

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

Volume 22 Number 57  
Council Chambers, Pablo, MT

Held: May 24, 2022  
Approved: May 26, 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:** Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:01 a.m. Quorum established.

The meeting was opened with a **prayer** by Carole Lankford.

The **Tribal Council Meeting Minutes** for May 17, 2022 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for May 17, 2022, with corrections. Seconded by Jim Malatare. Carried, 8 for; 1 abstention (Bing Matt).

The **agenda** was presented for approval.

**MOTION** by Bing Matt to approve the agenda, with changes. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

**Chairman McDonald** reminded everyone that next Monday is the Memorial Day holiday, so there will be no chair’s meeting. June 6 & 7 is the fieldtrip to Bonners Ferry. There will be no chair’s meeting on June 13 due to other obligations. Tom will be in Boise the week of June 20, so there will be no chair’s meeting that week. Tom has been invited to participate in a climate change planning meeting July 5-8 that he plans on attending.

**Mitch Heuer**, District 1 Congressional Candidate, introduced himself to the Tribal Council and gave an overview of his background and experience. Mr.

Heuer discussed issues that are important to him, including term limits, baseline education with standards, health care, and business.

**Steve Lozar** introduced John Repke, Montana Public Service Commissioner District 5 Candidate. **Mr. Repke** gave an overview of his background and experience. District 5 covers Flathead, Lake, Teton, and Lewis and Clark Counties. There has not been a minority serve on the PSC since 2012. The commission needs representatives that reflects the community it serves.

**Archie Fuqua** offered his mother's home, trust property, and mineral rights for sale to the Tribes. The property is located in Pablo. The parcel with the home and shops contains 1.55 acres and the other parcel contains 0.79 acres. His mother also owned mineral rights in the gravel pit located across the old highway, containing 9.3 acres. The probate has been closed and an appraisal has been done. **Len TwoTeeth** requested that Archie provide an offer in writing to the Tribal Lands Department and have it scheduled for discussion at the Land Committee meeting. **Carole Lankford** would like to take a fieldtrip. **Council** scheduled a fieldtrip for this Thursday at 1:00 p.m.

**Mary Jane Billedeaux** requested to meet with council in **executive session** to discuss a personal matter. **Patricia Hibbeler**, Director of Tribal Member Services; **Clayton Matt**, Director of Tribal Resources; **Lisa Shourds**, Director of Administrative Services; **Jody Perez**, **Rocki Davis**, **Colleen Tenas**, and **Michelle Morigeau**, Salish Kootenai Housing Authority; joined the discussion.

Council reconvened into **regular session**.

**Jim Adams** thanked the Tribal Council, Jennifer Trahan and Jim Steele, Sr. for putting him in the position he has been working in. Jim is leaving his position to work in the woods. **Council** thanked Jim for his service to the Tribes.

**Greg Spahr**, Financial Management, requested approval of a resolution authorizing the receipt of the discretionary distribution from the Secretary of the Interior from the Montana Water Rights Protection Act.

**MOTION** by Ellie Bundy McLeod to approve the resolution authorizing the receipt of the discretionary distribution from the Secretary of the Interior from the Montana Water Rights Protection Act. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 1 not voting (Martin Charlo out of the room).

## **RESOLUTION 22-101**

**RESOLUTION AUTHORIZING THE RECEIPT OF THE DISCRETIONARY DISTRIBUTION, FROM THE SECRETARY OF THE INTERIOR, FROM THE MONTANA WATER RIGHTS PROTECTION ACT.**

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

**WHEREAS**, the Confederated Salish and Kootenai Tribes ("CSKT" or "Tribes") are a federally recognized, sovereign tribes residing on the Flathead Indian Reservation in western Montana, with a vast aboriginal territory stretching from Canada to Wyoming, and from Washington to Montana; and

**WHEREAS**, the 116<sup>th</sup> U.S. Congress passed the Montana Water Rights Protection Act, Public Law 116-260, 134 Stat. 3008, title V, Division DD, on December 21, 2020, which the President signed into law on December 27, 2020; and

**WHEREAS**, the Act provided for a distribution of a Discretionary amount to be paid to the tribes to settle the long-disputed water rights litigation; the passage of the Bipartisan Infrastructure Bill (BIL) on November 15, 2021 (Title I) provided for certain water settlements to be satisfied at the discretion of the Secretary of the Interior; and

**WHEREAS**, we have been informed by the Secretary of the Interior that she intends to fund the entire Discretionary portion of the Confederated Salish and Kootenai Tribes outstanding balance and make a good-faith deposit of the anticipated indexing amount toward satisfying the federal governments liability outlined in the Act;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Council of the Salish and Kootenai Tribes elect that their Discretionary Funding set forth in the BIL and the good-faith estimate of the indexing amount associated with the Discretionary payment be deposited into the SQK Trust. That this account is established with the BTFA and shall be held according to the Act, and invested at the direction of the authorized persons, in a manner consistent with the Tribes' needs;

**BE IT FURTHER RESOLVED**, that the decision to allocate the funds between the Compact and Implementation sub-accounts shall be made at another time in the upcoming period according to the provisions in the Act.

**Greg Spahr**, Financial Management, requested approval of a resolution authorizing the former Ranald McDonald home and property to be designated for highest and best use for income generation.

**MOTION** by Bing Matt to approve the resolution authorizing the former Ranald McDonald home and property to be designated for highest and

best use for income generation. Seconded by Carole Lankford. Carried, 8 for; 0 opposed; 1 not voting (Martin Charlo out of the room).

**RESOLUTION 22-102**

**RESOLUTION AUTHORIZING FORMER RANALD MCDONALD HOME AND PROPERTY TO BE DESIGNATED FOR HIGHEST AND BEST USE FOR INCOME GENERATION**

**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 Reservation; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes are committed to the sound planning and management of Flathead Reservation resources; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes have directed the Office of Economic Development to fill the important need of diversification of revenues and protection of resources as the Tribes strive for self-sufficiency and planned economic development opportunities; and

**WHEREAS**, the property located on the shore of Flathead Lake is solely owned by the Confederated Salish and Kootenai Tribes and is unencumbered by lien or debt; and

**WHEREAS**, the Property Management and Land Use Committee at a meeting held on March 14, 2022, recommended that the property should be managed in a manner consistent with its highest and best use, identified as rental income property; and

**WHEREAS**, there are no cultural encumbrances, administrative priorities, member access matters, or natural resources on the site that require additional consideration.

**NOW THEREFORE BE IT RESOLVED** that the Tribal Council of the Confederated Salish and Kootenai Tribes designates the Former Ranald McDonald property as an income-generating property to be managed in such a manner as to maximize the use of that asset for the Tribal organization.

**BE IT FURTHER RESOLVED** that the management of the asset will rest with the Tribes' Economic Development Office which is instructed to prepare a quarterly report to the Tribal Council on the progress of said property, to serve as a model for future endeavors.

**Greg Spahr**, Financial Management; and **Pete White**, Tribal Credit, requested approval of a resolution providing new signature authority for certain tribal accounts established at Eagle Bank due to staffing changes.

**MOTION** by Carole Lankford to approve the resolution providing new signature authority for certain tribal accounts established at Eagle Bank due to staffing changes at Tribal Credit. Seconded by Ellie Bundy McLeod. Carried, 8 for; 0 opposed; 1 not voting (Martin Charlo).

**RESOLUTION 22-103**

**RESOLUTION PROVIDING NEW SIGNATURE AUTHORITY FOR CERTAIN TRIBAL ACCOUNTS ESTABLISHED AT EAGLE BANK DUE TO STAFFING CHANGES.**

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

**WHEREAS**, it has become necessary due to staffing changes to update the listing of employees with signature authority for certain accounts previously established by the Confederated Salish and Kootenai Tribes at Eagle Bank, and

**WHEREAS**, the accounts which require changes in signature authority are listed below, and

<u>Account Name</u>	<u>Account Number</u>
Tribal Credit	5000252

**NOW, THEREFORE, BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes that all checks drawn on said accounts from Eagle Bank from the approved date of this resolution will be signed by one of the following:

Pete A. White	Credit Manager
Tara R. Skare	Credit Finance Officer
Breanna Bertsch	Mortgage Loan Officer

And counter signed by the following

Susie Loughlin	Collections Compliance Officer
Timothy Brooks	Personal Loan Officer
Rick Eneas	Executive Director

Zachary Conko Camel Central Accounting Manager

Whose signatures shall be duly certified to said bank, and that no checks against said accounts shall be valid unless so signed,

**BE IT FURTHER RESOLVED**, that said bank is hereby authorized and directed to honor and pay any checks whether such checks be payable to the order of any such person signing and/or countersigning said checks, or to the individual credit or any of the other officers or not. This resolution shall continue forth in the Certification of an authorized representative, accompanying a copy of this resolution when delivered to said bank or in any similar subsequent Certificate until written notice to the contrary is duly served on said bank.

**Kari Eneas**, Natural Resources Department, requested approval to submit a grant application to APHIS in the amount of \$64,795.00 for Chronic Wasting Disease surveillance and a response plan on the Flathead Reservation.

**MOTION** by Ellie Bundy McLeod to approve the submission of a grant application to APHIS in the amount of \$64,795.00 for Chronic Wasting Disease surveillance and a response plan on the Flathead Reservation. Seconded by Jennifer Finley. Carried, unanimous (8 present – Martin Charlo out of the room).

**Kari Eneas**, Natural Resources Department, presented a request from Jennifer Boisvert, Intermountain Bird Observatory, for a collection permit to conduct the annual survey of breeding land birds in support of the Integrated Monitoring of Bird Conservation Program.

**MOTION** by Len TwoTeeth to grant Jennifer Boisvert, Intermountain Bird Observatory, a collection permit to conduct the annual survey of breeding land birds in support of the Integrated Monitoring of Bird Conservation Program. Seconded by Mike Dolson. Carried, unanimous (8 present – Martin Charlo out of the room).

**Kari Eneas**, Natural Resources Department, presented a request from Rebekah Brassfield for a collection permit for the University of Montana to conduct a study to examine bumble bees and the floral resources they use as part of an ongoing investigation with Salish Kootenai College.

**MOTION** by Ellie Bundy McLeod to grant Rebekah Brassfield a collection permit for the University of Montana to conduct a study to examine bumble bees and the floral resources they use as part of an ongoing investigation with Salish Kootenai College. Seconded by Mike Dolson. Carried, unanimous (8 present – Martin Charlo out of the room).

**Kari Eneas**, Natural Resources Department, presented a request from Janene Lichtenberg, Salish Kootenai College, for a collection permit to investigate water, soils, plants, and animals of wetland and riparian habitats.

**MOTION** by Ellie Bundy McLeod to grant Janene Lichtenberg a collection permit for Salish Kootenai College to investigate water, soils, plants, and animals of wetland and riparian habitats. Seconded by Bing Matt. Carried, unanimous (8 present – Martin Charlo out of the room).

**Dan Decker, Melissa Schlichting, John Harrison, Stu Levit, Brian Upton, Mary Price, Katie Jones, and Lynsey Gaudioso**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

**Martin Charlo** returned to the meeting.

Council reconvened into **regular session**.

**MOTION** by Len TwoTeeth to approve the memorandum of agreement between the State of Montana, the Confederated Salish and Kootenai Tribes, and the Flathead Reservation Water Management Board regarding interim processing for domestic allowances. Seconded by Jim Malatare. Carried, unanimous (9 present).

**Carole Lankford** informed council that the honoring for Judge Manley is scheduled for next Tuesday at 2:00 p.m. 34 tribal members have graduated from the Drug Court.

**Bing Matt** talked about Vietnam veterans that have been awarded a Purple Heart and he would like them to be able to go to an event.

Council **adjourned** at 11:56 a.m., and is scheduled to meet again on Thursday, May 26, 2022, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Martin A. Charlo  
Tribal Council Secretary