

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

Volume 23 Number 45
Council Chambers, Pablo, MT

Held: April 27, 2023
Approved: May 2, 2023

MEMBERS PRESENT: Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Ellie Bundy, Treasurer; Mike Dolson; Jennifer Finley; Jim Malatare; James “Bing” Matt; and Terry Pitts.

MEMBERS ABSENT: Martin Charlo, Secretary (Tribal Business – Washington, DC); and Carole Lankford.

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 9:04 a.m. Quorum established.

The meeting was opened with a **prayer** by Ellie Bundy.

The **Tribal Council Meeting Minutes** for April 25, 2023 were presented for approval.

MOTION by Ellie Bundy to approve the Tribal Council Meeting Minutes for April 25, 2023, with corrections. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

The **agenda** was presented for approval.

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

Chairman McDonald reminded council that the sign dedication ceremony at Grant Creek is next Monday in Missoula, at 2:30 p.m., with the County Commissioner and the Mayor. The Ronan Clinic dedication is next Thursday afternoon.

Thomas “Sonny” Lozeau requested to meet with council in **executive session** to discuss a personal matter.

Council reconvened into **regular session**.

Rick Eneas and **Shane Morigeau**, Tribal Executive Office; **Michael Hsu**, **Barry Wides**, and **Ammar Askari**, Comptroller of Currency Office; met with council as part of their Montana Indian Country Tour. The Comptroller of Currency Office supervises banks and ensures that national banks and federal savings associations operate in a safe and sound manner, provide fair access to financial services, treat customers fairly, and comply with applicable laws and regulations. Topics discussed included financing, credit, fair access to financing, financial literacy, financial inclusion, affordable housing, and small business development. The Native American Finance Officers Association and the Native Community Development Financial Institutions Network provide training, and advocate for good economic policies, capital, and resources for native communities. **Thomas “Sonny” Lozeau** commented he has an illegal mortgage with Eagle Bank and he gave the Comptroller a copy of the corporate charter. Sonny believes it violates the corporate charter and constitution to mortgage or sell any tribally owned land. His lease was cancelled in 2008 and Sonny has been waiting since 2015 to be foreclosed on. **Len TwoTeeth** mentioned the importance of offering financial literacy training to tribal members who have just turned 18 years of age. **Shane Morigeau** discussed predatory lending. The Tribes are economically disadvantaged because of rules and regulations and miss out on economic opportunities. **Mr. Hsu** stated there are enforcement actions against predatory lending. He believes tribes should have the opportunity to be financially healthy.

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

Jeanne Christopher, Early Childhood Services, requested approval of a resolution to request funding from the Department of Health and Human Services Office of Head Start for Head Start and Early Head Start and expansion funding. **Mike Dolson** pointed out some errors in the resolution. Jeanne will make the necessary corrections.

MOTION by Terry Pitts to approve the resolution to request funding from the Department of Health and Human Services Office of Head Start for Head Start and Early Head Start and expansion funding. Seconded by Ellie Bundy. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 23-085

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FUNDING THE EARLY CHLDHOOD SERVICES HEAD START/EARLY HEAD START AND EXPANSION PROGRAM

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

WHEREAS, the Confederated Salish and Kootenai Tribes are committed to improving the educational, training and employment opportunities of all children and families; and

WHEREAS, the Tribal Council has declared that the children of the Salish, Kootenai and Pend d'Oreille Tribes are our most valuable resource of the Flathead Indian Nation; **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes support the application submitted to the Department of Health and Human Services for annual funding for the Confederated Salish and Kootenai Tribes Early Childhood Services Head Start/Early Head Start and Expansion program for the children of the Flathead Indian Reservation; and

BE IT FURTHER RESOLVED, that the Tribal Council Chairman and/or his designated representative are authorized to negotiate and execute the grant documents and any amendments thereto.

Jeanne Christopher, Early Childhood Services, requested approval of a resolution to request funding from the Department of Health and Human Services Office of Head Start for the annual cost-of-living adjustment and quality improvement funds. **Ellie Bundy** pointed out some typos in the resolution. Jeanne will make the necessary corrections.

MOTION by Mike Dolson to approve the resolution to request funding from the Department of Health and Human Services Office of Head Start for the annual cost-of-living adjustment and quality improvement funds. Seconded by Jim Malatare. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 23-086

RESOLUTION APPROVING A COST-OF-LIVING ADJUSTMENT FOR EMPLOYEE WAGES TO BE INCLUDED IN THE GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) FUNDING THE EARLY CHILDHOOD SERVICES HEAD START/EARLY HEAD START AND EXPANSION PROGRAM, AS APPROVED BY HHS

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

WHEREAS, the Confederated Salish and Kootenai Tribes are committed to improving the educational, training and employment opportunities of all children and families; and

WHEREAS, the Tribal Council has declared that the children of the Salish, Kootenai and Pend d'Oreille Tribes are our most valuable resource of the Flathead Indian Nation; and

WHEREAS, the Department of Health and Human Services Office of Head Start has approved for grantees to receive funding for 5.6% Cost-of-living adjustment for employees of Early Childhood Services to be implemented in accordance with personnel policy; and

WHEREAS, the Department of Health and Human Services Office of Head Start has invested Quality Improvement funds to be used increase the level of care and service provided to Early Childhood Services students and families; **NOW, THEREFORE,**

BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes support the application submitted to the Department of Health and Human Services to increase the annual funding level with a Cost-of-living Adjustment and Quality Improvement Funds for the Confederated Salish and Kootenai Tribes Early Childhood Services Head Start/Early Head Start and Expansion program for the children of the Flathead Indian Reservation; and

BE IT FURTHER RESOLVED, that the Tribal Council Chairman and/or his designated representative are authorized to negotiate and execute the grant documents and any amendments thereto.

Teresa Wall-McDonald, Dan DePoe, Cindy Benson, and Gordon Fyant, Mission Valley Power Utility Board; **Craig Morigeau** and **Jeanne West**, Mission Valley Power Co-General Managers; and **Michael Wheeler**, Legal Department; requested to meet with council in **executive session** to discuss various issues regarding the utility.

Council reconvened into **regular session**.

MOTION by Ellie Bundy to approve the letter to John Hairston, Bonneville Power Administration, requesting to permanently remove the Hell Roaring Resource from Mission Valley Power's total retail load. Seconded by Mike Dolson. Carried, unanimous (8 present).

MOTION by Len TwoTeeth to approve the letter to John Hairston, Bonneville Power Administration, requesting to temporarily remove Boulder

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Hydro from Mission Valley Power's total retail load. Seconded by Mike Dolson. Carried, unanimous (8 present).

MOTION by Mike Dolson to approve the comments to Bonneville Power Administration on the regional policy to expand the definition of those utilities that can qualify and benefit from Tier 1 rates. Seconded by Ellie Bundy. Carried, unanimous (8 present).

Melissa Schlichting, Legal Department; and **Jordan Thompson**, Tribal Executive Office; requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Jace Smith, Natural Resources Department, discussed the bids for the Jocko Irrigation Canal to Pipe Project K-Canal System Materials Bid for phases 1 – 4. The bids closed on April 17, 2023. Jace recommended going with the low bids and tribal member vendors for shipping. **Len TwoTeeth** mentioned there is a tribal member security firm on the Indian Preference list that may need to be hired once the equipment is staged.

MOTION by Mike Dolson to go with the recommendations and go with the low bids for the Jocko Irrigation Canal to Pipe Project K-Canal System Materials Bid for phases 1 – 4. Seconded by Jim Malatare. Carried, unanimous (8 present).

Tara Irvine and **Zanen Pitts**, Tribal Lands Department, requested approval to advertise the 2023 Fireworks bid packet. The request was reviewed by the Land Committee.

MOTION by Len TwoTeeth to approve the advertisement of the 2023 Fireworks bid packet. Seconded by Ellie Bundy. Carried, unanimous (8 present).

Len TwoTeeth requested the status of the Big Arm Store property. **Tara Irvine** put it out for sovereignty to use it, but they changed their mind due to the significant amount of work that is needed. Nobody else has shown interest in the property.

Mark Couture and **Zanen Pitts**, Tribal Lands Department, presented a request from Agricultural Lessee # 4039 for a five-year extension through December 31, 2031 at the current lease rate. The lessee was awarded a five-year lease in May 2021 for \$2,000, and that lease expires December 31, 2026. The lessee plans to

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disk up 30 acres and replant with pasture mix, and plant oats, peas, and barley as a nurse crop. The lease contains 60 acres and the Tribes own 97% of the property. Options presented were: (1) approve the request; (2) deny the request; and (3) hold further discussion. The Lands staff recommended approving the request.

MOTION by Mike Dolson to go with option 2. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

Mark Couture, Zanen Pitts and Rachael Bigsam, Tribal Lands Department, requested to meet with council in **executive session** to review the Spring Bids.

Council reconvened into **regular session**.

MOTION by Bing Matt to go with option 3 and hold off on making a decision on the Spring Bids until additional information is obtained. Seconded by Jim Malatare. Carried, 6 for; 1 opposed (Tom McDonald); 1 abstention (Bing Matt).

Bing Matt requested the status of the Bigsam land exchange. **Mark Couture** advised the staff is working on it; there are some ownership issues that need to be sorted out.

Mark Couture, Tribal Lands Department, requested approval of a sole source contract with Manuel Marquez in order to pay him for services rendered already to deal with a water issue at the Black Bear Ranch.

MOTION by Len TwoTeeth to approve a sole source contract with Manuel Marquez through September 30, 2024. Seconded by Bing Matt. Carried, unanimous (8 present).

Mark Couture, Tribal Lands Department, requested approval of a sole source contract with Nicholas Hogan to provide appraisals on an as-needed basis.

MOTION by Bing Matt to approve a sole source contract with Nicholas Hogan to provide appraisals on an as-needed basis. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

Mark Couture, Tribal Lands Department, requested approval of a temporary closure of the Elmo burned area for management for a five- to seven-year period.

MOTION by Mike Dolson to approve a five-year temporary closure of the Elmo burned area for recovery of resources. Seconded by Ellie Bundy. Carried, unanimous (8 present).

Mark Couture, Tribal Lands Department, discussed an issue regarding the Moiese Road easement. The original easement on record with the county goes up and around where the existing road is where Crow Creek enters the river. The easement needs to be modified to reflect the current route.

MOTION by Mike Dolson to approve the modification to the Moiese Road easement. Seconded by Terry Pitts. Carried, unanimous (8 present).

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

Dan Decker and **Brian Upton**, Legal Department; **Dan Hansen**, S&K Gaming; and **Rob McDonald**, Natural Resources Department; requested to meet with council in **executive session** to give an update. **Velda Shelby** and **Janet Camel**, Economic Development Office, were present for discussion.

Council met in **executive session**.

Council reconvened into **regular session**.

Council **adjourned** at 3:05 p.m., and is scheduled to meet again on Tuesday, May 2, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary