

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

Volume 24 Number 7
Council Chambers, Pablo, MT

Held: October 24, 2023
Approved: October 26, 2023

MEMBERS PRESENT: Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Martin Charlo, Secretary; Ellie Bundy, Treasurer; Mike Dolson; Jennifer Finley; and Terry Pitts.

MEMBERS ABSENT: Carole Lankford (Personal Time Off); Jim Malatare (Gaming Meeting – Las Vegas, Nevada); and James “Bing” Matt (Gaming Meeting – Las Vegas, Nevada).

OTHERS PRESENT: Jennifer Trahan, Tribal Council Support; James Steele, Sr., Sergeant at Arms; 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 Stephen Smallsalmon.

The **Tribal Council Meeting Minutes** for October 19, 2023 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for October 19, 2023, with corrections. Seconded by Len TwoTeeth. Carried, 5 for; 2 abstentions (Tom McDonald and Ellie Bundy).

Chairman McDonald reminded council of the Hecla Mining meeting at the Kwataqnuq Resort tomorrow at 10:00 a.m., and he encouraged everyone to attend.

The **agenda** was presented for approval.

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

Vic Stevens, Tribal Employee, requested authorization to extend his leave sharing through November, due to medical reasons. He is employed by the Division of Fire as a furloughable employee.

MOTION by Martin Charlo to extend the leave sharing for Vic Stevens through November. Seconded by Ellie Bundy. Carried, unanimous (7 present).

Joe Durglo, Tribal Health Department, requested approval for a new hire to be exempt from the requirement of having a CSKT background check completed before beginning employment at The Retreat. Hallie Henderson had a background check done as part of the Salish Kootenai College Nursing program but it takes time to get the CSKT background check completed. The Tribal Health Department uses THIP funding and earned income to pay for staffing and operations. The Retreat is a 24/7 operation and must be staffed at all times.

MOTION by Jennifer Finley to authorize Hallie Henderson to begin employment at The Retreat while waiting for the CSKT background check to get completed. Seconded by Mike Dolson. Carried, unanimous (7 present).

Jennifer Finley asked if the Tribal Health Department needed more discretion with the rates of pay in order to retain staff. Joe responded there are some providers who have come to the end of their contracts and have requested a rate of pay outside the benchmarks. Joe plans to return to council at a later date to request that action. Joe received prior action to have some leeway with the rates of pay to recruit and retain staff, but he did not receive approval to increase the rate of pay for renewing contracts. **Chairman McDonald** commented that there are solutions regarding contract employees. Departments used to hire contractors for a period of time and when the contract ended their benefits were paid out, and then the position would be advertised and they would be hired back with new terms within the recruitment guidelines. Joe responded that he does not want to continually advertise provider services; he wants to establish a relationship with the patients and providers. Joe will work with the Personnel Department.

Stephen Smallsalmon informed council that there will be an 11-year-old championship dancer and an 8-year-old bareback rider champion at Nkwusm next Wednesday at 2:00 p.m. The school will be honoring them, and the tribal council members were invited to attend the honoring.

Stephen Smallsalmon informed council that the work at the Nkwusm School still has not been done yet. **Ruth Swaney**, Financial Management, informed council that the renovation was funded in fiscal year 2022. The school did some fundraising and the CSKT contributed funds. Nkwusm is an independent entity and does not have the same restrictions tribal programs have. The Tribes contribute \$818,000 to Nkwusm each year.

Stephen Smallsalmon requested that the Medicine Tree site be taken care of and cleaned up.

Stephen Smallsalmon informed council that his sweathouse is going down. The building has been there for 50 years and someone needs to rebuild it.

Darren Thomas thought the council closed the Mission Creek Ranch to hunting. He thought the site was permanently closed to large caliber but there is no restrictions to small calibers. Darren would like the area posted closed to shooting. He does not want his irrigation equipment shot. **Mark Couture**, Tribal Lands Department, advised in 2016 it came to the council because Penny Kipp had her house hit a few times and some windows broken out due to hunters. Another individual had their irrigation equipment shot at. The area was closed to bird hunting. The department has no record indicating whether the closure was permanent or for that lease term only. The Tribal Lands Department recommended the area be permanently closed to hunting due to safety concerns. **Len TwoTeeth** commented it is difficult to support these requests when we are asking our tribal members not to hunt on tribal land. He would support not allowing nonmembers to bird hunt, but he is opposed to tribal members being prevented from hunting.

MOTION by Terry Pitts to shut down the Mission Creek Ranch for bird hunting by nonmembers. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

The Two Eagle River School Cross Country Team met with council. The council was proud of their accomplishments for placing third and congratulated the students. The council gifted them with hooded sweatshirts. The drum group sang an honor song.

Chasity Haynes and **Arlen Tellier**, Enrollment Office, requested to meet with council in **executive session** to discuss enrolment issues.

Council reconvened into **regular session**.

MOTION by Mike Dolson to approve the resolution establishing the approval of DNA results for S.H. to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-008

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR S.H. TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant and the natural father's name is not on the Certificate of Live Birth, a DNA test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-U0011348 is the biological father of S.H.;

BE IT RESOLVED, the Tribal Council accepts the DNA results and approved the blood degree correction for S.H. from 7/32 to 41/64 and to correct the blood degrees of his/her descendants;

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed 1/2 the cost of which the individual has paid, providing documentation, if not already enrolled.

MOTION by Mike Dolson to approve the resolution establishing the approval of DNA results for S.S. to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-009

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR S.S. TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant and the natural father's name is not on the Certificate of Live Birth, a DNA test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-UO011470 is the biological father of S.S.;

BE IT RESOLVED, The Tribal Council accepts the DNA results and approved the blood degree correction for S.S. from 0 to 1/4 and to correct the blood degrees of his/her descendants;

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed 1/2 the cost of which the individual has paid, providing documentation, if not already enrolled.

MOTION by Mike Dolson to approve the resolution establishing the approval of DNA results for A.G.R.B. to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-010

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR A.G.R.B. TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant and the natural father's name is not on the Certificate of Live Birth or Paternity Acknowledgement was completed 14 days after birth, a DNA test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-UO012561 is the biological father of A.G.R.B.;

BE IT RESOLVED, the Tribal Council accepts the DNA results and approved the blood degree correction for A.G.R.B. from 251/1024 to 459/1024 and to correct the blood degrees of his/her descendants;

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed 1/2 the cost of which the individual has paid, providing documentation, if not already enrolled.

MOTION by Mike Dolson to approve the resolution establishing the approval of DNA results for M.S. to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-011

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR M.S. TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant and the natural father's name is not on the Certificate of Live Birth or Paternity Acknowledgement was completed 14 days after birth, a DNA test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-U0011470 is the biological father of M.S.;

BE IT RESOLVED, the Tribal Council accepts the DNA results and approved the blood degree correction for S.S. from 0 to 1/4 and to correct the blood degrees of his/her descendants;

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed 1/2 the cost of which the individual has paid, providing documentation, if not already enrolled.

MOTION by Mike Dolson to approve by resolution the relinquishment of James Lionell Mathias, to be effective immediately. Seconded by Ellie Bundy. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-112

RESOLUTION AUTHORIZING THE RELINQUISHMENT OF JAMES LIONELL MATHIAS (203-UO11844)

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

WHEREAS, James Lionell Mathias has requested in writing relinquishment of membership from the Confederated Salish and Kootenai Tribes of the Flathead Reservation, MT; and

WHEREAS, Article II, Section 5 (1) of the Tribes' Constitution provides that membership in the Tribe may be lost by resignation in writing to the Tribal Council; **NOW, THEREFORE**,

BE IT RESOLVED, that James Lionell Mathias, has relinquished the following:

Membership in the Confederated Salish and Kootenai Tribes
All future Tribal Benefits
All Hunting and Fishing now held by members of the Confederated Salish and Kootenai Tribes
Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes.

BE IT FURTHER RESOLVED, that the request for relinquishment of James Lionell Mathias is hereby approved;

BE IT FURTHER RESOLVED, that any individual who has relinquished their rights or membership voluntarily in the Confederated Salish and Kootenai Tribes shall not be entitled to reinstatement or re-adoption;

BE IT FINALLY RESOLVED, that the Enrollment Office of the Confederated Salish and Kootenai Tribes has documentation that James Lionell Mathas is an official member of the Upper Skagit Indian Tribe, Dual Membership. James Lionell Mathias will be relinquished from the Confederated Salish & Kootenai Tribe, effective immediately.

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

Jennifer Finley left the meeting for the remainder of the day to attend a Department of Public Health and Human Services meeting in Helena.

Dan Decker, Brian Upton, and Yolanda Page, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Mike Dolson left the meeting for the remainder of the day to attend a PROGRESS Act Negotiated Rulemaking meeting.

Dan Decker, Brian Upton, Yolanda Page, John Harrison, Danna Jackson, Lynsey Gaudio, Shane Morigeau, Katie Jones, Melissa Schlichting, Zack Zipfel, and Chelsea Colwyn, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Jordan Thompson**, Tribal Executive Office; and **Maylinn Smith**, Tribal Prosecutors Office, were present for discussion.

Dan Decker, Brian Upton, John Harrison, Lynsey Gaudio, Shane Morigeau, Melissa Schlichting, Zack Zipfel, and Chelsea Colwyn, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Melanie Piedalue, Personnel Department, requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

Council **adjourned** at 12:54 p.m., and is scheduled to meet again on Thursday, October 26, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary