

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

Volume 21 Number 74  
Zoom Meeting

Held: July 8, 2021  
Approved: July 13, 2021

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

**MEMBERS ABSENT:** Carole Lankford.

**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 Fred Matt.

The **Tribal Council Meeting Minutes** for June 29, 2021 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for June 29, 2021, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

The **Tribal Council Meeting Minutes** for July 2, 2021 were presented for approval.

**MOTION** by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for July 2, 2021, with corrections. Seconded by Mike Dolson. Carried, 8 for; 1 abstention (Anita Matt).

The **agenda** was presented for approval.

**MOTION** by Anita Matt to approve the agenda, with changes. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

**Bob McCrea**, Division of Fire, gave an update on local fires. It looks as though the weather will remain hot and dry through August. There were 8 new fires yesterday, and the division manned six of them. 5 of the fires are in containment

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status. The Little Money fire is over 100 acres in size. Because of safety issues they will put lines down and burn off it, so the fire could get a lot larger than it is now. The division cannot put crews in there where the fire is due to safety concerns because of the dangerous terrain. A mini type 3 team is managing the fire. They ordered equipment and other folks will be brought in. There is a lack of resources nationally this year. This region is shut down and no crews will leave the region. The nation is currently in a planning level 4. The fire danger is very high on the reservation, and it will become problematic if we get winds. **Len TwoTeeth** commented on the problems getting contractors paid last year and he asked if we have a process in place to make sure the contractors will be paid in a timely manner this year. Bob responded that the issue is not on our side; it is a BIA contracting issue. Another lack of resources is a lot of the contractors went out of state to work. There will probably be discussions about the different stages next week. There have been discussions on the national level about the possibility of getting the military personnel trained to assist due to the lack of resources. It is difficult to get people to go to work because of the difficulty in getting paid for their services.

**Charmel Gillin** followed up on the concerns that Iris Caye gave a report about last week regarding dogs in the neighborhood that were threatening. Since then, Iris has been attacked two times. Iris was out in her yard and got attacked. Law enforcement has taken reports. The issue is dogs at large primarily. We are all concerned about her safety. There are also children in the neighborhood, which causes safety concerns. **Rick Eneas** will follow up with the Legal Department and the Tribal Lands Department.

**Council** met in **executive session**. **Rick Eneas**, Tribal Executive Officer, was present for discussion.

Council reconvened into **regular session**.

**Corrine Wilson** and **Leya Hale**, Twin Cities PBS, requested a permit to film at Strawberry Hill for the Race to Solve Suicide documentary. Two former members of the Arlee Warriors were interviewed and will be highlighted in the documentary. They are focusing on Greg Whitesell and his friend from the Arlee basketball team regarding the cluster suicides that occurred in 2017. All film crew members purchased a conservation permit. They will be using a local drone operator who is aware of the regulations. **Chairwoman Fyant** advised that we are in a very high fire danger, and she encouraged them to take proper protocols. Leya informed council that the production team has been vaccinated and will follow strict COVID protocols.

**MOTION** by Martin Charlo to allow them to film in Arlee at the Strawberry Hill site. Seconded by Bing Matt. Carried, unanimous (9 present).

**Patricia Courchane**, Department of Human Resources Development; and **Clayton Matt**, Tribal Services; requested approval to close the department for 4 hours to have a health and wellness barbecue. Patricia could not access the detailed information regarding the date and time of the event and said she could provide the details by email later today. **No action taken.** Council will revisit the request this afternoon when the information is available.

**Seth Makepeace**, Natural Resources Department, informed council that the top four Tribal priorities for irrigation project rehab and betterment are currently being designed or prepared for construction. He requested approval of a noncompetitive contract with McMillen Jacobs Engineering in the amount of \$300,000 to initiate work at the Tabor Feeder Canal – North Fork Jocko and Jocko Upper S Canal for fisheries management, irrigation project rehabilitation and restoration of lands damaged during construction of the irrigation project. The scope of work is for engineering design work through the preliminary engineering phase.

**MOTION** by Martin Charlo to approve the contract with McMillen Jacobs Engineering in the amount of \$300,000. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Rick Eneas**, Tribal Executive Officer; **Clayton Matt**, Tribal Services; **Craig Couture**, Law & Order; and **James Steele, Sr.**, Sergeant at Arms; discussed security needs and options. Rick discussed formalizing the establishment of a security office. **Len TwoTeeth** was in favor of having a security department. Having the entire premises under surveillance would make the employees and public feel safer. **Chairwoman Fyant** stated that her biggest concern is public safety. We have had visitors under the influence and people with mental health issues. She would like some in-person patrolling in addition to cameras. Having restricted access would be a good idea. The doors have not always been locked after hours. She wants fire drill procedures and protocols for what to do in the case of a bomb threat, etc. **James Steele, Sr.** gave an overview of when he worked security for the Department of Human Resources Development. He developed the security protocols, and he monitored the council chambers cameras. Jim made a list of security needs/issues. The police officers need to be working the streets, so he handled security issues. Jim would patrol the buildings. He conducted a survey, and the employees overwhelmingly supported the security program. The Door Monitors are scheduled for some training. DHRD expanded its patrols to the airport, Fish & Game, and the Natural Resources Department. The security officers controlled the vendors coming in to sell items. There needs to be an independent security department and maximum camera access. Jim denied access to an individual last week who he thought posed a threat. He already has a training program that has been on hold since 2013, and Jim would like to reactivate that. **Rick Eneas** stated that a threat assessment was conducted in 2016 or 2017. A coordinator would put

all that together to give us an idea of what we need for security. Jim commented that Clayton Matt had asked him to develop a security plan when he worked at DHRD. There was a memorandum of understanding to combine all the security departments, but he wanted to concentrate on the complex only and did not want to be part of that MOU because we need to stay out of Tribal Health and Salish Kootenai College's business. **Mike Dolson** discussed break-ins that have happened in Hot Springs. It would be nice to have a physical presence in addition to cameras. **Ellie Bundy McLeod** was leaning towards the B model. She likes having people checking doors and having a presence in the buildings and she did not like the lockdown style of security. **Charmel Gillin** thought it would be good to have a coordinator to develop the program, have a presence and a reasonable level of security that maintains the openness now, and be equipped to have that higher level of screening implemented if there is a perceived threat or a dignitary visiting that needs a higher level of security. **Rick Eneas** will have the budget prepared to phase this in, work on the coordinator position, and work under the general guidelines. The policies will be developed and brought in for council approval.

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

**Chasity Haynes** and **Arlen Tellier**, Enrollment Office, requested approval of a resolution relinquishing Felicia L. Pichette from the CSKT rolls to become enrolled in the Spokane Tribal Nation.

**MOTION** by Charmel Gillin to approve by resolution the relinquishment of Felicia L. Pichette from the CSKT rolls, with the date correction. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 0 not voting.

#### **RESOLUTION 21-081**

#### **RESOLUTION AUTHORIZING THE RELINQUISHMENT OF FELICIA L. PICHETTE (203-UO11014)**

**WHEREAS**, Felicia L. Pichette, has requested in writing relinquishment of membership from the Confederated Salish and Kootenai Tribes of the Flathead Reservation, MT.; and

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

**BE IT RESOLVED**, that Felicia L. Pichette has relinquished the following:

1. Membership in the Confederated Salish and Kootenai Tribes
2. All future Tribal Benefits

3. All Hunting and Fishing now held by members of the Confederated Salish and Kootenai Tribes
4. Any and all privileges now extended to members of the Confederated Salish and Kootenai Tribes.

**BE IT FURTHER RESOLVED**, that the request for relinquishment of Felicia L. Pichette is hereby approved;

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

**BE IT FINALLY BE RESOLVED**, that the Office of Records Management and Enrollment of the Confederated Salish and Kootenai Tribes must be in receipt of documentation that Felicia L. Pichette has become an official member of the Spokane Tribal Nation before she will be relinquished from the Confederated Salish and Kootenai Tribes.

**Laurence Kenmille, Chasity Haynes and Arlen Tellier**, Enrollment Office, requested approval of a resolution to approve the removal of Raelena Marie Ammen. The removal is due to not being eligible for enrollment based on DNA results. The IIM funds will be returned to the Tribes.

**MOTION** by Charmel Gillin to approve by resolution the removal of Raelena Marie Ammen from the CSKT rolls. Seconded by Ellie Bundy McLeod. Carried, 9 for; 0 opposed; 0 not voting.

## **RESOLUTION 21-082**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO APPROVE THE REMOVAL OF RAELENA MARIE AMMEN**

**WHEREAS**, Raelena Marie Ammen was determined eligible for enrollment at birth under Tribal Ordinance 35A, (b); and with a blood quantum of 87/256; and

**WHEREAS**, a result of an affidavit and paternity testing in which determined 203-UO11823 to not be the biological father of said minor. At the time of birth 203-UO11823 was added to the birth record; and

**WHEREAS**, Raelena Marie Ammen biological father is not a Tribal member and her blood quantum reflected that of 203-UO11823 and will be corrected and reflect that of only her mother who is a descendant; and

**WHEREAS**, the Office of Records Management and Enrollment has documentation to prove that the blood quantum of Raelena Marie Ammen is incorrect. **THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that Raelena Marie Ammen is hereby not eligible and shall be removed as an enrolled member in said Tribe, and will no longer benefit in the following:

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

**BE IT FURTHER RESOLVED**, by the Tribal Council that the official rolls shall show Raelena Marie Ammen's blood quantum as 15/128 degree Salish and/or Kootenai blood, that Raelena Marie Ammen or Guardian has 30 Days to appeal Tribal Council's decision; and

**BE IT FINALLY BE RESOLVED**, by the Tribal Council that Raelena Marie Ammen shall be officially removed from the Confederated Salish and Kootenai Tribal rolls and listed as a 2<sup>nd</sup> generation descendant, and the Tribal Council requires the IIM Account be reverted back to the Tribe.

**Laurence Kenmille, Chasity Haynes and Arlen Tellier**, Enrollment Office, requested approval of a resolution to approve the removal of Louie Tracy Jackson. In 1998, Mr. Jackson was removed from the CSKT rolls so he could be enrolled in the Nez Perce Tribe, but he was never removed and has been dually enrolled during this time. His two children, Louie Tracy Jackson, Jr. and Izabella Mi'Amor Jackson, would be removed from the rolls as well because Mr. Jackson was not an enrolled member of this Tribe at the time of their birth. Article 35 requires children to be born to a CSKT member in order to be eligible for enrollment. The individual has been receiving per capita since his removal in 1998. The Kalispel Tribe still has their enrollment frozen, and it is in limbo. The Enrollment staff follows up periodically to make sure the relinquished tribal members are not enrolled in another tribe without the CSKT's knowledge. **Charmel Gillin** pointed out some grammatical errors in the resolution that need to be corrected. **Ellie Bundy McLeod** asked if there is a policy that if people are dually enrolled and collect benefits that something can be done for payback of funds. Laurence mentioned that the staff discussed it. When they do the relinquishment requests, there needs to be a statement that the person cannot be dual enrolled, and it is their responsibility to notice the Enrollment Office when they get enrolled in another tribe so they are fully aware they need to notify

the CSKT. The Tribes can file suit with the tribe the member transferred to and see if they would hold and replenish the amount they received under dual enrollment.

**MOTION** by Len TwoTeeth to approve by resolution the removal of Louie Tracy Jackson, Jr., with corrections. Seconded by Bing Matt. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 21-083**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO APPROVE THE REMOVAL OF LOUIE TRACY JACKSON, JR.**

**WHEREAS**, Louie Tracy Jackson, Jr. was determined eligible for enrollment at birth under Tribal Ordinance 35A, (b); and with a blood quantum of 1/4; and

**WHEREAS**, Louie Tracy Jackson, Jr. biological father Louie Tracy Jackson was a Tribal member of CSKT and relinquished from Confederated Salish & Kootenai Tribes, a Resolution of Relinquishment was approved in 1998; However the Nez Perce Tribe did not inform CSKT of his enrollment until 06/23/2021; and

**WHEREAS**, Louie Tracy Jackson, Jr. was born in 2003, therefore Louie Tracy Jackson, Jr. did not meet the requirements of Tribal Ordinance 35A Article II Section 3b; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that Louie Tracy Jackson, Jr. is hereby not eligible and shall be removed as an enrolled member in said Tribe, and will no longer benefit in the following:

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

**BE IT FURTHER RESOLVED**, by the Tribal Council that the official rolls shall show Louie Tracy Jackson, Jr.'s blood quantum as 1/4 degree Salish and/or Kootenai, however was removed due to not meeting the requirements of Ordinance 34A Article II Section 3B, Louie Tracy Jackson, Jr. or his representative have 30 days to appeal Tribal Council's decision; and

**BE IT FINALLY BE RESOLVED**, by the Tribal Council that Louie Tracy Jackson, Jr. will be officially removed from the Confederated Salish and Kootenai Tribal rolls and listed, as a 2<sup>nd</sup> generation descendant, and all restricted funds in the IIM Account shall be returned to the Tribe, effective July 14, 1998, at the time the administrator error occurred.

**MOTION** by Len TwoTeeth to approve by resolution the removal of Izabella Mi'Amor Jackson, with corrections. Seconded by Ellie Bundy McLeod. Carried, 9 for; 0 opposed; 0 not voting.

**RESOLUTION 21-084**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO APPROVE THE REMOVAL OF IZABELLA MI'AMOR JACKSON**

**WHEREAS**, Izabella Mi'Amor Jackson was determined eligible for enrollment at birth under Tribal Ordinance 35A, (b); and with a blood quantum of 1/4; and

**WHEREAS**, Izabella Mi'Amor Jackson's biological father Louie Tracy Jackson was a Tribal member of CSKT and relinquished from Confederated Salish & Kootenai Tribes, a Resolution of Relinquishment was approved in 1998, However the Nez Perce Tribe did not inform CSKT of his enrollment until 06/23/2021; and

**WHEREAS**, Izabella Mi'Amor Jackson was born in 2014, and did not meet the requirements of Tribal Ordinance 35A Article II Section 3b; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Tribal Council of the Confederated Salish and Kootenai Tribes that Izabella Mi'Amor Jackson is hereby not eligible and shall be removed as an enrolled member in said Tribe, and will no longer benefit in the following:

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

**BE IT FURTHER RESOLVED**, by the Tribal Council that the official rolls shall show Izabella Mi'Amor Jackson's blood quantum as 1/4 degree Salish and/or Kootenai, However removed due to not meeting the requirements of Ordinance 35A Article II Section 3B, that the guardian Victoria Lara-Jackson of said minor has 30 days to appeal Tribal Council's decision; and

**BE IT FINALLY BE RESOLVED**, by the Tribal Council that Izabella Mi'Amor Jackson will be officially removed from the Confederated Salish and Kootenai Tribal rolls and listed as a 2<sup>nd</sup> generation descendant, and all restricted funds in the IIM Account shall be returned to the Tribe, effective July 14, 1998 at time the administrator error occurred.

**Laurence Kenmille**, Enrollment Office, informed council that the attorneys made some recommendations on the DNA policy and Laurence just sent it back to them for review, so that will be brought in at a later date.

**Laurence Kenmille**, **Chasity Haynes** and **Arlen Tellier**, Enrollment Office, requested to meet with council in **executive session** to discuss enrollment matters.

Council met in **executive session**.

Council reconvened into **regular session**.

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

**Patricia Courchane**, Department of Human Resources Development, returned to council to seek approval to close the department for a health and wellness barbecue on August 5 from 11:00 a.m. to 3:00 pm. She would not close Quicksilver or Social Services completely and will have the calls forwarded to those individual divisions to stay on top of things. People will be in place to handle the normal daily business.

**MOTION** by Martin Charlo to authorize the closure of the Department of Human Resources Development offices for a health and wellness barbecue on August 5, 2021, from 11:00 a.m. to 3:00 p.m. Seconded by Mike Dolson. Carried, 8 for; 1 abstention (Charmel Gillin).

**Jordan Thompson** and **Chelsea Colwyn**, Legal Department; **Tom McDonald**, Natural Resources Department; **Tony Incashola, Sr.** and **Thompson Smith**, Salish Pend d'Oreille Culture Committee; discussed the Cultural Waterways Ordinance. In 2017, the Yale Law School began work on the proposed ordinance. The draft ordinance went out for public comment and two public hearings were held. The comments were provided to the council. **Tony Incashola, Sr.** commented that the rivers and waters are important to our people, and the elders feel it is important to protect and preserve those. Our waters are being destroyed and impacted in many ways. It holds the footprints of our elders, is part of our creation story, is important for the food and animals, is needed for our cultural needs, and is needed for our circle of life. There are very few places and secluded areas that remain. So much has been changed and lost to our tribal people. We

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get so wrapped up in the suyapi world that we lose our ways and who we are and make things easy by adopting the suyapi ways. That is why the River Honoring came about. **Chelsea Colwyn** gave an overview of the ordinance, which allows the Tribes to designate rivers as a cultural waterway. There was discussion about the designation of off-reservation rivers that have cultural importance to the Tribes. Those would be considered on a case-by-case basis. The Lower Flathead River would be the first river considered for designation as a cultural waterway. There is a statement of purpose which identifies the cultural importance and lays out a vision to protect it in perpetuity. It would prohibit additional dams from being constructed and mining, except what is allowed in the regulations. The Tribes would review any mining proposals on a case-by-case basis, including fee lands. Regulations would need to be developed to evaluate mining proposals and it must go through TAPO. It encourages restoration in the water shed. The management plan identifies possible threats to be grazing, weeds, invasive species, mining, and recreation infrastructure such as roads, campsites, and mining. It would be limited to tribal land, except for mining. The ordinance would allow the Natural Resources Department up to one year to develop the management plan, but that timeline may need to be adjusted. **Tom McDonald** gave an overview of implementation. Drafting a plan could be expedited. They can seek outside funding for weed management and look at other options for grazing. **Anita Matt** commented that the biggest issue is the impacts caused by recreation activities. **Thompson Smith** informed council the Elder Advisory Committee has been documenting place names and has a place names map. The CSKT is showing amazing leadership and vision of these cultural values to the present day. The tribal wilderness was the first wilderness in the nation, and this will be the first cultural waterways. **Jordan Thompson** stated that Brian was going to reach out to the federal folks, and he needs to find out the status of that; and he needs to know if the one-year timeline to develop the regulations is possible. Jordan would like to have a couple of weeks to clear up the remaining issues and then present back for council approval. **Tom McDonald** commented that typically in writing a land use plan of this significance that requires NEPA could not be done in one year; if we do not need NEPA and could just amend the existing goals and objectives it could be done within one year. Tom is not clear whether or not a NEPA document is needed for this. Tom offered to facilitate a field trip for the Tribal Council.

**Tom McDonald**, Natural Resources Department, followed up on Big Medicine. Right now, the Executive Director and Executive Board of the Montana Historical Society Museum are reluctant to have the animal moved due to its poor condition, but they are willing to engage in a conversation about it. To bring him home to Moiese may require us to hire an expert consultant to determine whether he can be moved, the cost of that, and the need to design the area he would be secured at in the Visitor Center. **Fred Matt** commented that the Historical Society does not realize the spiritual and cultural significance of Big Medicine. Big Medicine belongs here. **Thompson Smith**, Salish Pend d'Oreille Culture

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Committee, advised that there are a number of areas of expertise that may be good to bring together to figure out the best strategy moving forward. It is wonderful that Steve Lozar is still on the Montana Historical Society Board and he could possibly play a positive role in this endeavor. Thompson recommended establishing a subcommittee to offer guidance and direction and develop a strategy. Thompson agreed with Fred's comments. The bigger question is who owns Big Medicine and who does he rightfully belong to. It may be helpful to see if Ira Matt would be willing to serve on the subcommittee. **Tom McDonald** commented that just because it happened years ago does not make it right. **Martin Charlo** suggested getting Ryan Rusche involved in this. It was the **consensus** of council to form a subcommittee.

**Brian Upton**, Legal Department; and **Daniel Glick**, Filmmaker; informed council that Mr. Glick is working on a film about the history of buffalo, and he would like to do some additional filming on tribal land. The film is about the Blackfeet Tribe's efforts to establish a herd on the reservation. It is a rewilding effort, and they are descendants of the Pablo/Allard herd.

**MOTION** by Ellie Bundy McLeod to authorize filming on the reservation. Seconded by Martin Charlo. Carried, unanimous (9 present).

**Mark Couture**, Tribal Lands Department, requested to meet with council in **executive session** to discuss a land issue.

Council reconvened into **regular session**.

**MOTION** by Fred Matt to adjourn the meeting.

Council **adjourned** at 2:18 p.m., and is scheduled to meet again on Tuesday, July 13, 2021, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Ellie Bundy McLeod  
Tribal Council Secretary