

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

Volume 22 Number 33  
Council Chambers, Pablo, MT

Held: February 15, 2022  
Approved: February 17, 2022

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

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

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

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

The **Tribal Council Meeting Minutes** for February 10, 2022 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for February 10, 2022, with corrections. Seconded by Jennifer Finley. Carried, 9 for; 1 abstention (Ellie Bundy McLeod).

The **agenda** was presented for approval.

**MOTION** by Anita Matt to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (10 present).

**Martin Charlo** gave an update on COVID-19. There has been a decline in case numbers. There are many cases to the north and south of us. Omicron is the dominant strain right now and he encouraged everyone to be careful. It is also flu season. If people are sick they need to take precautions. Today is Random Act of Kindness Day, and Martin encouraged everyone to do something nice today. We are lacking civility and it is good to do something kind. Lake County has had 23 new COVID-19 cases and there are currently 89 active cases. **Chairman McDonald** informed council that there are some small note cards that can be used for sending out notes to our constituents if the council members want to use them. We can also do special recognitions.

**Anita Matt** gave a report. Anita and Carole met with Pat Matt and did some brainstorming to identify names and departments to help do improvements to the Dixon Agency. They want to find funding to give the agency a facelift, do some cleanup, and get some development going so it is more appealing. Pat had some ideas for a grant writer to help find grant funding for the project. It would be good to start with one homesite as a pilot project, and if it is successful we can do it at other homesites. **Carole Lankford** thought it was nice to talk about some of the things we can do, such as mowing, a major cleanup, and painting the homes. A church talked about giving us some paint and people. It is an exciting project. Carole wants to ask the governor since he is quite the philanthropist and may give us some funding. There has been talk about changing the name of Dixon, but there would be a process for that. Dixon is not an ideal name. The dead trees will be a big expense. Tribal Forestry can replant trees. The area may be gated and have cameras. There is a new water system and the road is on the Transportation Improvement Plan. **Len TwoTeeth** supports the project. Grant funding could take a while. Council has cut back on their travel, so he would support using the council budget for this special project rather than waiting for funding to come through. Len wants to fund it so the project can get done this spring. **Martin Charlo** has been looking at the Post & Pole Yard. The Brownsfield part has been done. He wants to see a walking path and the development of some river access. It's a beautiful place. Martin has been talking with Tony Incashola, Jr. about that area and getting it cleared and introducing some fire to clear the weeds. There could be a disc golf course there. Infrastructure is needed. There needs to be a store in Dixon, so Food Security would be involved. That ties into every resolution the council has passed. Dixon was not kind to our Tribes, and Martin was in favor of changing the name. **Anita Matt** suggested that the pavilion at The People's Center be moved to Dixon so they could start some celebrations. Next Wednesday is her district meeting and she will be engaging the community. **Chairman McDonald** thought the costs would be minimal since the project is mostly sweat equity. It would be a good place for the Bison Range staff to relocate to. The boat ramp access point at Dixon bridge needs improvements. We got a 99-year easement for access and to build the Dixon Park. The river changed its course over time and the channel is drying up. A new boat launch would be needed in order to have a meaningful boat ramp or access for light watercraft. There could be money from the Dam Mitigation budget for that. It would require council approval for a new river access at that location. It could be a new recreation access to the river. Tom was not sure about burning the weeds due to all the wood in the ground, but there is some room to improve. Chairman McDonald will follow up with the Fish & Wildlife program. **Martin Charlo** spoke to Whisper Camel-Means since there are osprey nests down there. There are many eagles in that area so it would be nice to have nesting areas for them. There is funding for the Brownsfield. **Jim Malatara** was glad to hear about having stick game at Dixon. His grandparents used to play stick game there, and he wants to do something to bring that back and memorialize it. Many of the elders played down there and Jim would camp at the river for the weekend. They

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used to play a lot of baseball down there, too. Jim was willing to help clean up the area. **Jennifer Finley** thought this was a great idea and she was willing to help. She wrote a play that Dixon was changed to its original meaning of wild plums of the two convergent rivers. Two Eagle River School may want to help as a community project. They might be interested in a school reunion since they were out there for a long time. **Anita Matt** would like some follow-up about Montana Rail Link from Chelsea. They were going to follow up on those railroad cars and she wants Dan to have Chelsea provide an update. **Len TwoTeeth** wants timeframes placed on this important project and what we need to do to establish the river access. Len asked who we would engage with and who is actually going to draw out a plan and implement this. He wants to get moving on it. If there are some mitigation dollars that can be used, we need to get the department in here so they know we want to start on it right away. **Chairman McDonald** explained that the council approves the annual FWIS document. The department will be coming into council this spring to get their workplan approved for next year. What improvements they could do now is whatever they can afford in their existing budget. The walking trails might cost more money and would need to be inserted in this year's submittal plan, and then it would be available next fiscal year. **Carole Lankford** wants the walking path to include interpretive signs. **Martin Charlo** was in favor of cleaning up the Dixon Agency, but he did not want to forget about Ronan, Polson, Arlee, St. Ignatius, Elmo, and Hot Springs. We need to do these kinds of projects for each community, and Martin wants to do this in everyone's district. **Carole Lankford** responded that they are looking at Hot Springs next. Dixon is a pilot project and it will show what we can do with community involvement and volunteers. We can take this a long way. This is the first step she envisioned. The individuals in recovery talked about doing this project at Dixon. **Chairman McDonald** will discuss this project with the resource staff and the Executive Team.

**Peter Matt**, Senator Tester's Office, introduced himself to the council and discussed tribal issues/priorities. **Chairman McDonald** advised that the CSKT may need some assistance with the Bipartisan Infrastructure Law. The CSKT does not qualify for the federal excise tax funding, which is funding the State gets from sporting goods gear sales. There is proposed RAWA legislation, which is another general fund source to finance Native American tribes and provides \$90 million - \$100 million annually. It is based on a formula, and CSKT may get between \$200,00 - \$500,000 for our wildlife and fishing programs. **Carole Lankford** let Peter know that an issue paper will be provided so he knows what our issues are. **Anita Matt** was interested in the 2023 Farm Bill. The Biden administration was going to look into packers, who is making most of the profit off the beef industry. In 2021 the producers got \$1.30 to \$1.40 per pound. Anita would like him to look into supporting the small producers. The cost of hay increased to \$300 per ton. A lot of people sold out so inventory will be down. There is a producers meeting on March 2. Peter would like to sit in on that producers meeting, and Anita will have Janet Camel set up the meeting with a

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Zoom option. **Len TwoTeeth** mentioned a few years back Senator Tester came to Elmo to visit with us and we appreciated that. Len extended another invitation for Senator Tester to visit with the Elmo community. There was discussion about the impacts of mining. There is a mining operation below Chief Cliff, which destroys its culture integrity. These kinds of operations can destroy cultural sites. One of the items we have been seeking within our water compact is expediting the transfer of State lands to the Tribes. There is a federal law acknowledging that the transfer will happen, so Len wants the lands transferred to CSKT sooner rather than later. **Chairman McDonald** stated if an individual has an issue with an operation or function Peter can be used as a speaker or conduit for that information. An inquiry to those agencies by Peter on behalf of one of our constituents can be beneficial. **Ellie Bundy McLeod** thanked Peter for being at every Missing and Murdered Indigenous People Task Force meeting and let him know that the next meeting is scheduled for February 23, 2022, at 3:00 p.m.

**Rich Janssen** and **Jace Smith**, Natural Resources Department, requested approval of modification 1 to Contract No. 21-274 with Dick Anderson Construction to increase the amount by \$4,430,428.93, for a total not-to-exceed amount of \$5,782,559.93, for construction activities through completion of the K Canal Headworks project. The modification will fulfill the total estimated construction costs. **Len TwoTeeth** commented on the need to make sure the contractors are complying with the 25% tribal member hiring requirement. There have been questions about the number of tribal members working. The Indian Preference Office needs to be monitoring these projects and making sure our tribal members are being employed for positions they qualify for. **Jace Smith** advised that the Indian Preference Office has been very involved in this and the subcontractor for Dick Anderson is an IPO contractor. **Bing Matt** thought everything was going stagnant and we never hear of any construction on the canals so the council does not know what is going on with them. Bing would like the staff to provide a progress report on those projects and keep council updated. **Jace Smith** informed council that the department ran into some permitting issues with the Fish & Wildlife Service, so they had a meeting with them last week. They had hoped to start construction in the fall of 2021 and now it is looking like it will be June 2022. Hopefully, they came to an understanding with the Fish & Wildlife Service and Seth Makepeace will be working with them to develop a plan moving forward to speed up the permitting issues and bi-op opinions. They are working with the Indian Preference Office to target Tribal General Contractors to do the work.

**MOTION** by Martin Charlo to approve modification 1 to Contract No. 21-274 with Dick Anderson Construction to increase the amount by \$4,430,428.93, for a total not-to-exceed amount of \$5,782,559.93, for construction activities through completion of the K Canal Headworks project. Seconded by Bing Matt. Carried, unanimous (10 present).

**John Harrison**, Legal Department; **Rich Janssen**, **Whisper Camel-Means**, **Dan McClure**, **Shannon Clairmont**, and **Kari Eneas**, Natural Resources Department, gave an update on Yellowstone bison management, the bison hunt, the process for receiving bison shipments, CSKT's participation in the new Yellowstone bison EIS that the National Park Service will be conducting and the upcoming consultation with the Fish & Wildlife Service for restoring a bison herd on the CMR National Wildlife Refuge. There was no migration this year. The recommendation is no removal from the central herd. The Executive Council did not authorize their representative to sign the winter operations plan, so that is a challenge whether we are operating under the 2020 plan that estimated 500-700 animals to be cowled or if the group is considering them as abstaining from decisions and going to 600-900 animals. **John Harrison** reported on the Neighbors argument that was held on Friday. There was a similar issue after that. One issue is having a court order demanding a timeline for the EIS and process. They talked about active management in the park and possibly focusing on enhanced restoration in the park and tribal engagement by partnering with Tribes. Another option is to let the natural conditions determine populations. There has been pushback on that option. CSKT will be a cooperating agency and updates will be provided to the council. Today is the last day of the State hunt, the Nez Perce will be there until the end of March, the Umatilla Tribe will be there until the end of the month, and he was unsure about the Blackfoot Tribe. **Whisper Camel-Means** informed council that the next consultation will be set for some time in February. Shannon Clairmont is the Lead Bison Range Wildlife Biologist and Kari Eneas was hired as the Wildlife Program Manager. **Chairman McDonald** informed the staff about council's discussion regarding the boat ramp and cleanup costs from the FWIS account for the Dixon area. **Rich Janssen** advised that the staff has been talking about the boat ramp for Dixon.

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

**Michelle Mitchell**, Tribal Education Department; **Marie Torosian**, Three Chiefs Culture Center; **Nancy Fonicello**, **Jennifer McGlinchey Sexton** and **Joe Abbrescia**, Conservators; provided a report from the conservators on their care and restoration of artifacts, paintings, papers, and photographs from The People's Center fire of 2020. The restored items have been returned and will be stored until they can be displayed again. **Chairman McDonald** stated that the Tribes want to build a facility to bring Big Medicine home. **Nancy Fonicello** offered to assist with that effort.

**John Harrison**, Legal Department; and **Kari Eneas**, Natural Resources Department; requested approval of a comment letter to the Montana Fish & Wildlife Commission, Grizzly Bear ARM, regarding proposed amendments to Administrative Rules of Montana 12.9.1403 pertaining to grizzly bear demographic objective for the Northern Continental Divide Ecosystem. The

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Commission is accepting comments until this Friday. There was a hearing on Tuesday, and there were some suggestions to amend the language that was proposed in the ARMs rule. It was the **consensus** of council to send the comment letter to the Montana Fish & Wildlife Commission.

**Mary Price**, Legal Department, requested approval of a letter to David Brooks, Executive Director, Montana Trout Unlimited, supporting Montana Trout Unlimited's application for Environmental Protection Agency Columbia River Basin restoration funding assistance. The proposal involves partnering with the Tribes to plan and implement the project. It was the **consensus** of council to send the support letter.

**Dan Decker, John Harrison, Stu Levit, Chelsea Colwyn, Melissa Schlichting, Brian Upton, and Mary Price**, Legal Department, requested to meet with council in **executive session** to discuss legal issues. **Stephanie Gillin**, Natural Resources Department, was present for discussion.

Council reconvened into **regular session**.

**MOTION** by Carole Lankford to approve the memorandum of understanding between the CSKT and Lake County concerning roads, bridges, and culverts within the Flathead Indian Irrigation Project in Lake County. Seconded by Martin Charlo. Carried, unanimous (10 present).

**Mike Dolson** wanted to know if we could enter into a similar memorandum of understanding with Sanders County. **Melissa Schlichting** advised the same thing could be done with Sanders County, with approval of \$5 million from the settlement funds to be used.

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

**Vernon Finley**, Kootenai Culture Committee; **Chrissy Ewing, Loretta Hoots, Leonard Michel, Levi Hewankorn, Dacia Whitworth, Danielle Lefthand, Naida Lefthand, Gina Bigbeaver, Louis Caye, Jr., Jerry Nicolai, Diane Michel, Francis Auld, Laurence Kenmille**, and **Mike Kenmille**, Kootenai Elder Advisory Committee; requested to meet with council in **executive session** for the monthly elders meeting. **Greg Spahr**, Financial Management Director; **Lisa Shourds**, Administrative Services Director; **Clayton Matt**, Tribal Resources Director; and **Shane Morigeau**, Public Affairs & Communication; were present for discussion

Council reconvened into **regular session**.

Council **adjourned** at 4:31 p.m., and is scheduled to meet again on Thursday, February 17, 2022, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Martin A. Charlo  
Tribal Council Secretary