** by Ellie Bundy to extend the Mission Valley Power union negotiations until December 31, 2023. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

Council **recessed** the regular meeting at 11:44 a.m. to conduct an Energy Keepers, Inc. shareholder representative meeting.

Council **reconvened** into the regular meeting at 12:27 p.m.

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

**Mike Dolson** joined the meeting.

**Dan Decker, Danna Jackson, Brian Upton, Lynsey Gaudioso, and Yolanda Page**, Legal Department; **Steve McDonald**, Tribal Forestry; and **Tony Incashola, Jr.**, Director of Tribal Resources Management; requested to meet with council in **executive session** to discuss legal matters.

**Dan Decker, Danna Jackson, Brian Upton, Lynsey Gaudioso, and Yolanda Page**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Gwen Lankford**, Consultant, was present for discussion.

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

Council reconvened into **regular session**.



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Council **adjourned** at 3:09 p.m., and is scheduled to meet again on Tuesday, November 21, 2023, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

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Martin A. Charlo  
Tribal Council Secretary