

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

Volume 24 Number 12  
Council Chambers, Pablo, MT

Held: November 28, 2023  
Approved: November 30, 2023

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

**MEMBERS ABSENT:** Ellie Bundy, Treasurer (Personal Time Off).

**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 Carole Lankford.

The **Tribal Council Meeting Minutes** for November 21, 2023 were presented for approval.

**MOTION** by Bing Matt to approve the Tribal Council Meeting Minutes for November 21, 2023, with corrections. Seconded by Jennifer Finley. Carried, 8 for; 1 abstention (Mike Dolson).

The **agenda** was presented for approval.

**MOTION** by Len TwoTeeth to approve the agenda, with changes. Seconded by Bing Matt. Carried, unanimous (9 present).

**Chairman McDonald** reminded council of emails that were sent to them regarding an announcement for the County Commissioner’s hearing and a copy of the FERC inquiry about Flathead Lake operations and the Draft Management Plan.

**Gina Marie Roullier** requested to meet with council in **executive session** to discuss a personnel matter. **Renee Joachim, Shelley Grenier** and **Cynthia Matt**, Personnel Department, were present for discussion. **Lisa Shourds**, Administrative Services Director, joined the discussion.

**Jessa Plant** requested to meet with council in **executive session** to discuss a personal matter. **Patricia Hibbeler**, Tribal Member Services Director; and **Jami Pluff**, Homeless Coordinator; were present for discussion.

**Jami Pluff**, Homeless Coordinator, met with council in **executive session** to discuss a departmental matter.

Council reconvened into **regular session**.

**Ryan Busse**, Democratic Candidate for Montana Governor, introduced himself to the Tribal Council and gave an overview of his background and experience. Mr. Busse was grateful for the opportunity and privilege for his family to spend time on tribal lands. He is concerned about Medicaid Expansion and is monitoring the Public Law 280 issue. Mr. Busse would like to have an effective and respective partnership with CSKT and asked about topics of concern to the Tribes. His background/experience includes being a former firearms executive, he is the author of *Gunfight: My Battle Against the Industry That Radicalized America*, and formerly served as the Chairman of the Montana Conservation Voters and Backcountry Hunters and Anglers. His two teenage sons were litigants in the *Held vs. Montana* criminal trial. **Chairman McDonald** mentioned some of the important topics to the Tribes include taxes and the revenue sharing agreement, the importance of upholding our Treaty rights, equal representation, and the implementation of the Water Compact. **Carole Lankford** mentioned the importance of Medicaid Expansion. Mr. Busse agreed that Medicaid Expansion is critical for all Montana citizens to receive necessary medical care. **Jennifer Finley** discussed the importance of Indian Education For All and the need for students to learn about the CSKT and our homeland. Mr. Busse commented that it is important for the Tribes to tell their story and it should be taught and structured the way the Tribes want it to be. **Chairman McDonald** would like to have cooperation from the State administration on economic development. The CSKT's future is in economic development and the Tribes want what is best for its people. Our unemployment rate is higher than the state average. CSKT strives to have 100% employment. **Len TwoTeeth** discussed the Health and Human Services Department. There are some key positions that were held by members of other tribes. Those positions were created by the Montana tribes. The Tribes want to maintain those positions; they are critical for the Tribes because they kept us in the loop on policies that were being proposed and executed and they let us know how the new policies affected us. Medicaid Expansion came from those offices.

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

**Melinda Charlo**, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for the Curves S of Ravalli safety project. The project is on 93 between RP 24 to RP 27

and there will be new signing and flashers installed. The project is expected to begin in the Spring of 2024. The estimated cost for electrical and signing is \$150,000.

**MOTION** by Jennifer Finley to approve the project specific agreement with the Montana Department of Transportation for the Curves S of Ravalli safety project. Seconded by Jim Malatare. Carried, unanimous (9 present).

**Velda Shelby** and **Janet Camel**, Economic Development Office, requested approval to apply for the fiscal year 2024 Indian Country Economic Development Tribal Tourism Grant and a match of \$35,350.00 to complete necessary upgrades. The deadline to submit the application is this week. The funds will be used to do upgrades and repairs to the Bison on the Lake rental property and dock. **Carole Lankford** would like the department to consider installing a floating dock. **Len TwoTeeth** was not sure how much revenue we have received from renting this property and he would like to consider bidding it out for the membership. **Mike Dolson** asked what the source was for the matching funds, what the administrative fee was for, and why it was not included in the resolution. Velda advised the matching funds come from the department's budget and the administration fees is for Contracts & Grants and the oversight in processing the reports. The information is included in the attachment so that is why it is not specifically mentioned in the resolution.

**MOTION** by Len TwoTeeth to approve by resolution submission of an application for the fiscal year 2024 Indian Country Economic Development Tribal Tourism Grant and matching funds of \$35,350.00. Seconded by Jennifer Finley. Carried, 8 for; 0 opposed; 1 not voting (Martin Charlo out of the room).

#### **RESOLUTION 24-018**

#### **RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO MONTANA INDIAN COUNTRY ECONOMIC DEVELOPMENT (ICED) FOR A FY24 TRIBAL TOURISM GRANT TO PERFORM UPGRADES AND IMPROVEMENTS TO THE BISON ON THE LAKE RENTAL PROPERTY**

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

**WHEREAS**, the Tribal Council of the Confederated Salish and Kootenai Tribes is the duly recognized governing body of the Flathead Reservation; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes are committed to the sound planning and management of Flathead Reservation resources; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes (CSKT or Tribes) have directed the Office of Economic Development to fill the important need of diversification of revenues and protection of resources as the Tribes strive for self-sufficiency and planned economic development opportunities; and

**WHEREAS**, the Office of Economic Development has developed a business plan and conducted feasibility analysis for Tribal property designated Polson West to promote essential business development, a priority action item stated in CSKT's Comprehensive Economic Development Strategy; and

**WHEREAS**, the Montana ICED program has announced grant funds for eligible "shovel-ready" long-lasting projects under the section of the Destination Development and Infrastructure Upgrades; and

**WHEREAS**, the FY24 Tribal Tourism Grant is a competitive grant program designed to connect participating Tribes of Montana with the resources necessary to advance one or more self-identified tourism priorities; and

**WHEREAS**, the Office of Economic Development has compiled cost estimates with a proposed construction schedule, completed NEPA review and requested a Shoreline Permit to complete upgrades for the Bison on the Lake property; and

**NOW THEREFORE BE IT RESOLVED** that the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation approves the application for a \$35,350 match from the Montana ICED Tribal Tourism Grant to cover 50% of total project costs to perform necessary upgrades and improvements to the Bison on the Lake as proposed.

**BE IT FURTHER RESOLVED** that this grant program is available on a reimbursement basis to be managed by the Office of Economic Development in compliance with ICED grant requirements.

**BE IT FINALLY RESOLVED** that the Tribal Council Chairman and designated representative are hereby authorized to negotiate and execute the contract and any modification thereof.

**Tara Irvine**, Tribal Lands Department, presented a request from Crystal Matt, Ombre Mountain Designs, for a revocable permit for T4127-A in Ronan. Options discussed were: (1) grant a one-year revocable permit, so long as all permitting requirements are met, including a rental payment of \$350.00 per month, provide proof of required insurance, and pay the required bond; (2) deny request; and (3) hold further discussion. Crystal would also be required to pay for the utilities. For the past two years Crystal made improvements to the building in lieu of rent.

**MOTION** by Jennifer Finley to grant Crystal Matt a one-year revocable permit to operate Ombre Mountain Designs on T4127-A, so long as all permitting requirements are met, including a rental payment of \$350.00 per month, provide proof of required insurance, and pay the required bond. Seconded by Jim Malatare. Carried, unanimous (8 present – Martin Charlo out of the room).

**Tara Irvine** informed council that Crystal Matt is willing to allow tribal campaign signs on the leased property in Ronan.

**Rob McDonald**, Natural Resources Department, requested authorization to purchase capital equipment in the amount of \$24,000 for three 40' storage containers to protect the equipment for the Jocko pipeline project. **Len TwoTeeth** would like the program to consider contracting services from North Star Security. Rob advised the program has them on their list of businesses.

**MOTION** by Jim Malatare to authorize the purchase of capital equipment in the amount of \$24,000 for three 40' storage containers to protect equipment for the Jocko pipeline project. Seconded by Terry Pitts. Carried, unanimous (8 present – Martin Charlo out of the room).

**Tabitha Espinoza**, Natural Resources Department, requested approval of modification 2 to Contract No. 22-300 with Geum Environmental Consulting, Inc. to increase the amount by \$459,204.00, for a total not-to-exceed amount of \$1,336,483.40, to continue providing environmental support services through the contract end date of September 13, 2026.

**MOTION** by Bing Matt to approve modification 2 to Contract No. 22-300 with Geum Environmental Consulting, Inc. to increase the amount by \$459,204.00, for a total not-to-exceed amount of \$1,336,483.40, to continue providing environmental support services through the contract end date of September 13, 2026. Seconded by Jim Malatare. Carried, unanimous (8 present – Martin Charlo out of the room).

**Dan Decker, Katie Jones, Lynsey Gaudio, Shane Morigeau, Brian Upton, Zach Zipfel, John Harrison, Michael Wheeler, Christina Courville, Melissa Schlichting, and Yolanda Page**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Gwen Lankford**, Consultant; and **Maylinn Smith**, Tribal Prosecutors Office; were present for discussion.

**Dan Decker, Katie Jones, Lynsey Gaudio, Shane Morigeau, Brian Upton, Zach Zipfel, John Harrison, Michael Wheeler, Christina Courville, Melissa Schlichting, and Yolanda Page**, Legal Department, continued to meet with

council in **executive session** to discuss legal matters. **Zachary Conko-Camel**, Mission Valley Power, was present for discussion.

**Dan Decker, Lynsey Gaudio, Shane Morigeau, Brian Upton, Zach Zipfel, John Harrison, Michael Wheeler, Christina Courville, Melissa Schlichting, and Yolanda Page**, Legal Department, continued to meet with council in **executive session** to discuss legal matters. **Kekek Stark**, University of Montana School of Law Professor, was present for discussion.

Council reconvened into **regular session**.

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

**Nicholas Burchfield**, Tribal Enrollment Specialist; and **Mark Couture**, Tribal Lands Department; presented a final quote for the USDA's Pasture, Rangeland, and Forage program. The initial investment would be \$704,257.00 and the CSKT would receive \$1,304,446 in returns which is a 185% return on investment. The Tribes would need to have at least 51% ownership of the crop to be eligible for the program. The process is the Tribes would insure the land and then it would be determined through an audit whether the land is double insured. There is a discovery process to find out who has the policy, and then it would be deducted at that time. The Tribes could send a notice to all persons with leases to notify them about whether they want to insure it and see if they are signed up for any other programs. CKP is one of the companies that were selected to offer this insurance through the federal crop insurance program. The net benefits to date to tribes is \$154,122,491.00. Mr. Burchfield provided a list of client references and stated the Coalition of Large Tribes have been an advocate. The next steps would be for the CSKT to sign the 2024 enrollment applications by the December 1, 2023 deadline, select five participants to attend the Tribal Participation Collaboration meeting, adoption of the agricultural infrastructure fund, continue membership in Coalition of Large Tribes, and approve a Farm Bill letter. **Darrin Old Coyote** gave an overview of how the Crow Tribe has used this program. The tribe has not paid any money into this program; the program pays for itself. The tribe has been in the program for two years. There are a lot of tribal lands that are leased out and the Crow Tribe does the upkeep and upgrades. The tribe purchases the materials and the USDA designs the water sources for livestock. The program provides funding for the improvements. The Crow Tribe received \$1 million back the first year and so far this year they have received \$700,000. They are on pace to receive over \$1 million by the end of the year. The funding goes back into the program. The tribe used the funding to upgrade their rodeo arena. Darrin recommended that the CSKT sign up for the program. **Len TwoTeeth** stated the revenue generated is based on seasonal moisture content. Since we are currently dealing with climate change issues, he thought this might be a concept the council needs to hear about and participate in. Mr. Burchfield clarified that the Tribes would be required to pay a premium on a wet year. If the

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application is not submitted by the December 1 deadline, the Tribes could not apply again until 2025. **Chairman McDonald** was interested in getting a quote for the Bison Range. **No action taken.** Council took the matter under advisement.

**Patricia Hibbeler**, Tribal Member Services Director; **Patricia Courchane** and **Marcy McCrea-Matt**, Department of Human Resources Development; requested to meet with council in **executive session** to discuss departmental matters.

Council reconvened into **regular session**.

Council **adjourned** at 3:03 p.m., and is scheduled to meet again on Thursday, November 30, 2023, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Martin A. Charlo  
Tribal Council Secretary