

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

Volume 21 Number 75
Zoom Meeting

Held: July 13, 2021
Approved: July 15, 2021

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 9:03 a.m. Quorum established.

The meeting was opened with a **prayer** by Mike Dolson.

The **Tribal Council Meeting Minutes** for July 8, 2021 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for July 8, 2021, with corrections. Seconded by Anita Matt. Carried, unanimous (10 present).

The **agenda** was presented for approval.

MOTION by Charmel Gillin to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (10 present).

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented a request from the Standing Arrow Pow Wow Committee to host a stick game tournament and funds of \$3,000.00 to \$5,000.00 to cover the expenses.

MOTION by Len TwoTeeth to approve the request from the Standing Arrow Pow Wow Committee. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Len TwoTeeth reminded council of discussions about increasing the pow wow budgets by \$20,000 that was agreed to in the past and he wanted to make sure we move forward with that and discuss it at the budget committee.

Mark Couture and **Tara Irvine**, Tribal Lands Department, informed council that the well pump may be out at the Black Bear Ranch. One Heart has the business lease and is responsible for maintenance costs. An individual from Thompson Falls provided a quote but that person is not under contract, so the Lands staff reached out to contractors that they have under contract to provide a quote. The Compliance Officer will look into the issue today and conduct an assessment. **Len TwoTeeth** understood that the folks living out there have no water or any secondary source. When One Heart was first getting started, the council was very supportive of the group and it was agreed upon that we would use all tribal resources available to help that group. One Heart is struggling financially and a maintenance cost such as this would hurt their budget. He suggested that the Tribes cover the cost of maintenance or reimburse the cost to One Heart. We cannot allow the ranch to go without water during this heatwave. **Chairwoman Fyant** explained that it is a business lease and would require a waiver of policy. **Carole Lankford** confirmed that One Heart is a nonprofit and she suggested the Tribes pay the cost. **Rick Eneas**, Tribal Executive Officer, spoke to Lydia and she said One Heart would provide bottled water to the family that is living there. The contractor gave a bid last week for a much smaller pump. The Lands Department needs clarity and direction for their files if the council makes a determination that is outside the policy. **Charmel Gillin** discussed how leases are set up for nonprofits. It is in the CSKT's best interest to take care of these major maintenance issues on its own assets. She did not know how a nonrevenue producing organization can keep up with that. **Mark Couture** will return to council with an update and cost estimate this afternoon.

Francis Auld, Sober Indian Riders, informed council that the Sober Indian Riders promote sobriety in different ways and have an annual poker ride. He would like permission for day-use of the Elmo Pow Wow Grounds for registration and a picnic on August 21, 2021. If any kind of waiver is required, he wanted to know how that process works. The organization is a nonprofit that is registered with the State. **Chairwoman Fyant** advised that Francis needs to work with the Tribal Lands Department to go through the process. She participated in one of the Sober Indian Riders events and felt it was a new family. Shelly appreciated Francis' dedication to the group. **Carole Lankford** commented that she helps people in recovery every day. She attended a NA group meeting in Elmo and there was comradery by those people in the meeting. The Never Alone Recovery Group is grateful to the CSKT for the building. The bar on the corner in Ronan could be used for a meeting hall. She thanked Francis for the support he provides. **Fred Matt** thanked Francis for the work he does regarding sobriety. Fred has been in recovery for 41 years and he wants to support their efforts. **Jennifer Trahan** will give Francis the form to apply for a donation. **Martin Charlo** supports Francis' efforts. **Francis Auld** thanked Fred Matt for his years of service on the Tribal Council and he thanked council for the support. It is a climb for people. Francis talked about the Wounded Knee Memorial Run that

starts on the North and South Dakota border and concludes at Wounded Knee. A series of stories are told during the run. The group did a south aboriginal run, and then a north run this past week. There are AA meetings held in Elmo on Wednesdays from 7:00 p.m. to 8:00 p.m. Francis hopes the election does not get the council down. **Chairwoman Fyant** stated that LaDonna Brave Bull Allard owned the land where the Standing Rock Encampment was held at.

Council reviewed a resolution to signify the Tribes' desire and commitment to fully integrating traditional cultural values and languages into the daily lives of individuals within the reservation consistent with the Tribes' mission and vision.

MOTION by Martin Charlo to approve the resolution to signify the Tribes' desire and commitment to fully integrating traditional cultural values and languages into the daily lives of individuals within the reservation consistent with the Tribes' mission and vision. Seconded by Ellie Bundy McLeod. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-085

RESOLUTION TO SIGNIFY THE TRIBES' DESIRE AND COMMITMENT TO FULLY INTEGRATING TRADITIONAL CULTURAL VALUES AND LANGUAGES INTO THE DAILY LIVES OF INDIVIDUALS WITHIN THE RESERVATION CONSISTENT WITH THE TRIBES' MISSION AND VISION

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered "[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, the Tribal Council adopted the Vision that "the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes' Mission "is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a manner that ensures our ability to become a completely self-sufficient society

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and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that integrating daily consideration and use of traditional values and activities and native languages, including sign language, into the lives of Reservation residents in a manner consistent with the Tribes’ Mission and Vision, are vital to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes’, on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that, consistent with the Tribes’ Mission and Vision, it is in the best interests of the Tribes to ensure that traditional cultural values are clearly articulated and demonstrable, and that native languages are clearly understood, so that both may be integrated into the daily lives of Reservation residents; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to facilitate the defining of traditional cultural values, teaching of native languages, and integration of both into the daily lives of Reservation residents; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer, in coordination with the Salish and Kootenai Culture Committees, to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to accomplish these objectives; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of the directives established by this resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council’s liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Council reviewed a resolution to foster business ownership among membership consistent with the Tribes’ mission and vision.

MOTION by Martin Charlo to approve the resolution to foster business ownership among membership consistent with the Tribes' mission and vision. Seconded by Mike Dolson. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-086

RESOLUTION TO FOSTER BUSINESS OWNERSHIP AMONG MEMBERSHIP CONSISTENT WITH THE TRIBES MISSION AND VISION

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered “[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, the Tribal Council adopted the Vision that “the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes' Mission “is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a manner that ensures our ability to become a completely self-sufficient society and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that economic development, entrepreneurship, and business ownership among members, fostered by the Tribes in a manner consistent with the Tribes' Mission and Vision, are vital to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes', on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that it is in the best interests of the Tribes to promote economic development, entrepreneurship, and business

ownership among members in a manner consistent with the Tribes' Mission and Vision; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to help members buy, create, and run businesses; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to assist members buy, create, and run businesses; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of the directives established by this resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council's liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Council reviewed a resolution proclaiming homelessness as a risk to the health, security, and general welfare of the Tribes and directing necessary resources.

MOTION by Ellie Bundy McLeod to approve the resolution proclaiming homelessness as a risk to the health, security, and general welfare of the Tribes and directing necessary resources. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-087

RESOLUTION PROCLAIMING HOMELESSNESS AS A RISK TO THE HEALTH, SECURITY, AND GENERAL WELFARE OF THE TRIBES AND DIRECTING NECESSARY RESOURCES

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered "[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

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WHEREAS, the Tribal Council adopted the Vision that “the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes’ Mission “is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a manner that ensures our ability to become a completely self-sufficient society and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that homelessness among Tribal members on the Reservation presents immediate risk to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes’, on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that it is in the best interests of the Tribes to eradicate homelessness among Tribal members and on the Flathead Reservation; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to eradicate homelessness; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to eradicate homelessness; and

BE IT FURTHER RESOLVED, that Tribal Council intends that the directs under this resolution shall be consistent with the Tribes’ Mission and Vision and shall be guided by traditional principles and cultural values, and shall, wherever possible foster the preservation of Tribal languages; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of eradicating homelessness under this Resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council's liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Council reviewed a resolution proclaiming mental illness as a risk to the health, security, and general welfare of the Tribes and directing necessary resources.

MOTION by Martin Charlo to approve the resolution proclaiming mental illness as a risk to the health, security, and general welfare of the Tribes and directing necessary resources. Seconded by Bing Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-088

RESOLUTION PROCLAIMING MENTAL ILLNESS AS A RISK TO THE HEALTH, SECURITY, AND GENERAL WELFARE OF THE TRIBES AND DIRECTING NECESSARY RESOURCES

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered “[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, the Tribal Council adopted the Vision that “the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes' Mission “is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a manner that ensures our ability to become a completely self-sufficient society and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that mental illness among Tribal members on the Reservation presents immediate risk to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes', on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that it is in the best interests of the Tribes to improve and promote mental health, consistent with the Tribes' traditional values and principles as described in the Tribes' Mission and Vision; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to improve and promote mental health; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to improve and promote mental health; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of the directives under this resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council's liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Council reviewed a resolution proclaiming addiction as a risk to the health, security, and general welfare of the Tribes and directing necessary resources.

MOTION by Charmel Gillin to approve the resolution proclaiming addiction as a risk to the health, security, and general welfare of the Tribes and directing necessary resources. Seconded by Carole Lankford. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-089

RESOLUTION PROCLAIMING ADDICTION AS A RISK TO THE HEALTH, SECURITY, AND GENERAL WELFARE OF THE TRIBES AND DIRECTING NECESSARY RESOURCES

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered “[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, the Tribal Council adopted the Vision that “the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes’ Mission “is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a manner that ensures our ability to become a completely self-sufficient society and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that addiction is a risk to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes’, on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that it is in the best interests of the Tribes to eradicate addiction among Tribal members and on the Flathead Reservation; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to eradicate addiction; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to eradicate addiction; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of eradicating addiction under this Resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council's liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Council reviewed a resolution proclaiming hunger as a risk to the health, security, and general welfare of the Tribes and directing necessary resources to achieve food security.

MOTION by Mike Dolson to approve the resolution proclaiming hunger as a risk to the health, security, and general welfare of the Tribes and directing necessary resources to achieve food security. Seconded by Charmel Gillin. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-090

RESOLUTION PROCLAIMING HUNGER AS A RISK TO THE HEALTH, SECURITY, AND GENERAL WELFARE OF THE TRIBES AND DIRECTING NECESSARY RESOURCES TO ACHIEVE FOOD SECURITY

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

WHEREAS, pursuant to Article VI, Section 1(a), the Tribal Council of the Confederated Salish and Kootenai Tribes is empowered “[t]o regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, the Tribal Council adopted the Vision that “the traditional values that served our people in the past are imbedded in the many ways we serve and invest in our people and communities, in the way we have regained and restored our homelands and natural resources, in the ways we have built a self-sufficient society and economy, in the ways we govern our Reservation and represent ourselves to the rest of the world and in the ways we continue to preserve our right to determine our own destiny; and

WHEREAS, the Tribes' Mission “is to adopt traditional principles and values into all facets of Tribal operations and services. We will invest in our people in a

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manner that ensures our ability to become a completely self-sufficient society and economy. And we will provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems;” and

WHEREAS, the Tribal Council has determined that hunger among Tribal members on the Reservation presents immediate risk to the health, security and general welfare of the Tribes and its members; and

WHEREAS, the Tribes’, on July 26, 2016, officially adopted the strategic priorities of Cultural Perpetuation, Economic Development, and Health and Wellness to drive future decision-making, and this resolution aligns with those previously established priorities; and

WHEREAS, the Tribal Council has determined that it is in the best interests of the Tribes to establish and ensure food security and eradicate hunger among Tribal members and on the Flathead Reservation; and

WHEREAS, the Tribal Council has determined that it is necessary to authorize and direct the Executive Officer to direct available staff and resources to establish and ensure food security and eradicate hunger among membership and on the Reservation; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes hereby authorizes and directs the Executive Officer to direct available staff and resources, and to take such other actions permitted by the laws and policies of the Tribes, to establish and ensure food security and eradicate hunger, consistent with traditional principles values and principles as described in the Tribes’ Mission and Vision; and

BE IT FURTHER RESOLVED, that Executive Officer or his designee shall report to the Council on the progress of the directives under this resolution on a regular basis; and

BE IT FURTHER RESOLVED, that the Tribal Council may designate a Councilmember or Councilmembers to act as the Council’s liaison for any such meetings and other engagements which may require representation of the Tribal Council to give effect to this Resolution.

Chairwoman Fyant stated that the Tribal Council set these top priorities through their strategic planning sessions. The staff will bring in the data and options to implement the priorities. The Council will discuss these resolutions with the Elder Advisory Committees next week. The meeting with the Kootenai Culture Elder Advisory Committee is scheduled for July 20 at 11:00 a.m., and the meeting with the Salish Pend d’Oreille Culture Elder Advisory Committee is on July 22.

Ruth Swaney, Financial Management, presented a request from Central Mail to purchase capital equipment consisting of a new vehicle for a not-to-exceed cost of \$30,000.00. Council action is required for capital equipment purchase requests after July 1. There is sufficient funding in the budget.

MOTION by Ellie Bundy McLeod to authorize Central Mail to purchase capital equipment consisting of a new vehicle for a not-to-exceed cost of \$30,000.00. Seconded by Martin Charlo. Carried, unanimous (10 present).

Ruth Swaney, Financial Management, presented for approval a resolution to approve an amendment to the Self-Governance Funding Agreement for fiscal years 2021-2025 with the Department of Interior - Indian Affairs to request the estimated fiscal year 2022 funding that is available and the inclusion of water rights settlement projects.

MOTION by Martin Charlo to approve by resolution the amendment to the Self-Governance Funding Agreement for fiscal years 2021-2025 with the United States Department of the Interior - Indian Affairs to request the estimated fiscal year 2022 funding that is available and the inclusion of water rights settlement projects. Seconded by Mike Dolson. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-091

RESOLUTION TO AMEND THE SELF-GOVERNANCE FUNDING AGREEMENT FOR FISCAL YEARS 2021 THROUGH 2025 WITH THE U.S. DEPARTMENT OF THE INTERIOR - INDIAN AFFAIRS

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

WHEREAS, the Confederated Salish and Kootenai Tribes have entered into a Self-Governance Compact with the U.S. Department of the Interior – Indian Affairs; and

WHEREAS, the Tribes are submitting the Reprogramming Request for FY 2022 that identifies the estimated funding available; and

WHEREAS, the Tribes propose an amendment to Section 3, Special Project or Earmarked Programs, Services, Functions and Activities, to include Water Rights Settlement Projects; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Fiscal Years 2021-2025 Multi-Year Funding Agreement is

proposed to be amended for the purposes of requesting FY 2022 funding and to include Water Rights Settlement Projects; and

BE IT FURTHER RESOLVED that CSKT Financial Management is authorized to transmit the amendments to the Office of Self-Governance for approval and final signature; and

BE IT FURTHER RESOLVED that CSKT Financial Management is delegated authority to revise the Fiscal Years 2021-2025 Multi-Year Funding Agreement as necessary, prior to signature by the Office of Self-Governance, as requested by the Department of the Interior - Indian Affairs and agreed to by the CSKT.

Melinda Charlo and **Shawna Friedlander**, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for a seal and cover to the existing roadway on US 93 from Spring Creek Road to Minesinger Trail.

MOTION by Martin Charlo to approve the project specific agreement with the Montana Department of Transportation for a seal and cover to the existing roadway on US 93 from Spring Creek Road to Minesinger Trail. Seconded by Bing Matt. Carried, unanimous (10 present).

Melinda Charlo shared a map of upcoming projects on or near the reservation for the next five years, along with the tentative let dates.

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

Rick Eneas, Tribal Executive Officer; **Rhonda Swaney** and **Chelsea Colwyn**, Legal Department; discussed the creation of a nonprofit CSKT Development Fund/Foundation and requested direction on what the official name should be, the identification of three initial board members, and two signatories for the bank account. It would be set up as a nonprofit foundation that would be able to receive funds and direct them to tribal initiatives.

***** **Fire Drill** *****

Leroy Black, Security Department, gave a debriefing on the fire drill. It took two minutes and 25 seconds to evacuate the building; the goal is 3 minutes. The fire drills will be conducted on a quarterly basis. The bomb threat evacuation procedures can be discussed at a later time. **Ellie Bundy McLeod** would like to have active shooter drills. Leroy advised that it would take a council directive if it done on a work day and the building would need to be shut down for the day since it is an 8-hour course. Leroy is an active shooter and first-aid/CPR instructor. **Chairwoman Fyant** will get those trainings scheduled at a later date.

Rick Eneas and **Chelsea Colwyn** continued the discussion on a nonprofit foundation. The new entity is designed to provide an avenue for the Tribes to receive donations in many forms that could be directed to specific initiatives. They would go through the 501(c)(3) application process through the Internal Revenue Service for nonprofit designation. **Council** suggested having the foundation name include SKQ and have the council serve as the initial board members. Council took the suggestions under advisement and will hold further discussion on Thursday.

Rhonda Swaney and **John Harrison**, Legal Department, requested approval of a resolution authorizing the CSKT to be a plaintiff in the lawsuit to be brought by the Native American Rights Fund, the American Indian Civil Liberties Union-Montana, and the American Indian Civil Liberties Union National to enforce the Montana Constitution Indian Education Clause and the Montana Indian Education for All Statute. A legal representation agreement needs to be signed by the CSKT.

MOTION by Martin Charlo to approve the resolution authorizing the CSKT to be a plaintiff in the lawsuit to be brought by the Native American Rights Fund, the American Indian Civil Liberties Union-Montana, and the American Indian Civil Liberties Union National to enforce the Montana Constitution Indian Education Clause and the Montana Indian Education for All Statute. Seconded by Charmel Gillin. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-092

AUTHORIZING THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO BE A PLAINTIFF IN THE LAWSUIT TO BE BROUGHT BY THE NATIVE AMERICAN RIGHTS FUND, THE AMERICAN CIVIL LIBERTIES UNION-MONTANA, AND THE AMERICAN CIVIL LIBERTIES UNION NATIONAL TO ENFORCE THE MONTANA CONSTITUTION INDIAN EDUCATION CLAUSE AND THE MONTANA INDIAN EDUCATION FOR ALL STATUTE

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CSKT:

WHEREAS, the Tribal Council is the governing body of the Confederated Salish and Kootenai Tribes of the Flathead Reservation (Confederated Tribes), by the authority of the Constitution and By-Laws of the Tribe, approved as amended, and

WHEREAS, pursuant to the Constitution and By-laws, the Tribal Council is empowered to employ legal counsel for the protection and advancement of the rights of the Confederated Tribes and their members; to cultivate Indian arts, crafts and culture; and, to protect the health, security, and general welfare of the Confederated Tribes; and

WHEREAS, since 1972, the Montana Constitution, Art. X, § 1(2), has had an Indian Education Clause, which provides that “the State recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity,” and

WHEREAS, since 1999, pursuant to the Indian Education Clause, the Montana legislature enacted the Indian Education for All (IEFA) statute, codified at Mont. Code. Ann. §§ 20-1-501 *et seq.*, which provides in relevant part that, “every Montanan, whether Indian or non-Indian” must be encouraged to learn about the “distinct and unique heritage of American Indians in a culturally responsive manner,” Mont. Code Ann. § 20-1-501(2)(a); and

WHEREAS, in *Columbia Falls Elementary School District No. 6 v. State*, 109 P.2d 257 (2005), the Montana Supreme Court held that the Indian Education Clause and the IEFA impose a mandatory level of state funding for their implementation; and

WHEREAS, since 2007, the Montana legislature has been appropriating about \$3 million annually for implementation of the Indian Education Clause and the IEFA, which is distributed on a formula basis to public school districts statewide; and

WHEREAS, despite over a decade of dedicated annual funding, the implementation and enforcement of the Indian Education Clause and IEFA goals and requirements are inconsistent, minimal, or non-existent, to the detriment of all public school students in Montana, both Indian and non-Indian; and

WHEREAS, the Native American Rights Fund (NARF), the American Civil Liberties Union (ACLU) Montana, and the ACLU National, are prepared to file a lawsuit seeking declaratory and injunctive relief against the Montana Office of Public Instruction and the Montana Board of Education, the agencies responsible for implementing and enforcing the Indian Education Clause and the IEFA, to compel them to implement and enforce the laws fully and properly; and

WHEREAS, the CSKT wishes to join this lawsuit as a Plaintiff represented by NARF, the ACLU-Montana, and the ACLU National; and

WHEREAS, there will be no monetary cost to the Tribe to join the lawsuit as a Plaintiff.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation authorizes NARF, the ACLU Montana, and the ACLU National to name and represent the Confederated Salish and Kootenai Tribes as a Plaintiff in a lawsuit seeking

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declaratory and injunctive relief against the Montana Office of Public Instruction and the Montana Board of Education, the agencies responsible for implementing and enforcing the Montana Constitution Indian Education Clause and the Montana Indian Education For All statute, in an effort to compel the agencies to implement and enforce the goals and requirements of these laws fully and properly.

John Harrison, Legal Department, informed council of a redistricting meeting with NARF at 2:00 p.m. tomorrow and the IBMP meeting in Lapwai next week.

Rhonda Swaney, **Michael Wheeler**, **John Harrison**, and **Stu Levit**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Mark Couture**, Tribal Lands Department, was present for discussion.

Rhonda Swaney, **Michael Wheeler**, **John Harrison**, and **Stu Levit**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Rick Eneas**, Tribal Executive Officer, was present for discussion.

Council met in **executive session** to discuss a personnel matter. **Rhonda Swaney**, Legal Department, was present for discussion.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to appoint Judge Pluff as Acting Chief Judge and begin the process of advertising the vacancy immediately and that the term of the temporary appointment be set at 90 days starting on June 22, 2021, to allow time for advertisement and filling the vacancy. Seconded by Martin Charlo. Carried, unanimous (10 present).

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

Mark Couture and **Willie Birthmark**, Tribal Lands Department, gave an update on the pump at the Black Bear Ranch. The information will be sent to Red Horn Pump, Dave Bick, or the person that was contacted by One Heart. Willie met with Jeff Smith this morning. Jeff had an electrician and pump contractor look at it and the estimate was \$8,100.00. A 1.5-horsepower pump was ordered, but that may not be adequate for the ranch. It may require a 3-horsepower pump. The Tribal Lands Department will find out if Dave Bick has what is needed in stock; if not, then they will move forward with Red Horn Pump.

Mark Couture, Tribal Lands Department; **Michael Wheeler** and **Stu Levit**, Legal Department; requested to meet with council in **executive session** to review the Tribal Lands Ordinance.

Council reconvened into **regular session**.

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

Velda Shelby, Economic Development Office; **Ashley Hemmers** and **Alexandra Rumbaugh**, National Center for American Indian Enterprise Development Consultants; presented the final report on the heat-mapping project that was done as part of the Tribes' economic recovery and resiliency efforts. Monthly meetings were held to identify development issues and discuss pertinent issues related to COVID-19 recovery initiatives. The report included information on specific projects with significant development potential, additional documents for technical assistance, and tribal models and best practices. The areas of interest identified were education, facilities management/property acquisition, and tourism. Material was collected on Geothermal, Bison Range, C-Store, and Cannabis industries. The team put together market research using available state, local, and federal economic materials.

Len TwoTeeth discussed the water in Hot Springs. He would like the Legal Department to look into diverting some of the funds to develop our own bathhouse. He would like a planning session scheduled for this specific topic. **Chairwoman Fyant** commented that one way to do it is to pass a resolution and have the staff return with options. **Anita Matt** had concerns regarding someone drilling a well in Hot Springs. If we do not do something, other individuals will. This is a good opportunity to look outside the box and tap into those resources. Having a tribal grocery store, convenience store, and gas station are other options. We have the land for development.

MOTION by Fred Matt to adjourn the meeting.

Council **adjourned** at 3:13 p.m., and is scheduled to meet again on Thursday, July 15, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary