

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

Volume 22 Number 56
Council Chambers, Pablo, MT

Held: May 17, 2022
Approved: May 24, 2022

MEMBERS PRESENT: Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Martin Charlo, Secretary; Ellie Bundy McLeod, Treasurer; Jim Malatare; Jennifer Finley; and Mike Dolson.

MEMBERS ABSENT: Carole Lankford (Amerind Meeting – Seattle, Washington); James “Bing” Matt (Inter-Tribal Timber Council Meeting – Alaska); and Anita Matt (Personal Time Off).

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

The meeting was called to **order** at 9:02 a.m. Quorum established.

The meeting was opened with a **prayer** by Jennifer Finley.

The **Tribal Council Meeting Minutes** for May 12, 2022 were presented for approval.

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for May 12, 2022, with corrections. Seconded by Jim Malatare. Carried, unanimous (7 present).

The **agenda** was presented for approval.

MOTION by Ellie Bundy McLeod to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (7 present).

Brian Lipscomb, Energy Keepers, Inc., gave an update on the event to commission the USS Montana. The Navy agreed that there should be a tribal blessing provided over the boat. Gene Sorrell could do that. It was the **consensus** of council to authorize Gene & Anna Sorrell to attend the event to provide the blessing of the boat.

Sherry Clairmont, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter. **Clayton Matt**, Tribal Resources Director, joined the discussion.

Council reconvened into **regular session**.

Chairman McDonald informed council there would be no chair's meeting on Monday, June 13, 2022. June 13 is the first day for the Mission Mountain Trail Crew. Tom will be speaking with the Forest Service group that morning and asked if a council representative was available to greet the Youth Crew. **Mike Dolson** and **Martin Charlo** volunteered to do the welcoming. All council members were invited to the event.

Craig Barfoot and **Seth Makepeace**, Natural Resources Department, gave an update on the ongoing Irrigation Project Rehab and Betterment projects: Jocko K Headwaters, Falls Creek diversion, Valley View – 31A Canal Chute, Jocko North-canal to pipe conversion, Flathead Pumping Plant, Lower Jocko J Headworks, Kicking Horse Dam, North Fork Jocko areas projects, Jocko Upper S fish ladder, Mission Dam and other SOD projects, and Charlo Planning Area. There was an overview provided on the North Fork Jocko River Rehabilitation project. Craig requested input and feedback on the final preferred alternative selection for the North Fork Jocko River Rehabilitation project. The project is at the Tabor Diversion structure at the North Fork of the Jocko. The existing diversion structure is nearly 100 years old and does not have upstream fish passage or fish screens. The engineers prepared a preliminary engineering reports with three alternatives. The first alternative involves replacing the existing structure in place with no fish protection structures (screens or ladder). The other two alternatives include fish protection measures that would allow for upstream fish passage and would include screens that prevent fish, including ESA-listed Bull Trout, from being diverted down the canal. These alternatives include various diversion structures; one proposed a somewhat naturalized rock-ramp diversion structure moved upstream, and the other involves replacing the diversion in place. However, the fish protection structures will require a larger footprint than existing conditions (and likely fencing) or for an alternative without fish protection. **Len TwoTeeth** had questions about Hubbard Dam. Seth advised the CSKT does not own that facility. **Mike Dolson** asked about Camas Prairie. Seth advised they cannot do anything until the enforceability date. There will be some public meetings this fall. Tribal Council input and guidance was to move forward on the ID team's preferred alternative for the Tabor Diversion on the North Fork Jocko River, which was the rock-ramp diversion and fish protection structures.

Laurence Kenmille and **Chasity Haynes**, Enrollment Office, requested approval of a resolution establishing the approval of DNA results for #203-UO11920 to increase blood quantum using the biological father's blood quantum.

MOTION by Mike Dolson to approve the resolution establishing the approval of DNA results for #203-UO11920 to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy McLeod. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 22-098

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR 203-UO11920 TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant and the natural father's name is not on the Certificate of Live Birth or deceased a DNA (sibling) test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-UO08044 is the biological father of 203-UO11920;

BE IT RESOLVED, The Tribal Council accepts the DNA results and approved the blood degree correction for #889982 from 19/128 to 51/128 and to correct the blood degrees of his/her descendants.

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed ½ the cost of which the individual has paid, providing documentation if not already enrolled.

Laurence Kenmille and **Chasity Haynes**, Enrollment Office, requested approval of a resolution establishing the approval of DNA results for #889982 to increase blood quantum using the biological father's blood quantum.

MOTION by Ellie Bundy McLeod to approve the resolution establishing the approval of DNA results for #889982 to increase blood quantum using the biological father's blood quantum. Seconded by Mike Dolson. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 22-099

RESOLUTION ESTABLISHING THE APPROVAL OF DNA RESULTS FOR #889982 TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the Tribal Council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of applicant, and the natural father's name is not on the Certificate of Live Birth or deceased a DNA (sibling) test is accepted to determine paternity; and

WHEREAS, that the original birth certificate submitted for application at the time of birth did not include or list a biological father; and

WHEREAS, DNA results prove that 203-U0010456 is the biological father of #889982;

BE IT RESOLVED, The Tribal Council accepts the DNA results and approved the blood degree correction for #889982 from 19/128 to 51/128 and to correct the blood degrees of his/her descendants.

BE IT FURTHER RESOLVED, DNA testing results for the sole purpose of enrollment eligibility are reimbursed ½ the cost of which the individual has paid, providing documentation if not already enrolled.

Laurence Kenmille and **Chasity Haynes**, Enrollment Office, requested approval of a resolution establishing the approval of DNA (Avuncular) results for #880638 to increase blood quantum using the biological father's blood quantum.

MOTION by Jennifer Finley to approve the resolution establishing the approval of DNA (Avuncular) results for #880638 to increase blood quantum using the biological father's blood quantum. Seconded by Ellie Bundy McLeod. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 22-100

RESOLITON ESTABLISHING THE APPROVAL OF DNA (AVUNCULAR) RESULTS FOR #880638 TO INCREASE BLOOD QUANTUM USING THE BIOLOGICAL FATHER'S BLOOD QUANTUM

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

WHEREAS, the tribal council has the sole authority in determining eligibility for enrollment in the Confederated Salish and Kootenai Tribes; and

WHEREAS, in cases where the natural parent at the time of birth of the applicant is not on the certificate of live birth, DNA testing to determine paternity is required; and

WHEREAS, the original birth certificate submitted with the application at the time of birth was of an individual who was not the biological parent of said applicant; **NOW**,

BE IT RESOLVED, the tribal council authorize the Chairman and Secretary to accept documentation from DNA Results as proof of paternity for blood degree correction from 15/128 to 79/128 for #880638 and his/her Descendants using the Biological father's #203-UO04752 blood quantum; **NOW**,

BE IT FURTHER RESOLVED, the cost of the DNA test for the purpose of enrollment are to be reimbursed ½ of the cost of which the individual has paid.

Laurence Kenmille and **Chasity Haynes**, Enrollment Office, gave an update on amendments to the DNA Testing Policy & Procedures. The policy was reviewed by the Legal Department. The cost for DNA testing for enrollment purposes will be much cheaper through this process. CSKT reimburses one-half the cost of the DNA test if the individual is eligible for enrollment.

MOTION Jim Malatare to approve the DNA Testing Policy & Procedures. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

Melinda Charlo, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for wildlife fencing, jump-outs, and approach treatments for the St. Ignatius area.

MOTION by Martin Charlo to approve the project specific agreement with the Montana Department of Transportation for wildlife fencing, jump-outs, and approach treatments for the St. Ignatius area. Seconded by Mike Dolson. Carried, unanimous (7 present).

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

Melinda Charlo, Indian Preference Office; **Dan Decker** and **Brian Upton**, Legal Department; requested to meet with council in **executive session** to discuss a departmental matter.

Dan Decker, **Brian Upton**, **John Harrison**, **Melissa Schlichting**, **Chelsea Colwyn**, and **Katie Jones**, Legal Department; and **Ryan Rusche**, Sonosky Law Firm; requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

Shane Morigeau, **Gwen Lankford**, and **Frank Tyro** showed the council a screening of the documentary that will be shown at the Bison Range Celebration.

Shane Morigeau, Public Affairs & Communications; **Dan Decker**, **Brian Upton**, **John Harrison**, **Melissa Schlichting**, **Chelsea Colwyn**, and **Katie Jones**, Legal Department; **Ryan Rusche**, Sonosky Law Firm; and **Whisper Camel-Means**, Natural Resources Department; requested to meet with council in **executive session** to provide an update. **Vernon Finley**, Kootenai Culture Committee; **Thompson Smith**, Salish Pend d'Oreille Culture Committee; were present for discussion.

Dan Decker, **Brian Upton**, **John Harrison**, **Melissa Schlichting**, **Chelsea Colwyn**, and **Katie Jones**, Legal Department; and **Ryan Rusche**, Sonosky Law Firm; continued to meet with council in **executive session** to discuss legal matters. **Niki Graham**, University of Montana; **Vernon Finley**, Kootenai Culture Committee; and **Thompson Smith**, Salish Pend d'Oreille Culture Committee; were present for discussion.

Dan Decker, **John Harrison**, **Brian Upton**, **Melissa Schlichting**, **Chelsea Colwyn**, and **Katie Jones**, Legal Department; and **Ryan Rusche**, Sonosky Law Firm; continued to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Mike Dolson to approve Amendment No. 1 to the Multi-Year Funding Agreement for Fiscal Years 2021-2025 between the Confederated Salish and Kootenai Tribes and the United States of America. Seconded by Ellie Bundy McLeod. Carried, unanimous (7 present).

MOTION by Mike Dolson to approve Addendum to Amendment No. 1 to the Multi-Year Funding Agreement for Fiscal Years 2021-2025 between the Confederated Salish and Kootenai Tribes and the United States of America and

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FIIP construction report. Seconded by Ellie Bundy McLeod. Carried, unanimous (7 present).

MOTION by Ellie Bundy McLeod to approve the Memorandum of Agreement between the Confederated Salish and Kootenai Tribes and the Department of the Interior for Activities, Responsibilities, and Requirements Under the Montana Water Rights Protection Act. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

Council **adjourned** at 12:41 p.m., and is scheduled to meet again on Tuesday, May 24, 2022, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary