

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

Volume 23 Number 12
Council Chambers, Pablo, MT

Held: December 1, 2022
Approved: December 8, 2022

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

MEMBERS ABSENT: James “Bing” Matt.

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 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Ellie Bundy.

The **Tribal Council Meeting Minutes** for November 22, 2022 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for November 22, 2022, with corrections. Seconded by Jim Malatare. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Len TwoTeeth to approve the agenda, with changes. Seconded by Jennifer Finley. Carried, unanimous (9 present).

Mark Couture, AJ Bigby, and Zanen Pitts, Tribal Lands Department; and **Brandy Bigby**, Two Eagle River School Student; informed council that Brandy is a contestant chosen to present her essay regarding food sovereignty and meat processing at the Indian Agriculture Conference. There were over 60 applications submitted and two CSKT members received the award. Mark reached out to FRTEP about Anita Matt’s position/involvement, and there will be an honoring of Anita at the conference. Mark requested approval to use Anita’s council picture at the conference. Anita’s family is in agreement with using a photo. A tribal student will do the tribal flag walk and the other one will hold the photograph. It was the **consensus** of council to authorize the use of Anita’s

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council photograph at the conference. Mark told council that AJ and Zanen received a full-ride scholarship from MSU Extension to go to conference for meat processing. Mark will be going as well on the meat processing topic. Both essays are published in the Char-Koosta News. **Council** congratulated Brandy on a job well done.

Mark Couture and **Zanen Pitts**, Tribal Lands Department; and **Rick Eneas**, Tribal Executive Officer; requested to meet with council in **executive session** to discuss land issues. **Craig Couture**, Law & Order, was present for discussion.

Craig Couture, Law & Order, requested to meet with council in **executive session** to discuss a law enforcement issue.

Ellie Bundy left the meeting on personal time off for the remainder of the day.

Council reconvened into **regular session**.

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

Martin Charlo left the meeting.

Stephen Smallsalmon discussed a problem with people partying in the Mission Dam area and would like to have a steel gate installed. He feels like the Pend d'Oreille members are getting weeded out. Stephen had given the council a book to read about the Pend d'Oreille people. Something needs to be done for the elders. He is going to Helena on Saturday. Stephen worked at the Jocko pow wow for 4.5 years and was the pow wow chief. His father was the war dance chief, and then John Peter Paul took over after that. People do not have to be a veteran to be a war dance chief; they need to be involved in the culture. Nkwusm was closed yesterday due to Arlee not having any power. He wants council to attend the next elders meeting.

Ruth Swaney, Financial Management, requested approval of modification 4 to the fiscal year 2023 Total Budget Allocations for General Fund and Compacts, Contracts and Grants.

MOTION by Mike Dolson to approve by resolution modification 4 to the fiscal year 2023 Total Budget Allocations for General Fund and Compacts, Contracts and Grants. Seconded by Jennifer Finley. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 23-024

**RESOLUTION APPROVING MODIFICATION 4 TO THE FISCAL YEAR 2023
TOTAL BUDGET ALLOCATIONS FOR GENERAL FUND AND COMPACTS,
CONTRACTS, AND GRANTS**

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

WHEREAS, new awards and prior year self-governance funds and Third Party funds are available to appropriate in FY 2023 to the programs, services, functions, and activities approved by the Tribal Council; and

WHEREAS, the increases and decreases in total allocations by Fund and by Function are as follows:

Function	Total Revised Mod 3 - 11/22/2022	Increase/ (Decrease) Compacts , Contracts, and Grants	Increase/ (Decrease) Third Party	Total Increase/ (Decrease)	Total Revised Mod 4 - 12/1/2022
PERMANENT					
Government Services	\$840,000	\$0	\$0	\$0	\$840,000
Government Operating	\$750,000	\$0	\$0	\$0	\$750,000
Capital Programs	\$2,000,000	\$0	\$0	\$0	\$2,000,000
Per Capita	\$12,096,000	\$0	\$0	\$0	\$12,096,000
SUBTOTAL, PERMANENT	\$15,686,000	\$0	\$0	\$0	\$15,686,000
MANDATORY					
Government Services	\$13,978,095	\$730,767	\$0	\$730,767	\$14,708,862
Health and Human Services	\$83,865,406	\$439,550	\$0	\$439,550	\$84,304,956
Natural Resources	\$56,118,772	\$64,795	\$0	\$64,795	\$56,183,567
Government Operating	\$2,064,000	\$0	\$0	\$0	\$2,064,000
Education	\$1,603,631	\$10,000	\$0	\$10,000	\$1,613,631
Administration	\$21,733,975	\$0	\$0	\$0	\$21,733,975
Court/Probation	\$1,576,849	\$0	\$0	\$0	\$1,576,849
Law Enforcement	\$2,983,450	\$0	\$0	\$0	\$2,983,450
Legal	\$3,436,000	\$0	\$0	\$0	\$3,436,000
Forestry	\$5,676,655	\$0	\$0	\$0	\$5,676,655
Capital Programs	\$865,000	\$0	\$0	\$0	\$865,000
Indirect Costs	\$4,041,000	\$0	\$0	\$0	\$4,041,000
SUBTOTAL, MANDATORY	\$197,942,832	\$1,245,112	\$0	\$1,245,112	\$199,187,944

Function	Total Revised Mod 3 - 11/22/2022	Increase/ (Decrease) Compacts, Contracts,	Increase/ (Decrease) Third Party	Total Increase/ (Decrease)	Total Revised Mod 4 - 12/1/2022
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		and Grants			
DISCRETIONARY					
Government Services	\$11,107,000	\$0	\$0	\$0	\$11,107,000
Health and Human Services	\$17,415,000	\$0	\$421,500	\$421,500	\$17,836,500
Natural Resources	\$11,746,000	\$0	\$0	\$0	\$11,746,000
Government Operating	\$820,350	\$0	\$0	\$0	\$820,350
Education	\$573,000	\$0	\$0	\$0	\$573,000
Administration	\$172,000	\$0	\$0	\$0	\$172,000
Tribal Earmarks	\$3,270,919	\$0	\$0	\$0	\$3,270,919
SUBTOTAL, DISCRETIONARY	\$45,104,269	\$0	\$421,500	\$421,500	\$45,525,769
TOTAL APPROPRIATIONS	\$258,733,101	\$1,245,112	\$421,500	\$1,666,612	\$260,399,713

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 4 to the FY 2023 Total Budget Allocations for General Fund and Compacts, Contracts, and Grants for a net increase of \$1,666,612; and

BE IT FURTHER RESOLVED that the FY 2023 Total Budget Allocations are increased from \$258,733,101 to \$260,399,713; and

BE IT FURTHER RESOLVED that the Office of Financial Management is delegated authority to revise, reallocate, and correct the amounts for programs, services, functions, and activities within the Total Budget Allocations authorized and available in the aforementioned Funds.

Len TwoTeeth commended Patricia Hibbeler for the warming center that was at Quicksilver. There are many homeless people that have nowhere to go. Len appreciated the department going above and beyond by providing the visitors a warm meal, a hat, and gloves. Len would like to have a warming center in each community in the future. Patricia commented the credit goes to the dedicated staff at DHRD to take care of the homeless. The warming center hours have been extended so people can go to the Ronan Senior Center 24/7. The staff are looking at the use rate to determine other options.

Patricia Hibbeler, Tribal Member Services; and **Corky Sias**, Department of Human Resources Development; requested authorization to pay an outstanding invoice to R&R Construction in the amount of \$53,000.00 for over expenditures for the Bus Barn garage doors. The doors were ordered in December 2021 and were not delivered until July 2022 at a much higher price due to the pandemic. The department received approval from Contracts & Grants already.

MOTION by Jim Malatare to authorize payment of the outstanding invoice to R&R Construction in the amount of \$53,000.00 for over expenditures for the Bus Barn garage doors. Seconded by Terry Pitts. Carried, unanimous (7 present).

Chairman McDonald told Corky Sias that he had his vehicle serviced at Quicksilver and he was impressed by the service provided by the crew and the prices were lower than other places.

Mark Couture and **Brad McCrea**, Tribal Lands Department, presented a request from Rosemary Groves to add another dwelling on her homesite to be used as a guest house for her family. **Carole Lankford** recommended giving Lands the authority to make determinations on fifth wheels and pull trailers on their homesite residences so long as they get approval from the Lands Department.

MOTION by Carole Lankford to delegate authority to the Tribal Lands Department to make determinations on allowing fifth wheels and pull trailers on homesite residences so long as they get approval from the Lands Department. Seconded by Jim Malatare. Carried, unanimous (7 present).

Mark Couture, Tribal Lands Department, presented a request from the Montana Electric Co-op for a letter of support to apply for grants to maintain their power transmission lines in the Evaro/Schley area.

MOTION by Jim Malatare to approve a letter of support for Montana Electric Co-op. Seconded by Mike Dolson. Carried, unanimous (7 present).

Mark Couture, Tribal Lands Department, informed council that the Fish & Wildlife Program will be using the Ronan Senior Center parking lot to do a check station on big game animals for CWD.

Jim Malatare requested an update on installing a fence at Nkwusm. **Mark Couture** told him the department is still waiting for a third appraisal.

Lisa Shourds, Administrative Services; and **Christina Courville**, SKNN; requested to meet with council in **executive session** to discuss a departmental matter. **Dan Decker** and **John Harrison**, Legal Department, were present for discussion.

Council reconvened into **regular session**.

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

Council reconvened into **regular session**.

***** **Lunch** *****

Bob Bosun, Vicki Crnich and **Ben Nunnallee**, Montana Department of Transportation; **Sarah Nicolai** and **Scott Randall**, RPA; gave an update on the Ninepipe Corridor 93 feasibility study. The final report will be shared with the public and final public hearings will be held in January 2023. Public comments included minimizing impacts to adjacent properties; consider access for residents and businesses; identify potential funding sources; assure adequate coordination with agencies and stakeholders; and consider how improvements will connect with other projects such as Post Creek Hill and Eagle Pass Trail. Comments from resource agencies included size crossing structure according to targeted species known to cross the highway in each location; ensure adequate vertical clearance and dry passage at crossing structures to encourage use by grizzly bears and large mammals; consider the cultural/traditional elements of the landscape; and restore the corridor by improving connectivity across the highway. Based on the comments received, MDT developed three corridor options. Option 1: C-1: SEIS Preferred was two bridges (120-foot and 150-foot) with two 10 to 12 feet of vertical clearance at Crow Creek; two 60-foot bridges with 10 to 12 feet of vertical clearance, and two 4x6 culverts at Kettle Pond 2; two 60-foot bridges with 10 to 12 feet of vertical clearance and two 4x6 culverts; and single 660-foot bridge with 10 to 12 feet of vertical clearance, two 12x22 culverts and two 10x12 culverts at Ninepipe Reservoir. Option 2: C-2: Enlarged Crossings was a single 500-foot bridge with 15 feet of vertical clearance at Crow Creek; a single 800-foot bridge with 15 feet of vertical clearance at Kettle Pond 2; single 800-foot bridge with 15 feet of vertical clearance at Kettle Pond 1; and single 660-foot bridge with 15 feet of vertical clearance, two 12x22 culverts, and two 10x12 culverts at Ninepipe Reservoir. Option 3: C-3: Wildlife Overpass was a single 500-foot bridge with 15 feet of vertical clearance at Crow Creek; one 110-foot bridge with 10 to 12 feet of vertical clearance at Kettle Pond 2; one 110-foot bridge with 10 to 12 feet of vertical clearance at Kettle Pond 1; a wildlife overpass at Post A Canal; and a single 300-foot bridge with 15 feet of vertical clearance, two 12x22 culverts, and two 10x12 culverts. An evaluation was conducted for screening criteria on transportation, ecological environmental, fish/wildlife, human environment, constructability, and cost. The final results of screening determined C-3 as the preferred option: Typical section - steepened fill slopes; shared use path - crossing south of Ninepipe Reservoir; Ninepipe Reservoir - single 300-foot bridge with 15 feet of vertical clearance and 4 culverts; Post A Canal - wildlife overpass (dimensions have not yet been finalized); Kettle Pond 1 - single 100-foot bridge with 10 to 12 feet of vertical clearance and 2 culverts; Kettle Pond 2 - single 100-foot bridge with 10 to 12 feet of vertical clearance and 2 culverts; Crow Creek - single 500-foot bridge with 15 feet of vertical clearance. The Ronan North project has begun. **Mike Dolson** brought up his concerns regarding vehicle/animal crashes on Highway 28 and Highway 382 in Perma area and wanted to know if there are any plans to address it. **Bob Bosun** responded highway fencing is very expensive and many landowners do not like the fencing. There are no projects currently planned for those areas, but MDT will look into possible solutions for the concerns. **Terry Pitts** asked about the

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cattle guard located 1.5 miles up Revais Creek Road on Highway 200 west of Dixon. The Dixon Stock Association's cattle guard is filled up and Terry wanted to know whose responsibility it is to clean it up. Bob was not sure, but he was confident it's not MDT's responsibility since extended fence lines are not usually their cattle guards. Bob thought it would most likely be tribal or county.

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

Ben Davis, Skye McGinty and Tasha Fridia, Friends of the Children – Montana, gave a presentation on the mission and model of Friends of the Children – Montana, a long-term professional youth mentoring organization focused on serving children who face the greatest obstacles starting when children are between 4-6 years old through high school. The organization launched in 2021 in Missoula. Serving 32 children and over 100 family members and will expand by 16-24 children and families per year. They are prioritizing new service to rural, frontier, and tribal communities. The cost is \$10,000 per year per child. They raised \$1 million in seed funding from private philanthropy. The diverse funding streams are individuals, corporate, foundations, and the public. **Patricia Hibbeler** would like to explore the program and see how it may interface with our tribal programs.

Shane Morigeau, Tribal Executive Office, introduced SK Rossi and Kylie Gursky to the council. SK Rossi was a law school classmate of Shane's. SK and Kylie informed council they were gifted \$25,000 to put a down payment on the home they bought in Missoula in 2017. They said they sold their Missoula home this year and would like to give \$25,000 of the proceeds to the Tribe's buyback program. This contribution is an effort to show solidarity and recognition of the Tribes' aboriginal homelands that were taken and that they were fortunate to be able to live on and benefit from. They believe any homeowner selling their property/home in Missoula should donate at least a portion of it to the Tribes. **Council** thanked them for the generous gift and kind thoughts and invited them to the quarterly council meeting to honor them for their generosity.

Patricia Hibbeler, Tribal Member Services, requested approval of a resolution approving the submission of the 2023-2026 Title VI grant application to the Administration for Community Living Administration on Aging Older Americans Act Title VI, Nutrition, Supportive Service and Caregiver Grants (Parts A, B and C).

MOTION by Len TwoTeeth to approve by resolution the submission of the 2023-2026 Title VI grant application to the Administration for Community Living Administration on Aging Older Americans Act Title VI, Nutrition, Supportive Service and Caregiver Grants (Parts A, B and C). Seconded by Jim Malatare. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 23-025

RESOLUTION TO APPROVE SUBMISSION OF THE 2023-2026 TITLE VI GRANT APPLICATION TO THE ADMINISTRATION FOR COMMUNITY LIVING ADMINISTRATION ON AGING OLDER AMERICANS ACT TITLE VI, NUTRITION, SUPPORTIVE SERVICE AND CAREGIVER GRANTS (PARTS A, B AND C).

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

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

WHEREAS, The Tribal Council has determined care, services and support of their elderly tribal members is the utmost importance; and

WHEREAS, The Tribal Council approved, on August 30, 2022 to participate in the National Resource Center on Native American (NRCNAA) needs assessment survey to gather data on the needs of CSKT tribal elders to be used in the grant application; **NOW, THEREFORE**,

BE IT RESOLVED, that the Confederated Salish and Kootenai Tribe respectfully approves the application submittal and requests funding for the Administration for Community Living/Administration on Aging Older Americans Act Title VI grants (Parts A/B and C) for the grant period of April 1, 2023 to March 31, 2026.

Dan Decker, Melissa Schlichting, Brian Upton, Lynsey Gaudio, Katie Jones, and Michael Wheeler, Legal Department; and **Shane Morigeau**, Tribal Executive Office; requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

Council congratulated Shane Morigeau on becoming a new father.

Velda Shelby and **Janet Camel**, Economic Development Office, followed up on her previous request for council to appoint a nominee as the tribal representative on the Lake County Planning Board. Jasmine Courville Brown is willing to serve for six months. James Steele, Sr. showed interest. Janet was unable to get in contact with the other individuals recommended by council. The IDT Team recommended Jasmine for the six months. There is a graduate student in Oregon

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who is getting a master's degree in planning who is interested in working for CSKT. **James Steele, Sr.** informed council that he was not contacted about the position. He gave an overview of his work experience and talked about the importance of the individual appointed needing to represent the Tribes. He does not believe serving on the Shoreline Protection Board would be a conflict. Janet discussed the job duties associated with the position. It was the **consensus** of council to support the nomination of James Steele, Sr. to be appointed to the Lake County Planning Board as the tribal representative.

Velda Shelby and **Janet Camel**, Economic Development Office, gave an update on the Salish Kootenai College Building Trades Program. A tiny home (200 square feet) was built and is ready to be sold. Janet invited the council members to tour the home and approve a sealed bid process for SKC to sell the home, with proceeds going to SKC to continue operation of the Building Trades Program, with support from DHRD where possible. SKC would conduct the auction and determine whether only tribal members can bid on the home. It was the **consensus** of council to allow the sale of the tiny home. Council will tour the home.

Council **adjourned** at 3:48 p.m., and is scheduled to meet again on Tuesday, December 6, 2022, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary