

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

Volume 23 Number 31
Council Chambers, Pablo, MT

Held: February 28, 2023
Approved: March 2, 2023

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

MEMBERS ABSENT: Mike Dolson.

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 9:31 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for February 23, 2023 were presented for approval.

MOTION by Ellie Bundy to approve the Tribal Council Meeting Minutes for February 23, 2023, with corrections. Seconded by Jennifer Finley. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Jim Malatare to approve the agenda, with changes. Seconded by Martin Charlo. Carried, unanimous (9 present).

Martin Charlo had a question from an elder wanting to know if it is possible to put solar panels on her home with ARPA funds. The question will be referred to the Tribal Executive Director.

Carole Lankford informed council she sent out an email last night regarding Sherwood Forest for her to get reimbursed for the propane she purchased for him. Carole turned the pictures over to the Director of Tribal Member Services and she is hoping there may be some thoughts on what can be done there. Sherwood has lived in this condition for a long time.

Carole Lankford suggested developing a council committee to upgrade both Arlee and Elmo celebration grounds. Every year we are rushing to get the grounds up to a standard for use. Council needs to develop and plan of improvement and appropriate enough funds to get the job done. The Council committee, along with Ruth Swaney, Chasity Haynes and appropriate departments, Maintenance, DOL, SKHA Water and Sewer, maybe Fire Management due to rental for fire Staging area, Economic Development, The meeting is set up for Monday at 1pm. **Martin Charlo** attended the Land Committee meeting yesterday when this was discussed.

Bing Matt informed council there is a solid waste meeting today at the St. Ignatius community center at 6:00 p.m.

Bing Matt discussed broadband being discussed at the IDT meeting and how much work needs to be done to get the project completed. He does not think that amount work can be done from Missoula to Kalispell. He talked about the funding that is needed to do this. The EA needs to be looked at. Bing wants Lisa Shourds to let council know what needs to be done. **Len TwoTeeth** mentioned permitting is part of the process, which includes getting appraisals for each tract. **Chairman McDonald** was disappointed that climate change was not included in the grant. He talked about resiliency and the power being underground. **Carole Lankford** had concerns about who wrote the grant. It is not complete for the whole process. She talked about turning it over to S&K Technologies and she does not if that happened. It is beyond a staff project and needs to be turned over to a corporation to manage. The people dealing with this project do not have the capacity to do so, and the tribal council needs to think about turning the money back. Carole wants to see if the corporation will take over the project. **Council** will request the Director of Administrative Services provide the council an update on broadband.

MOTION by Martin Charlo to reimburse Carole Lankford \$39.00 for the propane she purchased for Sherwood Forest. Seconded by Ellie Bundy. Carried, unanimous (9 present).

Chairman McDonald thought it was a good idea to set up a council subcommittee for the pow wow grounds and have something finalized by the end of the month. Issues occur when a facility is abandoned for eleven months per year. If we are not going to take care of the facility it needs to be torn down. We need to have a nice pow wow facility at both ends and have staff dedicated to do that. It is a mistake to rely on volunteers to do that. Financing the pow wows needs to be part of our economic development. The chairman will solicit membership and codify it on Thursday.

MOTION by Martin Charlo to set up a tribal council committee for the Arlee and Elmo pow wow grounds. Seconded by Carole Lankford. Carried, unanimous (9 present).

Chairman McDonald asked the council members to review the alternatives for the Election Committee. **Council** will discuss it at next week’s chairman’s meeting when Mike Dolson is present.

Ruth Swaney, Financial Management, presented a request to purchase capital equipment for water compact activities for an estimated total of \$70,000.

MOTION by Martin Charlo to approve the purchase of capital equipment for water compact activities for an estimated total of \$70,000. Seconded by Ellie Bundy. Carried, unanimous (9 present).

Ruth Swaney, Financial Management, requested approval of modification 9 to fiscal year 2023 total budget allocations.

MOTION by Martin Charlo to approve by resolution modification 9 to fiscal year 2023 total budget allocations. Seconded by Len TwoTeeth. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 23-060

RESOLUTION APPROVING MODIFICATION 9 TO THE FISCAL YEAR 2023 TOTAL BUDGET ALLOCATIONS

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

WHEREAS, prior year Indian Affairs self-governance awards and Water Compact funds in addition to increases in Contracts and Grants 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 8 - 2/7/2023	Total Increase/ (Decrease) Compacts, Contracts, and Grants	Total Increase/ (Decrease) Water Compact	Total Increase/ (Decrease)	Total Revised Mod 9 - 2/28/2023
PERMANENT					
Government Services	\$840,000				\$840,000

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Government Operating	\$750,000				\$750,000
Capital Programs	\$2,000,000				\$2,000,000
Per Capita	\$12,096,000				\$12,096,000
SUBTOTAL, PERMANENT	\$15,686,000	\$0	\$0	\$0	\$15,686,000
MANDATORY					
Government Services	\$18,014,203	\$1,004,622		\$1,004,622	\$19,018,826
Health and Human Services	\$94,477,465	\$2,313,351		\$2,313,351	\$96,790,817
Natural Resources	\$62,759,793		\$70,000	\$70,000	\$62,829,793
Government Operating	\$2,064,000			\$0	\$2,064,000
Education	\$1,723,395	\$1,270,785		\$1,270,785	\$2,994,180
Administration	\$21,755,896			\$0	\$21,755,896
Court/Probation	\$1,576,849	\$119,700		\$119,700	\$1,696,548
Law Enforcement	\$2,983,450			\$0	\$2,983,450
Legal	\$3,436,000			\$0	\$3,436,000
Forestry	\$6,276,923	\$96,573		\$96,573	\$6,373,496
Capital Programs	\$865,000			\$0	\$865,000
Indirect Costs	\$4,041,000			\$0	\$4,041,000
SUBTOTAL, MANDATORY	\$219,973,974	\$4,805,032	\$70,000	\$4,875,032	\$224,849,007
Function	Total Revised Mod 8 - 2/7/2023	Total Increase/ (Decrease) Compacts, Contracts, and Grants	Total Increase/ (Decrease) Water Compact	Total Increase/ (Decrease)	Total Revised Mod 9 - 2/28/2023
DISCRETIONARY					
Government Services	\$11,107,000				\$11,107,000
Health and Human Services	\$17,836,500				\$17,836,500
Natural Resources	\$11,746,000				\$11,746,000
Government Operating	\$820,350				\$820,350
Education	\$585,845				\$585,845
Administration	\$172,000				\$172,000
Tribal Earmarks	\$3,270,919				\$3,270,919
SUBTOTAL, DISCRETIONARY	\$45,538,614	\$0	\$0	\$0	\$45,538,614
TOTAL APPROPRIATIONS	\$281,198,588	\$4,805,032	\$70,000	\$4,875,032	\$286,073,620

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 9 to the FY 2023 Total Budget Allocations for Compacts, Contracts, and Grants for a net increase of \$4,875,032; and

BE IT FURTHER RESOLVED that the FY 2023 Total Budget Allocations are increased from \$281,198,588 to \$286,073,620; 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.

Miranda Burland, Tribal Education Department, requested approval to apply for grant funding from the National Forest Foundation in the amount of \$41,754 to support CSKT high school students on their career pathways in the Natural Resources field through the Mission Mountains Youth Crew program on the Flathead Reservation.

MOTION by Martin Charlo to approve by resolution submission of an application to apply for grant funding from the National Forest Foundation. Seconded by Len TwoTeeth. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 23-061

RESOLUTION APPROVING THE SUBMISSION OF PROPOSAL DOCUMENTS TO THE NATIONAL FOREST FOUNDATION FOR HIGH SCHOOL STUDENT CAREER EXPERIENCE IN THE NATURAL RESOURCES AND SCIENCE FIELDS AND GAINING THE CULTURAL IMPORTANCE OF LAND AND WILDLIFE CONSERVATION

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

WHEREAS, the Tribal Education Department was established to support youth career opportunities and promote cultural learning experiences on the Flathead Indian Reservation; and

WHEREAS, the Tribal Education Department, as part of its effort to promote and support career and cultural experiences, will support eight CSKT enrolled and descendant local high school students to participate in the Mission Mountains Youth Crew program; and

WHEREAS, the Tribal Education Department is soliciting funding in the amount of \$41,754 to support CSKT high school students on their career pathways in the Natural Resources field through the Mission Mountains Youth Crew program on the Flathead Reservation; **NOW, THEREFORE,**

BE IT RESOLVED, the Tribal Education Department is authorized to submit the National Forest Foundation proposal documents with its updates and revisions to further carryout the purposes of the funds requested, and to integrate and implement its most recent Mission Mountains Youth Crew summer program.

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the Mission Mountains Youth Crew program proposal documents and authorizes the Tribal Chair and his designated

representative to negotiate and sign all documents and execute this contract on behalf of the Tribes.

Chasity Haynes, Enrollment Office, requested approval of a resolution approving the DNA results for 890829 to increase blood quantum using the biological father's blood quantum.

MOTION by Martin Charlo to approve the resolution approving the DNA results for 890829 to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 23-062

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR 890829 TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTEANI 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-UO15896 is the Biological Father of 890829.

BE IT RESOLVED, The Tribal Council accepts the DNA results, and approved the Blood Degree Correction for 890829 from 1/8 to 17/64 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.

Chasity Haynes, Enrollment Office, requested approval of a resolution correcting the 1946 census roll to include Marcia Mae McDonald.

MOTION by Jennifer Finley to approve by resolution correcting the 1946 census roll to include Marcia Mae McDonald. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 23-063

RESOLUTION CORRECTING 1946 CENSUS ROLL TO INCLUDE MARCIA MAE MCDONALD

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

WHEREAS, it has been determined by the Tribal Council, in the case of Marcia Mae McDonald, she was eligible at birth for enrollment under provisions of Ordinance 35A, Section B 2 (a) that she was born prior to May 04, 1960, and was born to a member who was a resident of the Reservation at the time of birth; and

WHEREAS, sufficient evidence was provided proving that Marcia Mae McDonald, an eligible member of the Confederated Salish & Kootenai Tribes, resided in Helena, MT at the time of her birth of March 26th, 1946, in Helena, MT; **NOW, THEREFORE**,

BE IT RESOLVED, that Marcia Mae McDonald is hereby enrolled into the Confederated Salish & Kootenai Tribes, effective February 28th, 2023; and

BE IT FURTHER RESOLVED, that the rights of Marcia Mae McDonald are prospective only and she is not entitled to retroactive rights or privileges in the Confederated Salish & Kootenai Tribe; and

BE IT FURTHER RESOLVED, that the degree of blood for Marcia Mae McDonald is 3/8 Salish and/or Kootenai.

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

Kari Kingery, Natural Resources Department, requested approval to submit for public comments the Flathead Indian Reservation Pheasants, Gray Partridge and Migratory Waterfowl 2023-2024 Hunting Seasons, Shooting Hours, and Limits. **Chairman McDonald** mentioned Milfoil being detected at Pablo Reservoir.

MOTION by Ellie Bundy to approve for public comments the Flathead Indian Reservation Pheasants, Gray Partridge and Migratory Waterfowl 2023-2024 Hunting Seasons, Shooting Hours, and Limits. Seconded by Carole Lankford. Carried, unanimous (9 present).

Patricia Hibbeler, Director of Tribal Member Services; **Greg Spahr**, Director of Financial Management; **Lisa Shourds**, Director of Administrative Services; and **John Neiss**, Facilities Maintenance; requested approval to continue engagement in current contract with Dick Anderson Construction until the completion of the Ronan Health Center project. **Len TwoTeeth** wanted to know what would occur if the council does not approve the request. **Greg Spahr** stated there are expenses associated with Dick Anderson Construction's work up to date. Not continuing would change the footprint and require us to begin with a new contractor and begin the process, which would start the project over from square one and cause a delay. **Patricia Hibbeler** stated the master plan included a Long House, a low-income apartment complex, housing, and other things. It was developing the community on that property. The health clinic was originally a larger footprint with a community kitchen, drive-through for pharmacy and other space that was eliminated when the project was over-budget. The addition is to add to the west side of the building to add space for fitness center and physical therapy and pharmacy drive-through. **Chairman McDonald** has never seen the conceptual design for the building. He wanted to know what the building was going to look like. Tom does not like the inverted roof, which is problematic. **Carole Lankford** had expected the group to bring in the conceptual design so the tribal council knows what is going on. She recommended approving the request to keep things moving forward. **Patricia Hibbeler** commented it is a huge process and they are trying to complete the project within the funding deadlines. The team is looking at a history piece in Ronan and when it began in conversations, which was quite a while ago. The master plan was developed years ago. **Martin Charlo** asked if pool therapy would be available at the clinic. **Patricia Hibbeler** explained that aquatic therapy does not fit into the budget in this next phase, but it is something they can seek funding for and add at a later date. The space allows for a lot of growth in the future. **Carole Lankford** asked about the roof line. She specifically told the architect that she did not want a chicken coop and that is what we ended up with. Those types of changes to the building design should have been brought to the council. **John Neiss** commented he had opposed it, as well. He does not know who approved that design. The architect already had the floor plans drawn up by the time John was brought into the project. **Lisa Shourds** informed council that the tribal council took action in December 2018 to approve the recommendations of the planning committee and architects, so it must have been MMW and the Planning Committee that brought the plan forward for approval. Dick Anderson Construction was then engaged through the RFP procurement process. **Chairman McDonald** went to the pharmacy last Friday and was told that the Tribal Health staff are opposed to having a pharmacy drive-through window. He noted that he was in favor of services provided should be customer-based; not employee-based. **Jennifer Finley** commented we need to be customer service oriented. She would like to see some plans for having a fitness center in Polson. It is the second largest community and the only community that has no fitness center. **Lisa Shourds** advised when we receive the new market tax credit the contract will be transferred to the entity

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established to move forward with the addition under the tax credits. The executive team is preparing a presentation that will be presented to the council to explain the entire process. **Chairman McDonald** mentioned Rick Eneas had given the tribal council a very thorough presentation on the new tax credits and how the health clinic can be expanded. **Greg Spahr** informed council the contract with Dick Anderson Construction had expired in November and it was extended while they were waiting for the delays in sourcing materials to be taken care of. They want to stay engaged with Dick Anderson Construction until the completion of the entire project. This request is specific to the Ronan Health Center only.

MOTION by Ellie Bundy to stay engaged with Dick Anderson Construction until the completion of the Ronan Health Center facility. Seconded by Jennifer Finley. Carried, unanimous (9 present).

Patricia Hibbeler requested that time be scheduled for the tribal council to tour the facility. She will work with Jennifer Trahan to get it scheduled. **Chairman McDonald** would like a copy of the conceptual design for the facility.

Jordan Thompson, Tribal Executive Office; **Melissa Schlichting** and **Lynsey Gaudioso**, Legal Department; requested to meet with council in **executive session** to discuss legislative issues. **Gwen Lankford**, Consultant, was present for discussion.

Council met in **executive session**.

Council reconvened into **regular session**.

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

Dan Decker, **Michael Wheeler**, **Katie Jones**, **John Harrison**, **Melissa Schlichting**, and **Zach Zipfel**, Legal Department; and **William Stanger Gardipe**, Two Eagle River School Board Member; requested to meet with council in **executive session** to discuss legal matters.

Dan Decker, **Michael Wheeler**, **Katie Jones**, **John Harrison**, **Melissa Schlichting**, and **Zach Zipfel**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Martin Charlo to approve the Big Medicine Loan Agreement between the CSKT and Montana Historical Society. Seconded by Ellie Bundy. Carried, unanimous (8 present – Jim Malatare out of the room).

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Miranda Burland, Tribal Education Department; and **Gerald Chouinard**, Hot Springs School District Superintendent; presented the 2021-2022 Indian Education Report for the Hot Springs School District. The school district has 1 teacher and 2 classified staff that are American Indian. 14 out of 165 students are American Indian; 1 is a member of another tribe and 13 are CSKT. The school provides opportunities for the students to learn the culture. **Chairman McDonald** asked if the administrators attend any of the Tribal Education Department functions that are offered. **Mr. Chouinard** promotes the opportunities among the staff and the administrators attend as much as possible. 12 students took the ACT and there were no Native American students within that cohort. Students take the Smarter Balance testing once they reach the fourth grade. 31% of entire student population was proficient in Math and zero Native American students fall into that category. 35% of the entire student population was proficient in Reading and the Native American students did not meet proficiency. The graduation rate for the class of 2022 was 93% and the rate was not applicable to Native American students. The GPA for the Native American students dropped slightly last year at 3.02 compared to district wide GPA being 3.20. The district-wide attendance average was 90% and the attendance average for the Native American students was 89%. The district dealt with 45 disciplinary situations and 2 of the incidents involved Native American students. The Indian Education Committee continues to hold meetings and creating a cultural presence reflective of the reservation within the school district. It is a work in progress. The tribal council was invited to the dry meat social on March 23, 2023, from 9:00 a.m. to 2:00 p.m., as part of Project Aware. Mr. Chouinard would like to see more cultural activities in the school. He would like to get the Gear Up program going. No students are actively involved in the Upward Bound program. Housing in Hot Springs for teachers has been a challenge. The school is in discussions with a housing authority. **Carole Lankford** graduated from Hot Springs High School and the school taught her good sportsmanship.

MOTION by Martin Charlo to accept the 2021-2022 Indian Education Report for the Hot Springs School District. Seconded by Bing Matt. Carried, unanimous (8 present – Jim Malatare out of the room).

Martin Charlo reminded council that tomorrow is the SPCC elders meeting at 9:00 a.m. and he invited all council members to attend the meeting.

Jennifer Trahan informed council of the proposed dates to tour the Ronan Health Center facility. **Council** scheduled the tour for next Monday at 2:30 p.m.

Council **adjourned** at 2:40 p.m., and is scheduled to meet again on Thursday, March 2, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary