

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

Volume 24 Number 30
Council Chambers, Pablo, MT

Held: February 15, 2024
Approved: February 20, 2024

MEMBERS PRESENT: Mike Dolson, Chairman; Tom McDonald, Vice-Chairman; Martin Charlo, Secretary; James Steele, Jr., Treasurer; Jim Malatare; Danielle Matt; James “Bing” Matt; and Len TwoTeeth.

MEMBERS ABSENT: Jennifer Finley (National Congress of American Indians Executive Council Winter Conference – Washington, DC); and Carole Lankford (AMERIND Meeting – Albuquerque, New Mexico).

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

The meeting was called to **order** at 9:00 a.m. Quorum established.

The meeting was opened with a **prayer** by Bing Matt.

The **Tribal Council Meeting Minutes** for February 13, 2024 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for February 13, 2024, with corrections. Seconded by Tom McDonald. Carried, unanimous (8 present).

The **agenda** was presented for approval.

MOTION by Tom McDonald to approve the agenda, with changes. Seconded by Danielle Matt. Carried, unanimous (8 present).

Tom McDonald informed council he attended the Montana Tourism Glacier Country Strategic Plan Layout meeting in Ronan. The Director of the tourism entity announced specifically to CSKT that the Department of Commerce has a new pilot community tourism grant program that provides five years of funding, and that funding could be used for the Bison Range project on Ravalli Hill.

James Steele, Jr. and **Danielle Matt** informed council they attended the housing meeting on Tuesday. They dealt with one potential eviction and they put

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that person on probation for a year. They took up some donation requests. Representative Zinke had talked to the staff and said he would be back in March. Bob Gauthier will be honored by the United Native American Housing Association, and the Salish Kootenai Housing Authority plans to name a street after Bob at the Grizzly Bear development in Pablo. SKHA will be building a fourplex on the west side of Polson and three duplexes in Ronan.

James Steele, Jr. discussed an email he received from William Longinetti, SAMHSA Tribal Response Team Leader, informing him that SAMHSA has a vacancy for the Billings area alternate delegate to the Training and Technical Assistance Center (TTAC) and requesting the appointment of James to that position. James is familiar with that process and appreciated being considered. **Council** had no objection in allowing James to apply for that position.

Martin Charlo attended the Kootenai Culture Committee meeting yesterday. Tony Incashola, Jr. was in attendance. The KCC wants a moratorium on any new docks being built. The Culture Preservation Office will be hosting an all-day meeting on Tuesday with both Culture Committees regarding Bad Rock Canyon, and Preservation is hoping all council members can attend or send a council representative. Nicole Callahan is going to have a Friend of Our Children mentoring program for grades K-8. Three Chiefs gave a presentation on the new location. There was an update on the eagle poaching case. They went over the changes to Ordinance 44-D. There was discussion about the ordinances being written without any cultural input. KCC wants to look at Ordinance 44-D and rewrite the ordinance so this situation does not happen in the future. **Chairman Dolson** commented the permit was issued in accordance with the law, and the council cannot rescind the permit. The letter regarding the dock permit was sent out yesterday

Chairman Dolson informed council that the Mission West Community Development Partners is fundraising and requested a donation from the Tribes. Mike suggested they go through the donation process.

Chairman Dolson informed council that the Rocky Mountain Tribal Leaders quarterly meeting is scheduled for March 26-27 in Billings. Participants may attend via Zoom, if desired.

Tracey Carpentier, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter. **Patricia Hibbeler**, Director of Tribal Member Services; and **Jody Perez**, Salish Kootenai Housing Authority; were present for discussion.

Council met in **executive session**.

Council reconvened into **regular session**.

Chairman Dolson presented a request from Ed Meece for a letter to the United States Department of Transportation supporting the Fiscal Year 2024 Rebuilding American Infrastructure with Sustainability and Equity grant application for the City of Polson Connectivity and Congestion Relief Project. The project will connect downtown Polson to Walmart. **Council** had no objection to the letter of support.

Greg Spahr, Financial Management, requested approval of a resolution authorizing the reimbursement distribution from the Montana Water Rights Protection Act and a letter to the Bureau of Indian Affairs Superintendent requesting distribution of water compact funding for prior period expenses.

MOTION by Tom McDonald to approve the resolution authorizing the reimbursement distribution from the Montana Water Rights Protection Act and a letter to the Bureau of Indian Affairs Superintendent requesting distribution of water compact funding for prior period expenses. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 24-045

RESOLUTION AUTHORIZING THE REIMBURSEMENT DISTRIBUTION FROM THE MONTANA WATER RIGHTS PROTECTION ACT

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

WHEREAS, the Confederated Salish and Kootenai Tribes ("CSKT" or "Tribes") are a federally recognized, sovereign tribe residing on the Flathead Indian Reservation in western Montana, with a vast aboriginal territory stretching from Canada to Wyoming, and from Washington to Montana; and

WHEREAS, the 116th U.S. Congress passed the Montana Water Rights Protection Act, Public Law 116-260, 134 Stat. 3008, title V, Division DD, on December 21, 2020, which the President signed into law on December 27, 2020; and

WHEREAS, by Resolution 21-046 the Tribal Council of the Confederated Salish and Kootenai Tribes approves and elects to carry out the Section 7(b) activities on the Flathead Indian Irrigation Project under the Montana Water Rights Protection Act; and

WHEREAS, The Tribes have submitted their letter to the Superintendent outlining such expenditures and are seeking reimbursement for those costs totaling \$10,465,082.50; **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Council of the Salish and Kootenai Tribes authorize the distribution of funds totaling \$10,465,082.50 from the Compact Account so designated with the BTFA and the Settlement Account.

John Neiss, Facility Maintenance; and **Dan Durglo**, S&K Mission Management; requested approval of Task Order 31B with Camas Creek Construction in the amount of \$1,247,546.00 for the Elmo stick game pavilion build.

MOTION by Jim Malatare to approve Task Order 31B with Camas Creek Construction in the amount of \$1,247,546.00 for the Elmo stick game pavilion build. Seconded by Tom McDonald. Carried, unanimous (8 present).

Martin Charlo asked if the project was reviewed by the Kootenai Elders Committee. **Dan Durglo** advised they met with the entire committee in November and had several meetings with Leonard and Bev. The plans were reviewed and approved by Leonard. **Len TwoTeeth** asked if there were any penalty clauses if the contractor does not complete the project in time for the Elmo Pow Wow. Dan will include that language in the contract.

Pat Amborn, Tribal Forestry, requested approval of modification 1 to the ES Line Logging Unit Contract # F203C23043 with Bitterroot Contracting to extend the cut and pay date to June 14, 2024, without penalty.

MOTION by Bing Matt to approve by resolution modification 1 to the ES Line Logging Unit Contract # F203C23043 with Bitterroot Contracting to extend the cut and pay date to June 14, 2024, without penalty. Seconded by Danielle Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 24-046

RESOLUTION APPROVING MODIFICATION ES LINE LOGGING UNIT CONTRACT NO. F203C23043

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

WHEREAS, The Superintendent, Flathead Agency, Pablo, Montana, approved Timber Contract No. F203C23043 ES Line Logging Unit, between the Confederated Salish and Kootenai Tribes, the Seller, and Bitterroot Contracting, the Purchaser; and

WHEREAS, Bitterroot Contracting, the Purchaser, has requested an extension of the cut and pay date on February 12, 2024, from February 29, 2024 to June 14, 2024.

WHEREAS, the Superintendent and Seller agree with this request which will change Contract Section A5, Contract Cut & Pay Date, to June 14, 2024, without penalty;

NOW, THEREFORE, IT IS HEREBY AGREED THAT Section A5 of the ES Line Timber Sale Contract be modified to change Section A5, Contract Cut and Pay Date to June 14, 2024, without penalty.

FURTHER, it is mutually understood and agreed that except as herein expressly specified, the Timber Contract shall remain in full effect and force, binding upon the parties thereto, and this modification of contract shall become effective upon approval by the Approving Officer.

Josiah Pettit, Tribal Forestry, requested approval to advertise the JS Line Logging Unit timber sale.

MOTION by Martin Charlo to approve by resolution the advertisement of the JS Line Logging Unit timber sale. Seconded by Tom McDonald. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 24-047

RESOLUTION APPROVING SALE OF TIMBER ON THE JS LINE LOGGING UNIT

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

WHEREAS, the Tribal Forestry Department proposes to offer the sale of tribal timber in an area known as the JS Line Logging Unit:

| <u>Sale Information</u> | | | |
|-------------------------|---------------|-----------------------|--------------|
| <u>Sale</u> | <u>Volume</u> | <u>Bid Rate</u> | <u>TSI</u> |
| JS LINE L U | 7,703 TONS | \$ 8.00/TON -DF & O - | \$3.00/TON |
| | 897 TONS | \$ 5.00/TON - PP | - \$3.00/TON |

WHEREAS, the sale will provide for the salvaging of mature, overmature and diseased trees; and

WHEREAS, the minimum acceptable bid rate for sawlogs on the JS LINE Logging Unit is \$8.00 per Ton for Douglas fir and \$5.00/Ton for Ponderosa Pine, and,

WHEREAS, an additional amount will be collected to cover Timber Stand Improvement on this unit for the Tribal portion; **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the sale of timber on the above-listed timber sale unit; approves the contract; and authorizes the Chairperson of the Tribal Council to sign the timber sale contract on the above-listed unit for and on behalf of said Tribes, after review of bids by the Tribal Council; and

BE IT FURTHER RESOLVED that the Approving Officer is authorized to make error corrections in the contract without referral to the Tribal Council, provided such corrections do not materially alter the form and substance of the contract.

Josiah Pettit, Tribal Forestry, requested acceptance of the high bid from Dupuis Logging for the Jette South Tractor Unit timber sale. **Danielle Matt** asked about the possibility of raising the bid rates. Pat explained the bid rates are based on the appraisal.

MOTION by James Steele, Jr. to accept the high bid from Dupuis Logging for the Jette South Tractor Unit timber sale. Seconded by Bing Matt. Carried, unanimous (7 present – Len TwoTeeth out of the room).

John Neiss, Facilities Maintenance; and **Dan Durglo**, S&K Mission Management; requested approval of Task Order 106 for the Social Services renovation project.

MOTION by James Steele, Jr. to approve Task Order 106 for the Social Services renovation project. Seconded by Tom McDonald. Carried, unanimous (8 present).

John Neiss, Facilities Maintenance; and **Dan Durglo**, S&K Mission Management; requested approval of Task Order 102 for HVAC projects.

MOTION by Tom McDonald to approve Task Order 102 for HVAC projects. Seconded by James Steele, Jr. Carried, unanimous (8 present).

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

Janet Camel and **Velda Shelby**, Economic Development Office; **Patricia Hibbeler**, Director of Tribal Member Services; **Pete White**; and **Brian Crawford**, Tribal Food Inspector; requested to meet with council in **executive session** to discuss a departmental matter. **Katie Jones** and **Lynsey Gaudio**, Legal Department, were present for discussion. **Don Pierce** and **Renee Rieken**, D&J Meat Processing, joined the discussion.

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Council reconvened into **regular session**.

Council **recessed** the regular meeting at 11:30 a.m. to conduct an S&K Gaming shareholder meeting.

Council **reconvened** into the regular meeting at 12:00 p.m.

Council **adjourned** at 12:00 p.m., and is scheduled to meet again on Tuesday, February 20, 2024, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary