

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

Volume 21 Number 66  
Zoom Meeting

Held: June 1, 2021  
Approved: June 3, 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; Donna Durglo, Recording Secretary; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:00 a.m. Quorum established.

The meeting was opened with a **prayer** by Len TwoTeeth.

The **Tribal Council Meeting Minutes** for May 27, 2021 were presented for approval.

**MOTION** by Martin Charlo to approve the Tribal Council Meeting Minutes for May 27, 2021, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

The **agenda** was presented for approval.

**MOTION** by Ellie Bundy McLeod to approve the agenda, with changes. Seconded by Fred Matt. Carried, unanimous (10 present).

**Fred Matt** mentioned he was asked to help with a memorial service today. The individual who passed away, Geri Roullier, could not have a normal service due to COVID. Geri is a tribal member and well respected in our community.

**Bing Matt** informed council this past weekend with the graduation going on in Arlee, we had a lot of visitors from out of town and some of the pow wow committee members were at the dinner and asked Bing to ask the council for them to have memorial services at the pow wow grounds for those who have passed away during the past two years. They would have a dinner to honor those who we have lost. They are going to talk to Tony this morning to see if he will

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give his approval to do it on July 4. They have a good plan for the memorial. Bing supports the request to celebrate the people we have lost. **Chairwoman Fyant** suggested following up with John Neiss to get the status of what has been done on those bathrooms to make sure there are proper facilities. **Martin Charlo** commented that this has come up with other families wanting to do the same thing at the pow wow grounds. Martin supports the request. It would be a good first step in realizing the loss we have had over the last two years and have not been able to grieve and mourn in the manner we are used to.

**Carole Lankford** informed council that Kenny Hunter lives in Camas Prairie and his roof fell in and he is trying to repair it. She asked if someone from the Elders program can check in to make sure it is being done. **Mike Dolson** saw a crew there and knows something is happening with Mr. Hunter's roof. **Anita Matt** reported that the family was trying to help him. She understood Kenny was over income or something, but it needs to be looked at by the Elders program. **Fred Matt** commented it is frustrating because families are working and trying to make ends meet and are over income for assistance.

**Bing Matt** gave a report on the bison meeting last week with tribal staff. Five tribes showed up to get a feeling on what they were going to meet about on Wednesday. Wednesday came about and nine tribes showed up for the meeting. The Blackfeet and Crow Tribes showed up for the first time. They talked about the MOU that IBMP has in existence. They had concerns of the MOU because of their treaties, but overall, it was a good meeting. Fish, Wildlife & Parks and the livestock people were there. There were 12 different agencies at the meeting. The next meeting is scheduled for July 23 in Lapwai. The Nez Perce Tribe wants to host it down there. Tribal staff did an excellent job reporting on things they had to say.

**Chairwoman Fyant** gave a report on the ANTI mid-year conference that took place last Wednesday. Brian Gunn sent a PowerPoint from an attorney group. Brian gave a legislative and policy update talking about where we are at in this congress. The American Rescue Plan Act is underway. The CSKT received \$39 million based on our enrollment data, which is different than the CARES Act funding, which was a NAHASDA formula. The administration got a lot of criticism over that and even some lawsuits. These recovery funds were designated in different areas, such as Indian Health Service and Bureau of Indian Affairs. A lot of planning is geared towards that. There are also some key deadlines coming up. The Payroll Protection Program deadline is June 30. He also talked about the House Committee for Indian Affairs and Policy. The Committee on Natural Resources has a lot going on. There are three bills that Indian country needs to watch, which are the house bill for Protecting Tribes from Scams Act, Western Tribal Water Infrastructure Act, and the Native American Child Protection Act. Brian Newland, Nominee for Secretary of Indian Affairs, was a speaker. Brian worked for the Obama Administration. His

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confirmation is scheduled for mid-June. They also talked about President Biden's 30x30 plan. Bryan Mercier from the Regional Office spoke. There were legislative reports, and Jordan Thompson presented the Montana report. Jordan did a good job for us. The big resolution that came out of ATNI that is going to NCAI was support for the Simpson proposal, which takes down the four lower Snake River Dams.

**Chairwoman Fyant** informed council that a tribal representative needs to be appointed to the Montana Invasive Species Council. Martin Charlo has been the Tribes' representative, and he was interested in continuing in that position.

**MOTION** by Bing Matt to continue Martin Charlo's appointment to the Montana Invasive Species Council. Seconded by Charmel Gillin. Carried, 9 for; 1 abstention (Martin Charlo).

**Chairwoman Fyant** informed council that Dave Strohmaier, Missoula County Commissioner, sent a sent formal invitation for a CSKT representative to serve as an ex-officio of the Big Sky Passenger Rail Authority. The next meeting is scheduled for June 9. **Martin Charlo** showed interest in serving in that capacity.

**MOTION** by Ellie Bundy McLeod to appoint Martin Charlo to serve as an ex-officio of the Big Sky Passenger Rail Authority. Seconded by Bing Matt. Carried, 9 for; 1 abstention (Martin Charlo).

**Bing Matt** volunteered to be the alternate for the Big Sky Passenger Rail Authority. **Chairwoman Fyant** directed Jennifer Trahan to prepare a letter for the appointments.

**Tony Incashola, Jr., Ron Swaney, and Todd Couture**, Tribal Forestry, requested approval of a recreational permit for the DNRC Helicopter training with local fire departments on June 5, 2021. It is a yearly training, and it will be in the Sloan's Bridge area to get ready for fire season. **Charmel Gillin** would like every participant to be provided the recreation permit information so they are aware if they return on any other day that they are required to hold a tribal recreation permit.

**MOTION** by Charmel Gillin to grant the DNRC a recreational permit for the DNRC Helicopter training with local fire departments on June 5, 2021, in the Sloan's Bridge area. Seconded by Mike Dolson. Carried, 9 for; 1 abstention (Ellie Bundy McLeod – due to her involvement with the St. Ignatius Volunteer Fire Department).

**Fred Matt** left the meeting to attend a funeral.

**Jody Perez** and **Colleen Tenas**, Salish Kootenai Housing Authority, requested approval of a resolution to apply for and administer the Homeowner Assistance Fund. SKHA will make a determination of eligibility as the program progresses.

**MOTION** by Ellie Bundy McLeod to approve by resolution authorization for the Salish Kootenai Housing Authority to submit an application to the United States Department of the Treasury to apply for and administer the Homeowner Assistance Fund. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 1 not voting (Fred Matt out of the room attending a funeral).

**RESOLUTION 21-073**

**RESOLUTION AUTHORIZING THE SALISH AND KOOTENAI HOUSING AUTHORITY TO SUBMIT UNITED STATES DEPARTMENT OF THE TREASURY HOMEOWNER ASSISTANCE FUND APPLICATION ON BEHALF OF THE TRIBES**

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

**WHEREAS**, the Tribal Council of the Confederated Salish and Kootenai Tribes is the duly recognized governing body of the Flathead Nation with the responsibility to ensure safe, decent, and affordable housing for the tribal members within the exterior boundaries of the Flathead Nation; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes have designated the Salish and Kootenai Housing Authority as its Tribally Designated Housing Entity, with the authority to administer and participate in housing programs for the benefit of the Confederated Salish and Kootenai Tribes and its members, pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101); and

**WHEREAS**, the Confederated Salish and Kootenai Tribes desire to have an application for the United States Department of the Treasury Homeowner Assistance Fund prepared and submitted on behalf of the Tribes in support of preventing mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services, and displacement of homeowners experiencing financial hardship after January 21, 2020; and

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby delegates the Salish and Kootenai Housing Authority the authority to prepare and submit on behalf of the Confederated Salish and Kootenai Tribes a United States Department of the Treasury Homeowner Assistance Fund application to support the prevention of mortgage delinquencies and defaults, foreclosures, loss of utilities or home

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energy services, and displacement of homeowners experiencing financial hardship after January 21, 2020; and

**BE IT FURTHER RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby delegates the Salish and Kootenai Housing Authority the authority to administer and manage said United States Department of the Treasury Homeowner Assistance Fund.

**Chairwoman Fyant** asked who is administering the Rent Assistance Program. **Jody Perez** informed council that Colleen Tenas replaced Katie Miller, and Glenda Pierre is the contact person. William Monroe was just hired to help with that program. Michelle Morigeau also helps with the program.

**Carole Lankford** left the meeting to attend a funeral.

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

**Rob McDonald**, Communications, requested approval to establish a Twitter account.

**MOTION** by Charmel Gillin to approve the establishment of a Twitter account. Seconded by Anita Matt. Carried, unanimous (7 present)

**Rob McDonald**, Communications; **Rick Eneas**, Tribal Executive Officer; and **Ryan Rusche**, Chief of Staff; discussed the communications plan. **Rob McDonald** wants to have conversation about communications from the executive officer. He is approaching this as there is a need for more communication and an effort for more transparency and the populous to be more informed of the day-to-day issues. It has been broken down into a couple different ways. One is council communicating to the membership. That is a focus Rob is looking at. This can be done with more insight into council meetings and topics. He set up a Facebook page that has a YouTube streaming for people who do not have a Facebook account can tune into the meetings. That capacity helps us share information better. IT will have the cskt.org website to stream the council meetings. Rob heard last week a Facebook discussion about council setting priorities for the American Rescue Program funds. Someone asked what the council will do and Rob sent that person a note saying they are discussing it now and to tune into the council meetings. Another effort that is launched is council dispatches. The official record will be the council minutes (online and in print). Rob writes a couple of lines summarizing the topics approved/discussed in meetings and has gotten a positive response to that in an effort to determine topics/issues and what should get more attention and broken down to the membership. The council minutes are a great gateway, but if you take a two-week sample of the council minutes there are topics that do not come up in council and is worth educating the membership on. Rob needs guidance from

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the council on what they desire or wish the people knew more about. If we organize those it will help direct his office into forming and delivering that to the membership. Finances of the Tribes is one example. The corporations are another one he needs more information on. The corporations report directly to council. EKI's meeting from last week, where is the line of what should be communicated and is that a directive directly to the corporations from the council to report that themselves, or does it go through Rob's office.

**Ellie Bundy McLeod** suggested that each week they highlight a program and the resources available so the membership is aware of resources. **Chairwoman Fyant** discussed programs. There are strings attached with the funding programs receive. A big part of this is our responsibility to determine how to provide long lasting resources through the governmental departments we have set up. A weekly update on the American Rescue Plan would be good. We started priority setting last week and that meeting is available online. There are rules indicating what we can spend the ARP money on; we cannot just pay it all out to the membership. **Charmel Gillin** agreed. As much as we want to over communicate or adequately communicate things, it is difficult to capture everything. With the reorganization, this is an opportunity, and she appreciates Rob stepping up. She hopes we will have that kind of planning and policy discussions with the Chief of Staff and Policy Analyst that can be easily communicated to keep everyone up to speed on how we are going through these deliberations. Reporting on what the chair just referenced, how we are trying to identify the actual long-term need that would help the situation for tribal members, the dialogue and backstory would be good. The Chief of Staff position could be helpful in creating that dialogue for council to review and put out. The corporations could have more reporting to the membership. Council gets the minutes of the board meetings, but those don't go out to the public. There is an annual report with limited information. It may be helpful for the board of each corporation to make a quarterly narrative to the shareholder that can be put out by the Communications Office. A lot of the information is not proprietary. The boards can decide what might be helpful to communicate. The membership has an interest in understanding the corporations better.

**Martin Charlo** commented that we need more communication on our checks and balances about our finances and audit. When the Tribes receive a lot of money there is always accusations about misappropriation of funds or the council lining their pockets, and that is just not true. We are audited every year and the departments are audited each month through their certifications. We need to provide an overview to alleviate the people out there that are ignorant to the issues or our processes and maybe that would stop them from spreading misinformation. **Anita Matt** commented that as we roll out the policies and codes we are working on, we should have Rob McDonald put out a summary of what the changes may be and the public to look forward to them on what the

changes could be. That would be helpful to know it will be in the Tribal Administrative Procedures Ordinance and that the TAPO will be followed.

**Chairwoman Fyant** mentioned that knowing the Tribal Administrative Procedures Ordinance is important. Another thing is the water compact. We cannot provide too much information on that. Shelly receives a lot of questions about balancing the irrigators' need for water with instream flows and how that works in a low water year, such as what we are experiencing right now. We need to communicate internally with the Irrigation staff. The council needs to understand it themselves, as well as the secretarial water rights. Shelly would like a refresher on secretarial water rights. **Charmel Gillin** suggested more information on how we use tribal lands and different new uses or development ideas that is in the works. The membership benefits the more they know about the planning going on or the actual land uses going on. And as we try to gain more land base, the membership would like to know how we put that into inventory or production.

**Rick Eneas** thought this feedback was helpful. One of the things he would ask to think about is ultimately the goal of this is to create a council approved communications policy to tie into things like TAPO along with other policies/ordinances we have in existence. Ongoing topics, like what Ellie mentioned, having a routine piece on tribal services we offer is a good thing for us to take in terms of developing a policy on what are the routinely misinformed areas of the membership or public in general that cause confusion such as do we still have this program or are individuals eligible for services. As a sovereign nation we do not have to follow the general rules regarding what is public information. The idea of public comment is an important consideration. The TAPO ordinance addresses public comment in certain situations but it does not address a lot of the things we are talking about. Strategic planning at the council level is specifically excluded from TAPO. That does not mean it is not worth communicating, but it means we do not have the framework for when and how public comment should be incorporated. Council's thoughts on what that should look like would be beneficial. In the last month or so as we roll out the reorganization, a lot of comments that have been made is not having a voice is an important issue and determining which topics should have public comment. The government's desire is important. **Charmel Gillin** thinks what is important to share makes her think about the reorganization and some things we have yet to possibly discuss, and that is with regard to the cultural relevance and the importance of those guiding advisors. She wondered if it was possible to pursue a regular piece in the Char-Koosta News and other venues and what would be a part of developing a communications plan. She would like to get some historical and current pieces from the Elder Advisory Committee and the archived records from the Culture Committees to help us keep in mind the framework of our pre-context government, the way of advising decision makers. We all need to be able to keep in mind some of that so we can be responsive in that cultural context.

**Rick Eneas** advised that he is scheduled to meet with Clayton Matt, Vernon Finley, and Tony Incashola, Sr. this Thursday to talk about how to bring the elder culture committee groups into the Tribal Council deliberation process more formally and routinely. How to bring those voices into council in a meaningful and advisory role ahead of the decision-making process is being analyzed.

**Chairwoman Fyant** asked about the comment box. **Rob McDonald** said it has not revealed a pattern at this point. People are still figuring it out. It has mainly been concerns about the 18 money, resources, helping homeowners, training folks, and just general questions. It has mostly been policy-based comments. It can be posted on the cskt.org site and can be floated more on social media. Shelly wants to see it expanded beyond the tribal employees. Because they work here, they know how to access council, and social media gives people's opinions. She does not want to forget the Char-Koosta News. That written word is some people's only communication to the government.

**Martin Charlo** commented that Twitter is kind of a dying medium, so he suggested looking at LinkedIn, TikTok, and Instagram. The more platforms we have the better. **Rob McDonald** responded that Twitter is the power structure of the state, and it is a short cut to communicate to those in power in our region. **Rick Eneas** echoed the comments by Rob and Martin. The medium that we use, you might see lots of activity in terms of requesting approval on different avenues of communicating because each one hits a different niche. That is something we probably see more activity with in the sense if we are missing a group that we need to communicate something specific, they will come back with more requests. The methods of communicating are always changing. **Martin Charlo** asked if this is something that the council should make a decision on, given our reorganization and restructuring. Rick commented that the appropriate level of delegated decision authority will be a process they will be in front of council with for quite a while. It will likely cover conversation topics on whether certain things should be approved by the Tribal Council. The avenue we currently have, unless there is a specific action, we assume council is the approval authority. The discussion around council roles that Jordan Thompson started is a good question in the context of that overall discussion because Rick does not want to insert his answer in place of council's answer. **Chairwoman Fyant** said it is part of our overall communication strategy as we roll it out and set the parameters. **Charmel Gillin** wants an official tribal communications plan. It is something the government, with its executive team, should continually and regularly review and approve. It is a formalized strategy that keeps everyone in the know and focused on the right things and trying to forecast issues and talk about effective communications to achieve the things we need to achieve.

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



**Ryan Rusche** gave an update on water compact funding. The budget was released, and the President proposed \$25 million in additional funding for implementation for the upcoming budget cycle. This funding has no impact on the \$90 million that will be coming in every year. This a good first step. It includes funding for deferred maintenance for the Bison Range, too. The funding can be used for the same parameters as the water settlement activities under Section 7 that is relative to rehabilitation, restoration, and modernization. There are no restrictions outside what is already in the settlement that the money can be used for.

**Chelsea Colwyn**, Legal Department, requested approval of Amendment 1 to Ordinance 111-A.

**MOTION** by Martin Charlo to approve Ordinance 111A, Amendment 1. Seconded by Ellie Bundy McLeod. Carried, 7 for; 0 opposed; 3 not voting (Fred Matt, Len TwoTeeth and Carole Lankford out of the room attending a funeral).

#### **ORDINANCE 111-A, AMENDMENT 1**

**WHEREAS**, the Tribal Council, as primary governing body of the Confederated Salish and Kootenai Tribes, having found it in the best interests of the Tribes to settle the water rights claims of the Confederated Salish and Kootenai Tribes, their members, and Allottees of the Flathead Indian Reservation, and of the United States on behalf of the Tribes, their members and Allottees, entered into the Water Compact with the United States and the State of Montana, and enacted the Unitary Administration and Management Ordinance (Tribal Ordinance 111-A) on December 29, 2020; and

**WHEREAS**, it has been brought to the attention of the Tribal Council that there were minor differences between the version of the Unitary Administration and Management Ordinance enacted by the Confederated Salish and Kootenai Tribes and the version enacted by the State of Montana, and

**WHEREAS**, the Tribal Council desires to have the two versions of the Unitary Administration and Management Ordinance conform.

**THEREFORE**, the Tribal Council hereby amends Tribal Ordinance 111-A to conform with the State of Montana's Unitary Administration and Management Ordinance, M.C.A. 85-20-1902 as follows:

1. §1-1-103 Reserve this section.

§1-1-103 Reserved.

**Stu Levit**, Legal Department, discussed a letter to Canada and the Secretary of State. They are asking for tribal comments. **Chairwoman Fyant** wants to review it and revisit the issue on Thursday, and she asked Stu to forward the document to the tribal council.

**Rhonda Swaney, Brian Upton, Chelsea Colwyn, Michael Wheeler, Dan Decker, John Harrison, and Stu Levit**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

**Carole Lankford** returned to the meeting.

**Fred Matt** returned to the meeting.

**Len TwoTeeth** returned to the meeting.

**Chairwoman Fyant** discussed an email that went out about the Tribal Council Election. Today is the closing date to submit applications to run for council. The absentee ballots were mailed out with the election schedule. Tribal members are encouraged to vote by absentee ballot, but it is not a requirement.

**Rick Eneas**, Tribal Executive Officer; and **Ryan Rusche**, Chief of Staff; discussed planning. They are looking to use a type of software to help with tribal council requests. It provides a visual dashboard of issues and tracking. **Lisa Shourds**, Legal Department, showed council the program that tracks council issues. The program can be modified however it works best. **Carole Lankford** wants a place to indicate the item was taken care of and is closed. Ryan advised that the form can be available to whoever council wants to access it. The form can be available on the intranet. The list of council objectives such ordinances and policies will be uploaded into the software program. Rick wants to block out certain times in afternoons to go over ordinances and policies and then have planning sessions for government-to-government consultations and various other things that do not fit into another category. This software can be used to organize tribal departments. **Ryan Rusche** discussed planning discussions for setting goals and status of projects regarding the water compact implementation and the Tribal Lands Ordinance. They may engage with a professional facilitator for the meetings to set priorities with the council and staff. One idea that was brought up was having educational workshops for the youth. Having a Career Fair was another suggestion. Ryan may want to go through a separate process for the Bison Range. Telling the Tribes' story is part of the communications piece. Other initiatives can be added to the list. **Chairwoman Fyant** commented how can we restore our tribal people when some people do not apply for jobs or

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cannot pass a drug test. This is not a tribal, county or Montana problem; it is a nationwide problem how to get our people healthy. Some people have housing problems and food insecurity. Those issues need to be addressed. Cultural perpetuation is another part of that. Another initiative is a treatment center for our people. The council had a resolution come forward about starting a treatment center and have a task force with Tribal Health, Defenders, law enforcement, and the Drug Court people. The resolution got put off and never discussed again. She believes that is an initiative that can be accomplished. The Tribal Education Department has a program with the Forest Service. Ryan discussed creating an entity to serve as an overarching foundation to any tribal initiative for people to make tax deductible donations to the Tribes. Ryan reached out to Legal to establish the forms for donors to get tax deductions. Rick commented that the group will figure out how the initiatives can fit together.

**Council** discussed upcoming meetings this week.

**Len TwoTeeth** brought up the discussion last week with Pete White regarding the Tribal Credit Plan of Operation. Pete talked about the foreclosed homes in Tribal Credit's possession and how those home will be going out for public bid. Len does not like that idea due to the housing situation we have. Tribal members are having difficulty finding rentals. He wants council to look at acquiring those foreclosed homes and identify our homeless tribal members and give them those homes. Len would like council to think about doing that. **Chairwoman Fyant** would like to explore another housing program. We know that SKHA has HUD regulations to follow. She is curious what other tribes have done to tackle this problem where they can help fill the need.

**Martin Charlo** reminded everyone that today is the deadline to apply for Tribal Council. People have until 4:30 p.m. to submit their application for candidacy.

**MOTION** by Len TwoTeeth to adjourn the meeting.

Council **adjourned** at 2:39 p.m., and is scheduled to meet again on Thursday, June 3, 2021, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Ellie Bundy McLeod  
Tribal Council Secretary