

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

Volume 22 Number 84
Council Chambers, Pablo, MT

Held: September 20, 2022
Approved: September 22, 2022

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

MEMBERS ABSENT: Len TwoTeeth, Vice-Chairman (Affiliated Tribes of Northwest Indians Conference); and Dixon District (Vacant).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:03 a.m. Quorum established.

The meeting was opened with a **prayer** by Martin Charlo.

The **Tribal Council Meeting Minutes** for September 8, 2022 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for September 8, 2022, with corrections. Seconded by Ellie Bundy. Carried, unanimous (8 present).

The **Tribal Council Meeting Minutes** for September 15, 2022 were presented for approval.

MOTION by Ellie Bundy to approve the Tribal Council Meeting Minutes for September 15, 2022, with corrections. Seconded by Mike Dolson. Carried, 6 for; 2 abstentions (Jim Malatare and Bing Matt).

The **agenda** was presented for approval.

Carole Lankford discussed a request from Jay Preston for a letter of support to apply for a block grant to support them in their endeavors for new bathrooms at the fairgrounds. **Chairman McDonald** commented the fairgrounds are located on tribal land and it was donated for 4-H fair purposes. It was the **consensus** of council to approve the letter of support.

MOTION by Mike Dolson to approve the agenda, with changes. Seconded by Bing Matt. Carried, unanimous (8 present).

Mark Couture and **Brad McCrea**, Tribal Lands Department, requested acceptance of the highest and best bid for the 2001 Modular Home located in Evaro. There were six bids received. The highest and best bidder was Josie Adams in the amount of \$56,501.00.

MOTION by Carole Lankford to accept the highest and best bid from Josie Adams in the amount of \$56,501.00 for the 2001 Modular Home located in Evaro. Seconded by Jim Malatare. Carried, unanimous (8 present).

Mark Couture and **Brad McCrea**, Tribal Lands Department, requested acceptance of the highest and best bid from Harold Green in the amount of \$230,100.00 for the 2-bedroom house located by Turtle Lake in Polson.

MOTION by Jim Malatare to accept the highest and best bid from Harold Green in the amount of \$230,100.00 for the 2-bedroom house located in Polson. Seconded by Ellie Bundy. Carried, unanimous (8 present).

Mark Couture and **Brad McCrea**, Tribal Lands Department, discussed the two rental houses. The Gray Wolf house rents for \$700.00 per month and the Halvorson house in Hot Springs rents for \$800.00. Mark asked if the council wants to continue renting the houses or bid them out. The fair market value as of last year for the Halvorson House was \$1,200 to \$1,400 per month; and the fair market value for the Halvorson house was \$1,400.00 to \$1,600.00 per month. **Jennifer Finley** asked if they would be appropriate for an Airbnb. Mark thought there is potential for both homes to be used as an Airbnb, but he was not sure if it would be feasible due to their locations. **Carole Lankford** and **Chairman McDonald** discussed the housing shortage. They would like to see private ownership by a tribal member and allow tribal members to invest in their own home. There was discussion about the Coriacan Trailer Park. **Martin Charlo** suggested having a discussion with the Economic Development Office. **Chairman McDonald** wants to do our due diligence and get the best value. We need permanent housing but also need to fund the tribal government. It may be best suited as a commercial rental. **Council** wants an update on property management. Mark Couture will get an update from the Property Management Team and report back. He will also get appraisals for both properties. **Mark Couture** gave an update on yesterday's meeting. They got the paperwork submitted, and we have until December 9 to work out the particulars from yesterday's meeting about the business side of it and operational plan for short- and long-term. The Lands Department met this morning with the ranch manager to discuss the operations and how it is functioning. The staff is doing their due diligence and will prepare a packet to present to council prior to the December 9

deadline to determine if it is feasible. **Jim Malatare** asked about the ten acres by Coriacan. **Mark Couture** will give an update at the next Land Committee meeting.

Tammy Matt, Tribal Health Department, gave a report on COVID-19. Cases have tripled since last week. The majority came over this last weekend. There were 31 new reported cases. Last week we were in low transmission but most likely will bump up to the next level. Booster clinics for COVID have not been well received in some of the locations. They went to Elmo and had 4; St. Ignatius had 12; and Arlee had 47. THD is looking at what they can do differently about advertising; it is difficult to reach people that don't have social media when they do pop-up events and do not have time to advertise. Signs are posted and the clinic staff is aware in their community. They anticipated Elmo and St. Ignatius may have smaller numbers because they were quickly scheduled. The Polson clinic is this Friday and the Hot Springs clinic will be next Friday. The flu clinic will be coming up. THD may set up something for staff to get boosters at Pablo before the flu clinic. The information will be sent out soon. There are still only 5 monkeypox cases in the state. Lake County has not done anymore testing, but they are testing more throughout the state. There have been no new West Nile virus cases in any animals or humans. There has been no confirmed cases of influenza in Montana yet. **Chairman McDonald** asked about Chronic Wasting Disease. Tom wants everyone to know where there may be outbreaks so those working, harvesting, and hunting are aware. Tammy stated THD does not track CWD, but she can reach out to the State and request the information. Chairman McDonald suggested checking with Whisper Camel-Means and Kari Kingery, as well. Tom asked about repeat COVID-19 outbreaks. Some people say the severity increases or possible hospitalization occurs the second or third bout. Tammy responded that what Tribal Health has been seeing is that if an unvaccinated person gets repeat COVID that they get sicker with each infection. Those who are vaccinated usually do well with short lasting symptoms that are not as severe. There are currently no hospitalizations due to COVID-19. The last COVID-related death was a couple week ago where COVID was an incidental finding during hospitalization.

Melinda Charlo, Indian Preference Office; and **Brandon Graff**, Montana Department of Transportation; requested approval of a project specific agreement with the Montana Department of Transportation for the Flathead River 1-M E Perma project for bridge rehabilitation on a bridge located on Secondary Highway 382. The scope of work is being advertised today to design build teams. An RFQ will be submitted and in four weeks they will submit their qualifications, and then in four weeks an RFP for the short list will be posted until November 4. Technical proposals are due by January 9, 2023. Bid proposals will be accepted on January 26, 2023, and then it will be awarded about two weeks after that. The design should be completed in the spring or summer of 2023 and then construction should be done in late 2023 or early

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2024. The contractor will be required to let the northbound traffic go through the construction so the traffic is not backed up on Highway 200. Brandon gave an overview of the design build delivery. He discussed the boat launch use on the northwest corner of the bridge. It appears to be on MDT's easement within that 80 feet they have of the center line on the north end of the bridge. MDT wants to use it for contractor access and have the design build team go there. They would stage the construction equipment off the boat launch so it could still be used. **Council** had no concerns as long as it remains open. **Mr. Graff** discussed short-term or overnight closures of the bridge. It is a narrow bridge and the closure is due to safety concerns for the workers and the public. They looked into detour routes that would be feasible. The closures would be as minimal as possible. MDT has the data on traffic counts and that would be reviewed/considered. **Mike Dolson** asked if Camas Creek Road could be improved to be a better detour for the residents. Part of the road is graveled and part of it is paved. Brandon responded the funding is set aside for the structural needs of the bridge, so MDT tries not to extend past that, but it will be considered if the Camas folks need to take that detour. There will be at least a month's notice when the bridge will be closed so the public is aware of it. **Chairman McDonald** thought dust abatement would be a good mitigation measure. **Council** had no objection to the bridge closure. **Mr. Graff** asked who the best contact for this project is. **Chairman McDonald** suggested he continue to work with Scott Johnston and Melinda Charlo.

MOTION by Mike Dolson to approve a project specific agreement with the Montana Department of Transportation for the Flathead River 1-M E Perma bridge rehabilitation project. Seconded by Ellie Bundy. Carried, unanimous (8 present).

Kean McCrea and **Sandra Andrews**, Tribal Members, requested to meet with council in **executive session** to discuss a personnel matter. **Patricia Hibbeler**, Tribal Member Services; **Renee Joachim** and **Melanie Piedalue**, Personnel Department; were present for discussion.

Patricia Hibbeler, Tribal Member Services, requested to meet with council in **executive session** to discuss departmental matters.

Council reconvened into **regular session**.

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

Velda Shelby and **Janet Camel**, Economic Development Office; and **Michael Shuman**, Northwest Area Foundation; gave an update on the Northwest Area Foundation Vibrant Tribal Economics Grant. CSKT was one of four tribes initially funded in the northwest area. The purpose of the grant is to explore the makeup of the tribal economy and how purchasing decisions can develop more

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opportunities for tribal citizens. CSKT was funded for two years and then for an additional two years. The work will end in January 2023 to finish up the feasibility study on affordable housing. The two grants provided funding of \$300,000.00. Michael talked about the four principles for local prosperity, which are maximize local ownership, maximize local diversity, maximize community well-being, and create entrepreneurial ecosystem. The 7 P's of an entrepreneurial ecosystem are planning, placemaking, people, partners, purse, purchasing, and policy making. He gave an overview of the economy (2017). The model showed the gross regional product of three counties was \$6.7 million and it was \$810 million for the three zip codes. Mr. Shuman discussed the degree of leakage. In the region 47% leaves immediately, but in the 15 zip codes on the reservation it is 61%. 2% in the 15 zip codes on the reservation are self-reliant. It is important to create more tribal member businesses to capture the leakage. He suggested having a CSKT innovation fund of \$20,000,000.00 to seed businesses and allies. **Jennifer Finley** asked about business incubators; she thinks it is needed here. Janet advised there was a workforce team created consisting of various departments. S&K Business Services created an office in their business to be used by entrepreneurs. Businesses can make an appointment and have access to office equipment that they need for their business. SKBS is starting an incubator there and is looking to expand that. Jennifer spoke about having pop-up business space. Michael has a template from the Crow Tribe that could be used as a model for CSKT. **Chairman McDonald** asked if there is any funding CSKT should apply for. Michael stated the program officer retired from the Northwest Area Foundation so there is a new principal officer and he is figuring out next steps. He thinks on a one-off basis the NWAFF still wants to be supportive of economic development work here, such as starting the innovation fund he had suggested. **Velda Shelby** requested approval to pursue tribal facilities to be used for a housing manufacturing facility. It was the **consensus** of council to continue pursuing a facility.

Council met in **executive session**. **Melanie Piedalue**, Personnel Department, was present for discussion.

Council met in **executive session** to conduct interviews for the Mission Valley Power Utility Board vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Greg Spahr, Financial Management, requested to meet with council in **executive session**.

Council reconvened into **regular session**.

MOTION by Martin Charlo to accept the results of the ballot and appoint Daniel DePoe to the Mission Valley Power Utility Board for a three-year

term. Seconded by Ellie Bundy. Carried, 5 for; 1 opposed (Bing Matt); 2 abstentions (Carole Lankford and Mike Dolson).

Chairman McDonald informed council that the response for us on the marijuana tax is a proposed meeting on September 30 in Helena. Legal and Administrative staff recommend having a small negotiation team meet with them that Friday.

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

Bill Barron, Gale Decker and **Steve Stanley**, Lake County Commissioners, met with council to discuss tribal/county issues. The Elmo fire was the largest fire in the state this year. **Council** appreciated the efforts and resources of the cooperating agencies. **Chairman McDonald** discussed the animal shelter and asked for any comments or input on the draft memorandum of understanding. The Commissioners reviewed the document. The sticking point was the present shelter being inadequate to handle the number of animals they get. The other thing is how we get a reliable and steady stream of funding for the shelter. The options and ideas for the present facility and how to fund it are their concerns. The shelter operates on donations, which is an unreliable stream of funding. There must be some funding stream in place to ensure they have what they need to operate. They wondered if they should look at the Missoula or Kalispell shelters to get some general protocols for their operation. Funding is a big issue and that needs to be figured out. **Chairman McDonald** discussed the dog ordinance CSKT was looking into so that every agency would know the rules for the city, county, and Tribes. Important elements include controlling animals, having spay and neuter clinics to control the population, and housing of the animals. The next meeting date is October 5 at 1:00 p.m. A budget needs to be developed to determine the cost to maintain an animal shelter. The Commissioners want to create a taxing district like what they have with the water/sewer and cemeteries so there would be a steady stream of income. It would be up to the voters to support a levy to support the animal shelter. The dog ordinance and the funding are the priority to be determined. It could cost up to \$1.5 million per year to operate the facility.

Tony Kramer, Election Administrator, discussed satellite voting offices. **Council** commented things are working well; they appreciate the staff and everything that was provided. **Gale Decker** informed council that the county has been trying to expand the Lake County Fairgrounds property. They would like to enlarge the rodeo grounds and have a true county fair, but they need more land to do that. The land by the fairgrounds is owned by the City of Ronan for the summer baseball program. The commissioners are proposing they go out on Mink Lane where there is 30 acres that the county and city co-own. The county would use their ARPA money to build baseball fields there and in exchange the county would obtain the baseball fields in Ronan. CSKT has 31.138 acres north

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of what the city and county own, so all together there is 62 acres. Part of the discussion was whether or not CSKT would be interested in forming a sports complex that would involve more activities than baseball. **Chairman McDonald** commented that the Tribes own the existing sports complex land so he does not know if there would be a change in use. It would be beneficial to do some planning. They did a planning exercise in the past for a sports facility in Ronan.

Billie Lee, Lake County Community Development, gave an overview of the fairgrounds property and grants the county applied for. The overall goal and design plan was laid out for all the grounds to redo the infrastructure and adding fiber into the grounds and updating the community center to be up to code and adding restrooms. The design plan calls for how to better use the arena area. Moving the sports complex would allow more access to the fairgrounds. They have money to do the infrastructure at the fairgrounds. The grant provides up to \$1 million for existing buildings, putting in some infrastructure on the property located north of the site, and they could look at what to do at the rodeo grounds if the sports complex could be moved to Mink Lane. Billie talked about getting the boat ramp project moved to the fairgrounds. County hired a design team to do an overview of the property to determine best use. The Fish, Wildlife & Parks Boat Access Program is interested in creating boat access into the lake and may fund the construction or at least a portion of it. The county is moving forward with the design and the engineer is in contact with the environmentalists and the CSKT Shoreline Protection Office. Lake County was a recipient of a \$12,941,413.00 RAISE Grant that will be used to reconstruct and pave Dublin Gulch and North Reservoir Roads in their entirety, as well as 1.3 miles of Lower Moiese Valley Road.

Chairman McDonald discussed the easements at Finley Point. Tom will go out with the Wildland Recreation Program Manager to review those sites, including the site to put in a fishing pier. Tom invited the commissioners to participate in the site visit. There was a complaint that someone was trying to prohibit people from walking into a boulevard in the Finley Point area. Tom will get the details on that. The area was posted as walk-in only and the adjacent landowner was trying to keep people out of it completely. If there are any easements the county wants to abandon, he would like the Tribes to take ownership of them. **Gale Decker** is aware that some of the landowners try to condense people from accessing the area.

Steve Stanley discussed the containment boom, which is a 35-year project. Silt curtain was purchased to be deployed in the event of a spill. Silt curtains would help first responders to contain any spills. When the barge sank, a silt curtain was brought in to respond to the incident. The boom does not spread once the silt curtain is deployed. It would be nice to support the Flathead Lakers to respond to spills. **Chairman McDonald** thought it would be nice to get financial support from the Flathead Lakers to respond to spills. He thought it would be a

good idea for the CSKT and County to jointly request support from the Flathead Lakers.

Chairman McDonald wants the Tribes and County to collaborate as much as possible to address the fentanyl epidemic and support the Drug Task Force. The CSKT Healing Court will be in operation starting next month. **Craig Couture**, Law and Order, discussed the drug epidemic. The State of Montana had 823 overdoses; 107 of those resulted into fatalities and Narcan saved 304 lives. Lake County had 46 overdoses; 7 were fatal and 18 lives were saved with Narcan. Tribal officers seized 29,815 fentanyl pills with a street value of just under \$2 million and multiple pounds of methamphetamines this year, which is more than the entire state saw last year. They get over 100 pills per day. CSKT is number one for fentanyl and heroin seizures in the state and number two for methamphetamine seizures. Chief Couture recommended that everyone be trained to administer Narcan. The average street value of fentanyl is \$30-\$40.00 per pill. It varies on supply and demand. The Tribal Health Department provided training to tribal staff on how to administer Narcan. He encourages all the schools and bus drivers to be trained on how to administer Narcan.

Steve Stanley received calls regarding the Jocko immersion project. The residents were supportive of the project but upset with the dust and speed of the truck drivers. It was graded and cleaned up and there will be some dust abatement on the road. Future projects on that road were discussed. The county wants to make that road better, but they cannot do the project alone. **Martin Charlo** appreciates the relationship between the Tribes and the County. We need to continue to work together to keep our communities safe.

Mike Dolson left the meeting for the remainder of the day for a cultural activity.

John Harrison, Chelsea Colwyn, Lynsey Gaudio, Stu Levit, and Michael Wheeler, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

MOTION by Carole Lankford to approve the resolution supporting the 2022 application to NDN Collective for Food Sovereignty Program funding. Seconded by Martin Charlo. Carried, 7 for; 0 opposed; 0 not voting).

RESOLUTION 22-155

A RESOLUTION SUPPORTING THE 2022 APPLICATION TO NDN COLLECTIVE FOR FOOD SOVEREIGNTY PROGRAM FUNDING

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

WHEREAS, the Confederated Salish and Kootenai Tribes' ("CSKT" or "Tribes") Tribal Council has the power and duty to protect the health, economy, security, and general welfare of the Tribes and thereby all the residents of the Flathead Reservation; and

WHEREAS, the Tribal Council, in Resolution No. 21-090, has identified hunger as a risk to the health, security, and general welfare of the Tribes, and as such, determined that it is necessary to establish food security consistent with the traditional principles and values as described in the Tribes' Mission and Vision statements; and

WHEREAS, the Confederated Salish and Kootenai Tribes has established a Food Sovereignty Team and is standing up a Food Sovereignty Pilot Program on the Flathead Indian Reservation in order to strengthen the Tribal food network as the Tribes look to create a permanent food entity that will support a robust Tribal food sovereignty system on the Flathead Reservation; and

WHEREAS, NDN Collective, which is an Indigenous-led organization dedicated to building Indigenous power, has grant funding available for community self-determination, including food sovereignty efforts;

NOW, THEREFORE BE IT RESOLVED, that the Tribal Council hereby approves the submission of a grant application to NDN Collective for the CSKT's Food Sovereignty efforts;

AND BE IT FURTHER RESOLVED, that the Chairperson of the Tribal Council or his designated representatives are authorized to negotiate and execute the application on behalf of the Tribes.

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

Council met in **executive session** to conduct interviews for the S&K Gaming, LLC Board of Directors vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Jennifer Finley to accept the results of the ballot and appoint Gene Sorrell to the S&K Gaming, LLC Board of Directors for a three-year term. Seconded by Jim Malatare. Carried, 6 for; 1 abstention (Carole Lankford).

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Martin Charlo informed council that the Bear Tracks Bridge dedication is scheduled for October 10 and is looking for arts and crafts vendors. Interested vendors can contact Martin for more information.

Council **adjourned**, and is scheduled to meet again on Thursday, September 22, 2022, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary