

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

Volume 22 Number 61
Council Chambers, Pablo, MT

Held: June 9, 2022
Approved: June 14, 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; and Mike Dolson.

MEMBERS ABSENT: Anita Matt (Personal Time Off).

OTHERS PRESENT: Abby Dupuis, Recording Secretary; and James Steele, Sr., Sergeant at Arms.

The meeting was called to **order** at 9:04 a.m. Quorum established.

The meeting was opened with a **prayer** by Chairman McDonald.

The **Tribal Council Meeting Minutes** for June 2, 2022 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for June 2, 2022, with corrections. Seconded by Mike Dolson. Carried, 8 for; 1 abstention (Carole Lankford).

The **agenda** was presented for approval.

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

Martin Charlo informed council that the Lake County Public Health Department is reporting an upward trend in the number of COVID cases. Martin encouraged everyone to take precautions going into the holidays and large gatherings. Mike Dolson asked about the number of cases being reported by the tribal departments. Martin advised that only one department has reported, but he does not believe it is being tracked any longer. We may need to reissue that requirement so we can track the number of employee cases. One problem is that people take rapid at-home tests and do not always report. **Mike Dolson** would like Tammy Matt to provide a briefing. It was the **consensus** of council to request a briefing from Tammy Matt.

Chairman McDonald presented a request for a change of duty for tribal employees to attend Tony Incashola, Sr.'s funeral services tomorrow. **Council** had no objection.

Chairman McDonald discussed the fieldtrip to Bonners Ferry. A press release will be issued. Tom spoke to the reporter from the Associated Press and the reporter will follow up with a story. Chairman McDonald put her in contact with Stu Levit, Rich Janssen, and Erin Sexton. **Martin Charlo** suggested someone taking the lead on this matter since Stu will be retiring. Tom will follow up with Dan Decker. **Carole Lankford** mentioned the membership asking why we cannot establish a quorum. When the Tribal Council is on travel, she hopes we put out that information on the internet. It should state what the council is doing. The council was attending a big meeting and we should say that since we are working on behalf of the people. **Chairman McDonald** will follow up with Shane Morigeau. It is an important topic and needs to be included in the press release.

Council discussed June 20 being a federal holiday in observation of Juneteenth and consideration to observe June 20 as a tribal holiday. **Mike Dolson** stated Juneteenth is on June 19, so he asked if we would be observing it on the first Monday after the holiday or if it would be specifically on June 20. **Council** will follow up with the Personnel Department. **Renee Joachim**, Personnel Department, informed council that in 2021 President Biden declared June 19 as a federal holiday in recognition of the emancipation of African Americans in the United States. The federal holiday will be observed on June 20 this year since the holiday falls on a Sunday. If June 19 falls on a Saturday in the future, the holiday will be observed on Friday.

MOTION by Martin Charlo to observe Juneteenth as a tribal holiday and observe the holiday on June 20, 2022. Seconded by Jim Malatare. Carried, unanimous (9 present).

Jennifer Finley would like a press release issued. **Renee Joachim** will follow up with Shane Morigeau.

Chairman McDonald informed council that he and Bing Matt will be attending the Yellowstone Bison Hunt Managers meeting next Wednesday in Helena. **Martin Charlo** informed council he will be attending the NCAI meeting in Alaska next week. There is a Montana Invasive Species Committee meeting on June 15, and he asked Whisper Camel-Means and Rich Janssen to attend the meeting since he won't be able to. **Chairman McDonald** suggested having Katie Finley attend the meeting.

Whisper Camel-Means, Natural Resources Department, requested final approval of the fiscal year 2023 SKQ work plan and budget and annual report.

Chairman McDonald mentioned funding for the Dixon Agency river access. Whisper stated they will seek funding for construction in 2023 and it will go out for bid once a determination is made on what the Council and public wants to see there. There may be other funding options available for construction. **Chairman McDonald** discussed the need to improve access. Whisper agreed there is a need to improve access at that location and she will follow up with Les Evarts.

MOTION by Ellie Bundy McLeod to approve the fiscal year 2023 SKQ work plan and budget and annual report. Seconded by Jennifer Finley. Carried, unanimous (9 present).

Martin Charlo asked Whisper if she could attend the Montana Invasive Species Council meeting at Yellow Bay next week. Martin can designate a staff person as a voting member. **Whisper Camel-Means** will follow up and try to attend.

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

Miki Lloyd and **Jacqueline Smith**, Montana Department of Transportation; **Chuck Bartlett** and **Aaron Beutner**, Benesch; discussed the US 93 Post Creek Bridge reconstruction project. The project is being designed and two meetings have been held. A value analysis project was completed. Artesian and seismic conditions were identified. A risk analysis was done on the bridge structure by a consultant. Chuck and Aaron reported on the results of the risk analysis that was done to quantify the risks. The team assessed the risks of the as given concepts; developed strategies to mitigate the risks, including variations of the as given concepts and new concepts; provided sufficient analysis to support concepts, develop costs and determine impacts to risk; and rated the alternatives based on performance, stakeholder acceptance, cost, and risk. The as given conditions were a 500-foot-long four-span bridge, constructed on existing alignment to avoid wetlands, minimize habitat impacts, two lanes, multi-use path, and \$6.7 million construction cost (2021). The bridge would restore habitat, have a continuity of environment, preserve wetlands, sense of place, wildlife (grizzly bear) passage, and address the artesian, liquefaction, and seismic conditions. The risk analysis summary and takeaway included the study of quantified risk for relative comparison of bridge alternatives; a recommended bridge alternative was not made; balancing technical risks with stakeholder expectations was emphasized; additional geotechnical and bridge geometric analysis is necessary; preferred alternative may or may not be among the risk analysis alternatives; a 500-foot-long bridge is feasible; spread footings are likely more desirable than drilled shaft; offset alignment should be further evaluated; heights of the bridge opening will be determined with other factors, such as cost, constructability, and wetland/habitat impact; due to market factors and inflation, the construction costs will likely be higher when construction occurs; and per federal requirements, further environmental evaluation will be needed.

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

Dan Decker, Brian Upton, John Harrison, Melissa Schlichting, Michael Wheeler, Chelsea Colwyn, Lynsey Gaudioso, and **Katie Jones**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Daniel F. Decker**, Energy Keepers, Inc., was present for discussion.

Dan Decker, Brian Upton, John Harrison, Michael Wheeler, Chelsea Colwyn, Lynsey Gaudioso, and **Katie Jones**, Legal Department; **Daniel F. Decker** and **Brian Lipscomb**, Energy Keepers, Inc., requested to meet with council in **executive session** to discuss legal matters.

Dan Decker, Brian Upton, John Harrison, Chelsea Colwyn, Lynsey Gaudioso, and **Katie Jones**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Erin Carey, Bureau of Land Management; and **Jody Miller**, Archeologist for the Missoula Field Office; discussed a fieldtrip to the Blackfoot Watershed about the private timber land that the Bureau of Land Management acquired from The Nature Conservancy. The BLM is going to restore tribal treaty rights to these lands. 38,000 acres have been acquired to date. Tracey Stone-Manning, BLM Director, will be here the end of June and wants to view the project. BLM would like the CSKT and Tribal Elders to participate, as well, and for Chairman McDonald present at the gathering. The Bureau of Land Management Missoula Field Office has been working with CSKT to restore native plants to the Blackfoot Watershed. They have also been working with CSKT on management of forest practices, namely prescribed fire. **Chairman McDonald** asked if there would be an opportunity to partner with Bipartisan Infrastructure Law funding. Tom thought it was admirable for BLM to take over that land and restore the landscape. Erin thought there would be opportunities to partner with the infrastructure funding. BLM currently has 175,000 acres of land and will have over 200,000 acres when the pending acquisitions are complete. **Bing Matt** asked if BLM was going to be able to acquire the upcoming funding. Erin responded BLM will be receiving some infrastructure funding. They have been staffing up to implement it over the next five-year period. The funding should last beyond five years and put the BLM on a course for the next ten years. There will be funding for fuels, fire, and restoration activities. Erin would like input for the place name. **Chairman McDonald** recommended BLM contact the Culture Committees about place names.

Council met in **executive session**.

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

Council reconvened into **regular session**.

Chairman McDonald looked at the land in Polson by the old tee-shirt shop and he is excited about turning it into a vendor lot. **Mark Couture** and the staff took a fieldtrip and developed a preliminary design to make it functional. There will be seating with benches available at the location so it will be a vendor park.

Mark Couture, Tribal Lands Department, discussed bid corrections on the Spring bid. There were two in question regarding improvements. Lands reviewed it and went with Patrick Bigsam and Amanda Courville as the best bids.

MOTION by Ellie Bundy McLeod to approve the changes to the Spring Bid. Seconded by Martin Charlo. Carried, unanimous (9 present).

Chairman McDonald noticed on his trip back from Sandpoint where someone bought Bakken Oil trailer houses that are single units and put a nice deck on them. That is a good idea for temporary or emergency housing.

Council **adjourned** at 2:21 p.m., and is scheduled to meet again on Tuesday, June 14, 2022, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary