

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

Volume 20 Number 89  
Zoom Meeting

Held: September 10, 2020  
Approved: September 15, 2020

**MEMBERS PRESENT:** Shelly Fyant, Chairwoman; Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; Carole Lankford; James “Bing” Matt; Fred Matt; Charmel Gillin; Mike Dolson; and Len TwoTeeth.

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

The meeting was called to **order** at 9:02 a.m. Quorum established.

The meeting was opened with a **prayer** by Martin Charlo.

The **Tribal Council Meeting Minutes** for September 8, 2020 were presented for approval. **Chairwoman Fyant** was gone on Tuesday because she was giving testimony for the Ballot Interference Prevention Act. This is a case where the CSKT, Blackfeet Tribe, Ft. Belknap Indian Community, Assiniboine Sioux Tribe, Crow Tribe, Western Native Voice, and Montana Native Voice, along with the Native American Rights Fund, is suing the Montana Attorney General, Secretary of State, and the Commissioner of Political Practices. The trial is going on all week.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for September 8, 2020, with corrections. Seconded by Ellie Bundy McLeod. Carried, 8 for; 2 abstentions (Shelly Fyant and Len TwoTeeth).

The **agenda** was presented for approval.

**MOTION** by Martin Charlo to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (10 present).

**Len TwoTeeth** presented a request from Terry McDonald for his 15-year-old grandson to be granted a moose tag. **No action taken.** Council took the request under advisement to speak to the Natural Resources Department.

**Ruth Swaney**, Financial Management, requested approval of modification 16 to

the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Earmarked fiscal year 2015 funding for Safety of Dams has been awarded and needs to be allocated to the budget.

**MOTION** by Martin Charlo to approve by resolution modification 16 to the fiscal year 2020 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Fred Matt. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 20-165**

**RESOLUTION APPROVING MODIFICATION 16 TO THE FISCAL YEAR 2020 BIA SELF-GOVERNANCE COMPACT BUDGET**

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

**WHEREAS**, earmarked FY 2015 funding for Safety of Dams has been awarded and needs to be allocated to the budget; and

**WHEREAS**, the budget will be allocated as follows:

| <b>Programs, Functions, Services, and Activities</b> | <b>Budget Account</b> | <b>Current FY 2020 Budget Authority</b> | <b>Increase/ (Decrease)</b> | <b>Revised FY 2020 Budget Authority</b> |
|--|-----------------------|---|-----------------------------|---|
| Falls Creek Diversion                                | 13-503-4610           | 0                                       | 225,000                     | 225,000                                 |
| <b>Total</b>   |                       |   | <b>225,000</b>              |   |

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2020 BIA Self-Governance Compact Budget as reflected above; and

**BE IT FURTHER RESOLVED** that the FY 2020 BIA Self-Governance Compact Budget is increased from \$53,681,710.49 to \$53,906,710.49; and

**BE IT FURTHER RESOLVED** that prior years' unexpended funds are available to appropriate for budget expenditures pending final obligation of funds.

**Jami Pluff**, Policy Analyst, requested approval of a memorandum of understanding with Salish Kootenai College Community Health & Development for up to the amount identified. They have a summer program for kids, but due to COVID-19 they could not do that, so they did a health and wellness program instead. They want two positions, but Jami will need to review it further to determine if it meets the eligibility criteria.

**MOTION** by Carole Lankford to approve the memorandum of understanding with Salish Kootenai College Community Health & Development for up to the amount identified if it meets the eligibility criteria. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Len TwoTeeth).

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Chelsea Colwyn.

**MOTION** by Carole Lankford to approve by resolution the attorney contract with Chelsea Colwyn. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 1 abstention (Len TwoTeeth); 1 not voting (Fred Matt out of the room).

### **RESOLUTION 20-166**

#### **A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH CHELSEA COLWYN**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Chelsea Colwyn is a licensed attorney and will become licensed in the State of Montana as soon as the Montana Bar exam is offered, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Chelsea Colwyn, Attorney, has agreed to provide her legal services according to the terms and conditions of her Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Daniel J. Decker.

**MOTION** by Anita Matt to approve by resolution the attorney contract with Daniel J. Decker. Seconded by Martin Charlo. Carried, 7 for; 0 opposed; 2 abstentions (Bing Matt and Len TwoTeeth); 1 not voting (Fred Matt out of the room).

**RESOLUTION 20-167**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH DANIEL J. DECKER**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Daniel J. Decker is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Daniel J. Decker, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with John Harrison.

**MOTION** by Bing Matt to approve by resolution the attorney contract with John Harrison. Seconded by Mike Dolson. Carried, 9 for; 0 opposed; 1 not voting (Fred Matt out of the room).

**RESOLUTION 20-168**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH JOHN HARRISON**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, John Harrison is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, John Harrison, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Shane Morigeau.

**MOTION** by Martin Charlo to approve by resolution the attorney contract with Shane Morigeau. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 1 not voting (Fred Matt out of the room).

**RESOLUTION 20-169**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH SHANE MORIGEAU**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Shane Morigeau is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Shane Morigeau, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Yolanda Page.

**MOTION** by Martin Charlo to approve by resolution the attorney contract with Yolanda Page. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 1 not voting (Fred Matt out of the room).

**RESOLUTION 20-170**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH YOLANDA PAGE**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Yolanda Page is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Yolanda Page, Attorney, has agreed to provide her legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Stuart Levit.

**MOTION** by Anita Matt to approve by resolution the attorney contract with Stuart Levit. Seconded by Martin Charlo. Carried, 9 for; 0

opposed; 1 not voting (Fred Matt out of the room).

**RESOLUTION 20-171**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH STUART LEVIT**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Stuart Levit is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Stuart Levit, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the consultant contract with Mary Price.

**MOTION** by Anita Matt to approve by resolution the consultant contract with Mary Price. Seconded by Ellie Bundy Mcleod. Carried, 9 for; 0 opposed; 1 abstention (Fred Matt – not present for discussion).

**RESOLUTION 20-172**



**A RESOLUTION TO ENTER INTO A CONSULTANT CONTRACT WITH MARY PRICE**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES (“TRIBES”):**

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, water rights, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribes need a scientist coordinator, familiar with the biological, chemical and physical conditions of the Clark Fork River, and familiar with the scientific aspects of water rights claims development;

**WHEREAS**, Mary Price is a professional biologist and able to provide services and consultation in assisting the Tribes in water rights negotiation and litigation, in restoration and remediation decision-making for Superfund sites, and with implementing Tribal environmental programs;

**WHEREAS**, Mary Price has agreed to provide her professional services according to the terms and conditions of the agreement for professional services;

**THEREFORE**, the Tribal Council approved said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Ryan Rusche.

**MOTION** by Martin Charlo to approve by resolution the attorney contract with Ryan Rusche. Seconded by Ellie Bundy McLeod. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 20-173**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH RYAN RUSCHE**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Ryan Rusche is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Ryan Rusche has agreed to provide his legal services according to the terms and conditions of an Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approved said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Rhonda Swaney.

**MOTION** by Ellie Bundy McLeod to approve by resolution the attorney contract with Rhonda Swaney. Seconded by Mike Dolson. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 20-174**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH RHONDA SWANEY**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Rhonda Swaney is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Rhonda Swaney, Attorney, has agreed to provide her legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Jordan Thompson.

**MOTION** by Martin Charlo to approve by resolution the attorney contract with Jordan Thompson. Seconded by Fred Matt. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 20-175**

**A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH M. JORDAN THOMPSON**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, M. Jordan Thompson is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, M. Jordan Thompson, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Brian Upton.

**MOTION** by Anita Matt to approve by resolution the attorney contract with Brian Upton. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

## **RESOLUTION 20-176**

### **A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH BRIAN UPTON**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Brian Upton is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Brian Upton, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Rhonda Swaney**, Legal Department, requested approval of the attorney contract with Michael Wheeler.

**MOTION** by Ellie Bundy McLeod to approve by resolution the attorney contract with Michael Wheeler. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

#### **RESOLUTION 20-177**

#### **A RESOLUTION TO ENTER INTO AN ATTORNEY CONTRACT WITH MICHAEL WHEELER**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to operate the Tribes' governmental business and protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes;

**WHEREAS**, the Tribal government maintains a Legal Department, employs contract attorneys to staff that department, and contracts with additional

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attorneys, with Legal Department coordination, when such outside assistance is needed;

**WHEREAS**, the Legal Department provides to the Tribal Council and Tribal government its civil legal services;

**WHEREAS**, Michael Wheeler is a licensed attorney in the State of Montana, and wishes to provide legal services to the Tribes through the Legal Department;

**WHEREAS**, Michael Wheeler, Attorney, has agreed to provide his legal services according to the terms and conditions of his Attorney Contract;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

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

**Chairwoman Fyant** stated for the record that the tribal complex is open to the public and has been since the reopening on August 10, 2020. There was some miscommunication and she wanted it cleared up. Dan DePoe attempted to attend today's council meeting but was denied access. She saw no reason why people would not be granted access so long as they followed the safety protocols that are in place for COVID-19. **Anita Matt** apologized for the miscommunication because she thought the council chambers were closed to the public until next week since the audio will not be set up in there until then. **Carole Lankford** commented that the audience would only see the council members sitting there and they would not be allowed to hear the meeting. **Charmel Gillin** told Dan DePoe a few days ago that there is no audio set up in the council chambers for council meetings. She would like the council to have a discussion about how to move forward with opening the council chambers to the public. **Chairwoman Fyant** would like to have the Facebook page set up in the council chambers to people can watch the meeting. If the zoom/Facebook is prohibiting tribal members from watching the meetings, then the Tribal Council needs to rethink that. **Council** will discuss further.

**Len TwoTeeth** left the meeting to attend a funeral.

**Janet Camel**, Economic Development Office, reminded council that in September 2019, they approved the fiscal year 2020 MT-ICED Grant for a feasibility study and business plan for potential development of tribal property west of Polson, by the former Ranald McDonald house and the Diamond Horseshoe. The project was delayed due to COVID-19. A request for proposals was advertised in the Char-Koosta News for three years and two proposals were received. Blue Stone Strategy submitted a proposal, but it did not meet the

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needs required. The other proposal was from WGM Group, who has tribal member partners (Vern Clairmont, Raven Consulting; and Travis Irvine, ID Studio) and local developers. That proposal meets the needs. Janet requested approval of a contract with WGM Group. **Velda Shelby**, Economic Development Office, joined the discussion and gave her input.

**MOTION** by Carole Lankford to approve the contract with WGM Group with partners Raven Consulting, ID Studio, and local contractors. Seconded by Charmel Gillin. Carried, 8 for; 1 abstention (Martin Charlo); 1 not voting (Len TwoTeeth out of the room attending a funeral).

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

**Adam Cummings, Scott Armentrout, John Hariston, Ben Zelinsky, Dave Kennedy, Michelle Eraut, Ken Johnston, and Joe Peone**, Bonneville Power Administration; **J.R. Inglis, Peter Helmlinger, Beth Coffey, Rebecca Weiss, Lori Morris, and Mike Langesley**, Army Corps of Engineers; **Lorri Gray, Roland Springer, Jarod Blades, and Corey Carmack**, Bureau of Reclamation; **Rich Janssen**, Natural Resources Department; **Stu Levit**, Legal Department; and **Kyle Felsman**, Preservation Office; met with council via WebEx for a government-to-government consultation regarding the Columbia River System Operations Review. The CSKT participated as a cooperating agency throughout the environmental impact statement (EIS) process, which allowed CSKT to engage with the federal action agencies and other cooperating agency tribes to promote our interests during the EIS process. Through this work, the CSKT achieved most every goal established to protect CSKT's treaty rights and interests, especially regarding off-reservation flows important to fish and cultural resources. This consultation is the final step in the EIS process. **Mr. Inglis** wants to factor in the Tribes' voices in the process and he appreciates the CSKT being involved. He extended his condolences for the loss of a life and The People's Center. **Anita Matt** appreciated the prayers for our loss of The People's Center, the consultation today, and she looks forward to more updates.

**Leroy Black, Jr.**, Tribal Member, requested approval for his nontribal member spouse, Yvette Makes Cold Weather, to accompany him while hunting big game on the reservation and to participate in retrieval of the big game. **Tom McDonald**, Natural Resources Department, informed council that past practice has been to only grant such requests if the tribal member is handicapped or can no longer physically field dress and remove big game from their hunting area on the reservation. Nonmember assist requests have been approved in the past. The department needs council action approving those requests, and they need to know the term of the permission granted, where and when the hunt will take place so it can be monitored by the Game Wardens. **Chairwoman Fyant** has only seen requests approved for elders and handicapped. **Carole Lankford** commented that it would be a deviation from what has been done in the past.

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She understands Leroy is preparing for the gathering of their food for the winter and maybe the Tribal Council should consider this, but tribal members express concerns since hunting is a treaty right. She suggested that the council take time to discuss this further and make it part of the regulation process. **Charmel Gillin** commented that we all have similar situations in our families, but we need to protect our treaty rights and figure out how to hold firm on the policies we have in place. Hunting rights are a major issue. We saw the number of individuals who were not purchasing recreation permits during the road closures. The council should look at the family structures of our tribal member families and do it through a process that includes tribal member public input. Charmel would not support the request without getting input from the membership first. **Martin Charlo** would like to have input from the Legal Department and find out what kind of precedence it would set if council approved this request. **Tom McDonald** informed council that the bison hunting regulations allow nonmembers to assist while hunting off the reservation on our aboriginal homelands, and there has not been any issue with that. If the council wants to approve this type of request, the form could be amended to include the criteria. The amendment could be approved as part of the annual regulation changes. **Shelly Fyant** told Leroy that she is understanding of his situation being married to a nontribal member, but it is not necessary for his wife to accompany him in order for him to provide for his family. Shelly has two sons that are not enrolled here, and they hunt off the reservation. **Fred Matt** encouraged further council discussion and come to a solution to address it. Years ago, the Tribal Council would approve these requests if a female tribal member requested that her nontribal member husband accompany her while hunting, but there was no way to enforce our control of the nonmember husband doing the shooting of big game. That became the issue with allowing nontribal member spouses to accompany their spouse. **Carole Lankford** commented that it is critically important to have the membership involved in this before she could make a decision. They see people out there and want to know why, and they need an opportunity to comment on it. **Ellie Bundy McLeod** commented that if the council approves this request today, it would be setting a precedence. If it is fair for everyone, we do not know what that would look like, so it warrants further discussion. **Anita Matt** commented that she is afraid it would open it up and as a governing body they need to take more time to make sure that they are making the right decision instead of deciding in the matter of a day. She wants to take time to allow the membership to provide their input. **No action taken.** Council will hold further discussion with the Legal Department and Natural Resources Department.

**Tom McDonald** and **Stephanie Gillin**, Natural Resources Department, discussed the bison hunting regulations that must be approved by the Tribal Council each fall. Tom requested approval of the Yellowstone Bison Hunt from September 21, 2020 through February 28, 2021 and regulations with the modification to waive the orientation requirement. It was recommended that the



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Tribal Council allow the issuance of a bison tag without the requirement of the tag holder attending orientation. The department would encourage first-time hunters to do a one-on-one orientation. They will come up with a mail permit system to eliminate the classroom setting. The regulations had been amended in the past to only require first-time hunters to attend orientation. That year they had the most citations, so they went back to requiring all hunters to attend orientation before being issued a bison hunting permit. There is a no-shooting zone in Beattie Gulch in our regulations. The Forest Service has included the no-shooting zone in their regulations and are enforcing that regulation. **Charmel Gillin** asked if the department has access to have a complete virtual platform for the orientations or if there is a questionnaire that could be submitted with the permit application to evaluate their understanding of things that would have been covered in the orientation. She is concerned about having hunters out there that have never gone through the orientation. **Tom McDonald** responded that the web-based information and the information in the packet would still be provided to them. The department always encourages all hunters to go to the website. The Game Wardens still have a hotline number that people can call. They have never done a knowledge-based questionnaire or test for our hunters.

**MOTION** by Martin Charlo to approve the Yellowstone Bison Hunting Season from September 21, 2020 through February 28, 2021 and the Hunting Regulations, with the stated changes. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present – Len TwoTeeth out of the room attending a funeral).

**Tom McDonald** and **Stephanie Gillin**, Natural Resources Department, informed council that the Yellowstone National Park is updating its Yellowstone Bison Management Plan and requested that the CSKT be a cooperating agency during the process. Tom requested approval of a memorandum of understanding with the Park Service for the CSKT to participate as a cooperating agency. The document had legal review by John Harrison. There is no funding tied to the MOU. The IBMP council representative is Bing Matt and he signed off on the annual report. **Bing Matt** explained that he signed the MOU for a meeting in June and it was brought up to implement this agreement, so he signed it. He did not receive a copy of the document that he signed. Scott told Tom that it would be more appropriate for Chairwoman Fyant to sign the memorandum of understanding on behalf of the CSKT and recommended that it be changed. **Chairwoman Fyant** agreed that it would be appropriate for Bing Matt to be listed as the CSKT contact but the Chairwoman needs to sign on behalf of the Tribes. Tom will get that edit made to the memorandum of understanding.

**MOTION** by Anita Matt to approve the memorandum of understanding with the National Park Service, with the stated changes, for the Yellowstone Bison Regulations. Seconded by Martin Charlo. Carried, unanimous (9 present – Len TwoTeeth out of the room attending a funeral).

**Council** discussed the request that Len TwoTeeth presented from Terry McDonald for his 15-year-old tribal member grandson to be granted a moose permit. **Tom McDonald**, Natural Resources Department, informed council that the regulations require any tribal member to be at least 16 years of age to obtain a moose permit. Anyone under that age requirement must have Tribal Council approval. If there is an incident involving a youth hunting it would be a bad situation for the Tribes, so that is why the regulations have an age requirement. One option is the Tribal Council could require minors to take hunter safety education courses and be accompanied by an adult tribal member while hunting to address safety concerns. **Bing Matt** asked Tom if hunters not being allowed to hunt cow and calf moose was going to be put into the regulations this year. **Tom McDonald** advised that there is a restriction for cow and calf moose and all hunters are provided that information. It includes hunting on and off the reservation and is due to the decline in the moose population. That is why the Tribal Council approved that restriction in the regulations. **Charmel Gillin** thought that makes the request different then based on the moose populations; it is more than an age requirement. She wanted a recommendation from Tom. **Tom McDonald** commented that subsistence for families is a need issue. If hunters are aging out and getting new hunters in, it could be considered. Tom would like to limit the hunt opportunity to be restricted to within the exterior boundaries of the reservation. **Fred Matt** commented that if hunters are in need of meat, they should go to Ferry Basin due to the population. **No action taken.** Council requested additional information.

**Lynn Ducharme**, Natural Resources Department, requested that the Tribes show interest in two parcels of property (Allotments 645 and 646) from the Wagner Brothers. The property would be purchased by Bonneville Power Administration funds.

**MOTION** by Anita Matt to take interest in Allotment 645 and 646. Seconded by Fred Matt. Carried, unanimous (9 present – Len TwoTeeth out of the room attending a funeral).

**Lynn Ducharme**, Natural Resources Department, requested that the Tribes show interest in purchasing the Joe McDonald property located at Post Creek, containing 160 acres. The property has 5,000 feet of Post Creek on it. The property would be purchased with Bonneville Power Administration funds.

**MOTION** by Ellie Bundy McLeod to show interest in purchasing the Joe McDonald property located at Post Creek. Seconded by Carole Lankford. Carried, unanimous (9 present – Len TwoTeeth out of the room attending a funeral).

**Janet Camel** and **Dacia Whitworth**, Economic Development Office, gave an

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update on the work Dacia has been doing on tourism. Leakage was identified in the study that was done by the economist through the Northwest Area Foundation. The leakage means we have a large sum of money coming onto the reservation that we have not tapped into. Tourism is a billion-dollar industry and we are receiving less than one percent of those dollars. Dacia attended a Tourism Marketing course at Salish Kootenai College, attended the Montana Tourism Conference, the Indigenous Tourism Conference in Canada, and various other tourism conferences to learn more about tourism. Since then, she has done a lot of internal work with Brian Lipscomb, Bryon Miller, and Tom McDonald. Dacia did some research for the Hot Springs Bathhouse and the Moiese Mercantile. There is a large economic impact that comes from tourism. We are viewed as a pass-through from Missoula to Glacier. Dacia's goals include increasing our share to more than one percent; become more visible; guide the messaging to reduce cultural appropriation; create shared messaging that reflects the Flathead Reservation; and create, propose, and implement a Tourism Policy. She would like to work with tribal and tribal member owned businesses and entrepreneurs on the vision to develop the brand. That would give us more leverage for tribal and tribal member owned businesses that provide creditability to them. We do not have a Tourism Policy that identifies those goals. Dacia completed a SWOT analysis and gave an overview of the strengths, weaknesses, opportunities, and threats. Dacia reviewed her proposed strategies for business to business and business to consumer. Dacia's recommendations are: the project needs a designated person, networking and collaboration are key, and a council directive to collaborate. She wants the Tribal Council to direct collaboration with the key stakeholders to participate in the planning process. She needs to have the Culture Committees involved and it has been difficult getting them to participate. Dacia requested that the Tribal Council direct Tony Incashola, Jr. and Vernon Finley to participate in some committee meetings. **Janet Camel** commented on the importance of promoting the reservation in a culturally appropriate way for tourism. Janet met with both Culture Committees a year ago this fall and mentioned she would get the messaging content reviewed. When Dacia tried to contact the Culture Committees in August, people were unavailable to attend a zoom meeting. She wants the Culture Committee Directors to be involved in some committee meetings to draft the messaging to ensure that the messaging is culturally appropriate.

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

**Len TwoTeeth** returned to the meeting.

**Fred Matt** left the meeting on personal time off for the remainder of the day.

**Darla Matt Brovold** informed council that September is National Suicide Prevention Month and today is National Suicide Prevention Day. She is proud to be part of this national awareness. Darla wrote a song called *Hold On* that

she sang at the Cabin Fever conference. She sang the song for the Tribal Council. **Council** thanked her for the beautiful song and the reminder of Suicide Prevention Month. All families have been affected by suicide.

**Jordan Thompson**, Food Sovereignty Team, requested approval of contracts for the Food Security Project with the CARES funding.

**MOTION** by Carole Lankford to go with Jordan's recommendation and approve the resolution and consultant agreement with Jack Helmsing Construction, LLC. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 0 not voting.

### **RESOLUTION 20-178**

#### **A RESOLUTION TO ENTER INTO A CONSULTANT AGREEMENT WITH JACK HELMSING CONSTRUCTION, LLC**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes are among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and Jack Helmsing Construction, LLC, wishes to provide, professional services to assist the Confederated Salish and Kootenai Tribes in its Food Security initiative; and

**WHEREAS**, Jack Helmsing Construction, LLC, is uniquely qualified based on its background and experience to perform the duties required for assisting the Confederated Salish and Kootenai Tribes in creating a more food secure nation; and

**WHEREAS**, Jack Helmsing Construction, LLC, has agreed to provide its professional services according to the terms and conditions of a contract for consultation services.

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**MOTION** by Carole Lankford to approve the resolution and consultant agreement with Amerra Webster-Yaqui. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-179**

**A RESOLUTION TO ENTER INTO A CONSULTANT AGREEMENT WITH AMERRA WEBSTER-YAQUI**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes are among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and Amerra Webster-Yaqui wishes to provide, professional services to assist the Confederated Salish and Kootenai Tribes in writing its Food Security Strategic Plan; and

**WHEREAS**, Amerra Webster-Yaqui is uniquely qualified based on her background and experience to perform the duties required for completing the Confederated Salish and Kootenai Tribes' Food Security Strategic Plan; and

**WHEREAS**, Amerra Webster-Yaqui has agreed to provide her professional services according to the terms and conditions of a contract for consultation services.

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**MOTION** by Anita Matt to approve the resolution and consultant agreement with Qene's Catering. Seconded by Len TwoTeeth. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-180**

**A RESOLUTION TO ENTER INTO A CONSULTANT AGREEMENT WITH QENE'S CATERING**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes are among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and Qene's Catering wishes to provide, professional services to assist the Confederated Salish and Kootenai Tribes in its Food Security initiative; and

**WHEREAS**, Qene's Catering is uniquely qualified based on its background and experience to perform the duties required for assisting the Confederated Salish and Kootenai Tribes in creating a more food secure nation; and

**WHEREAS**, Qene's Catering has agreed to provide its professional services according to the terms and conditions of a contract for consultation services.

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**MOTION** by Ellie Bundy McLeod to approve the resolution and consultant agreement with Mitchell Rose Bear Don't Walk. Seconded by Charmel Gillin. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 20-181**

**A RESOLUTION TO ENTER INTO A CONSULTANT AGREEMENT WITH MITCHELL ROSE BEAR DON'T WALK**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes, and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes are among the highest priorities of the Tribes, and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and Mitchell Rose Bear Don't Walk wishes to provide, professional services to assist the Confederated Salish and Kootenai Tribes in writing its Food Security Strategic Plan; and

**WHEREAS**, Mitchell Rose Bear Don't Walk is uniquely qualified based on her background and experience to perform the duties required for completing the Confederated Salish and Kootenai Tribes' Food Security Strategic Plan; and

**WHEREAS**, Mitchell Rose Bear Don't Walk has agreed to provide her professional services according to the terms and conditions of a contract for consultation services.

**THEREFORE BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairwoman and the Tribal Secretary.

**Jody Perez**, Salish Kootenai Housing Authority; and **Charmel McClure Sternick**, Gauthier Agency; requested to meet with council in **executive session** to discuss homelessness.

**Carole Lankford** left the meeting for the remainder of the day.

**Council** met in **executive session** to discuss departmental issues.

Council reconvened into **regular session**.

Council **adjourned** at 2:43 p.m., and is scheduled to meet again on Tuesday, September 15, 2020, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

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Ellie Bundy McLeod  
Tribal Secretary