

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

Volume 23 Number 71  
Council Chambers, Pablo, MT

Held: August 22, 2023  
Approved: August 24, 2023

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

**MEMBERS ABSENT:** Carole Lankford (Tiwahe Meeting – Salt Lake City, Utah).

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

The meeting was called to **order** at 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Len TwoTeeth.

The **Tribal Council Meeting Minutes** for August 17, 2023 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for August 17, 2023, with corrections. Seconded by Jennifer Finley. Carried, unanimous (9 present).

The **agenda** was presented for approval.

**MOTION** by Terry Pitts to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Jennifer Finley** informed council that she and Jim Malatare attended the Rocky Mountain Tribal Leaders Health Conference in Billings last week. Jennifer went to a presentation on the importance of nutrition and treating depression, anxiety and addiction. The presenter reported that 90% of opioid addicts are victims of trauma, in addition to nutrition and trauma are connected and need to be treated. She went to a presentation on alternative medicine. Jennifer would like the Tribal Health Department to do a survey and include questions about alternative medicine, asking what services they would like, including if they want access to acupuncture, chiropractic and naturopathy care.

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**Martin Charlo** informed council he attended the fire meeting in Plains. It was well attended. The Camas Prairie side is pretty well protected and our crews are doing a good job protecting that area. The meeting was streamed online.

**Martin Charlo** informed council there is a disc golf tournament in Kalispell/Whitefish this weekend and he requested approval for the CSKT to pay a \$100.00 platinum sponsorship. It was the **consensus** of council to approve the \$100 sponsorship.

**Martin Charlo** attended the fire meeting in Arlee. The crews are doing a great job on the Big Knife fire.

**Jim Malatare** informed council that he and Carole Lankford went to Elmo last Sunday morning. Mike Kenmille did an honor song for the firefighters and everyone dealing with fires, including Hawaii. The fire crews were moving out, and they appreciated the honor song. It was a good thing to honor the firefighters. Fighting fires is a tough job and is an important job, and Jim thanked the firefighters.

**Martin Charlo** mentioned Michelle Mitchell sent out an email about PIR Day and Shadow Devereaux is doing a video of the Tribal Council. Council needs to respond to that email so they can get the schedule done. Martin will forward the email to council again.

**Peter Matt** and **Gabriella Black**, Senator Tester's Office, met with the council to check in and see if there are any issues that need to be addressed. **Chairman McDonald** mentioned the fires and he hopes the senator will support bringing in any federal resources to help during the fire activity. Resiliency in the future and preparedness is key to us. Senator Tester has been on the forefront for many things that benefit Indian country and leading the charge on many things, and the Tribes appreciate that. **Mike Dolson** extended his gratitude for the senator supporting the extension on the Progress Act rulemaking. Peter has been attending all of the fire meetings. **Jennifer Finley** advocates for resources for mental health and addiction. There is inadequate care, especially on the reservation. We have tribal members in jail who do not belong incarcerated that need mental health care services. We do not have the resources we need and many people are not getting the mental health care that is needed. **Chairman McDonald** mentioned the timeline that will be ending soon for the Tech Mining operations in the headwaters of the Kootenai River in Canada. We have four weeks remaining for an outcome. The CSKT advocated and submitted its own reference request for the International Joint Commission and to include Indian Tribes in the solution to the pollution in the Kootenai River. Gabriella will take the requests under advisement and follow up on any possible resources available. Senator Tester secured advanced appropriation for Indian Health Service for the second year to help with budget certainty and avoid any losses.

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The senate and house must agree on a final appropriations bill. **Chairman McDonald** thought the land and water fund initiative to provide set aside for tribes was a tremendous move forward. CSKT has been advocating for equal treatment as states for that funding and for the federal wildlife aid act and federal aid in sporting good act aid. We pay taxes on sporting good equipment, gasoline, guns, and ammunition, but we are not included in the formula and the money does not come back to us and that is an insult. He wants support for the federal excise tax aid. Tom would appreciate the senator's support on the American Wildlife Restoration Act bill that includes funding for Native American tribes. Gabriella responded there was uncertainty about a funding bill and it did not pass this past legislative session, but she hopes it will get support in the future. **Jennifer Finley** stated the Two Eagle River School language programs are funded by tribal dollars because the Bureau of Indian Affairs does not fund language teachers. We have to revitalize our language due to federal policy. She wants more funding to fund language teachers. An important part of Two Eagle River School is revitalization of the language. Jennifer is not sure the status of the Truth, Healing and Reconciliation Act, but she hopes the records for the boarding schools get released. Those records are important for the public to have. Gabriella responded two bills were signed into law regarding native language. One bill had to do with the Department of Education compiling a report and the second bill was to establish a Native American Resource Center at the Department of Education to compile resources and best practices to teach native languages for schools to utilize. There were talks about doing bills that have to do with funding native teachers to teach the language and is something Senator Tester and other senators are looking at. The Truth and Healing Reconciliation Act is waiting for passage through the senate. It establishes a commission to look at the effects of boarding schools on tribes and it gives them power through the Freedom of Information Act that will help tribes obtain the records from churches and schools.

**Shane Hendrickson**, Bureau of Indian Affairs Superintendent, gave an update on local fires. Mike Barron's team was overseeing the Big Knife, Mill Pocket and Niarada fires and the team was split into two teams; one was in Elmo and one was in Arlee. That team was big enough to do that. As we got some rain, they were able to get a handle on these fires. He is working with the Division of Fire and they agreed to downsize once that team timed out, and they agreed to have one team in Elmo and one in Arlee. **Robert Bernie** is the Incident Commander for Nirada and Mill Pocket Fires. The Nirada and Mill Pocket fires are now 100% contained and there has been no parameter growth. The Niarada fire is 20,365 acres in size and the Mill Pocket fire is 1,800 acres in size. The total cost for both fires is just under \$9 million. They are currently backhauling the equipment off the hill. 20-30 people will do the repair work. Today is the last day at the Elmo Pow Wow grounds; Ronan will be supporting the folks from here on out. **Terry Pitts** commented there have been 55 miles of fence that has burned and some landowners and lessees were asking on some of the back burns if they could

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start them on the other side of the fence instead of starting them on the that side of the fence and burning the fence. Robert responded they may have needed access to the roads to get the equipment in there and access to water, but he will follow up. Ron Swaney will get with Terry and discuss further. **Jim Malatare** received questions from someone who had a campsite by Sheila Matt's place. When the fire came over the top, they abruptly moved people out of there and Sheila wanted to know why there was a quick change. **Ron Swaney** spoke directly with Sheila. When the fire initially came across Camas Prairie towards her property, they set up structure protection around Sheila's home and any other homes that were in immediate threat. The team held people there all night and did an analysis the next morning to look at opportunities to dig lines. They set up at the Camas School. The fire was then turned over to an incident management team. There were so many variables. Ron explained to Sheila what was going on. The team met with Katie McDonald to make sure nothing would be damaged so they could make a suppression plan to protect tribal cultural resources. They are working with the team to identify where they can dig lines and protect tribal lands and structures. The team is trying to protect homes until they know where the lines are going to be dug. There will be a meeting at the Plains High School today at 5:30 p.m. **Caleb Olander**, Incident Commander Trainee, has been working with Shane and Ron to come up with objectives to manage the Jocko primitive area. They are aware what can happen when the weather warms up; the fire is not out yet. There are currently 221 crew members on the fires. They have a secured line on the Big Knife fire. **Brad Bergman**, Incident Commander, reported the fire is 13% contained and the cost is at \$10 million so far. This is a season delaying event; the fires are not out yet. The Fire Behavior Analyst is heading to the Jocko lookout. Tactics remain the same. Hotshots are working in the Agency Creek and are monitoring it. The S Canal Fire was backing down to the canal and road. The crews laid four miles of fire hose. They have a protection strategy where they cannot insert people in there due to safety concerns. They will talk to Ron and Shane to recommend the next organization that will replace this team. They are waiting to see how much more rain is received.

**Shane Hendrickson**, Bureau of Indian Affairs; and **Ron Swaney**, Division of Fire; discussed a request from Brent Olson, Northern Rockies Team Incident Commander, for a closure of a portion of the lower Flathead River to all surface water use from the CSKT reservation border upstream to the Perma bridge. The purpose of this closure is to mitigate conflict between river users and firefighting forces, including aerial resources. The history of the River Road East Fire is one of exponentially swift growth potential and a closure would help mitigate access and egress conflict to areas of the fire in the future, should it continue to grow in the direction of the proposed closure. The concern is interference with dipping operations. They are getting people in rafts and boats drifting into the fire and walking into the fire to take photos.

**MOTION** by Terry Pitts to approve the request to close a portion of the lower Flathead River to all surface water use from the CSKT reservation border upstream to the Perma Bridge. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Yolanda Page**, Legal Department; and **Maylinn Smith**, Tribal Prosecutors Office; requested to meet with council in **executive session** to discuss a departmental matter. **Joe Butterfly** joined the discussion.

Council reconvened into **regular session**.

\*\*\*\*\* **Break** \*\*\*\*\*

**John Neiss**, Facilities Maintenance; and **Chad Cottet**, **Dan Durglo** and **Payton Lefthand**, S&K Technologies; requested approval of SKMM Task Order 17 in the amount of \$402,695.00 for 5 paving projects. The areas included in the paving project are the Elmo Clinic parking lot, Elmo Kootenai Hall parking lot, Fish & Game/Fisheries Compound in Polson, and extend the Long House parking lot and the DEWR parking area at Kicking Horse.

**MOTION** by Martin Charlo to approve SKMM Task Order 17 in the amount of \$402,695.00 for a paving project. Seconded by Ellie Bundy. Carried, unanimous (9 present).

**John Neiss**, Facilities Maintenance; **Chad Cottet**, **Dan Durglo** and **Payton Lefthand**, S&K Technologies; requested approval of modification 1 to SKMM Task Order 12 in the amount of \$319,929.95 to complete the work at the Elmo Pow Wow grounds at the same time as Task Order 17. **Len TwoTeeth** requested the status of the access road to the Elmo Maintenance building and asked if SKMM could get it done. John responded it is under the Roads program and Rick was going to call Scott about it, and he has not heard anything back yet. **Jennifer Finley** asked about the status of the Visitors Center in Ravalli and she wanted to know if there have been any meetings about it. **Dan Durglo** had a conversation with Jordan about who is going to be part of it and who will be housed there so they can discuss the size and scope of the facility. They met with Jordan in July and he was going to be out for a couple of weeks, so they need to see when he will be available for a meeting.

**MOTION** by Martin Charlo to approve modification 1 to SKMM Task Order 12 in the amount of \$319,929.95 to complete the work at the Elmo Pow Wow grounds at the same time as Task Order 17. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Martin Charlo** mentioned the Arlee Pow Wow grounds paving was not done yet, and he wanted to know its status. **Chad Cottet** explained there were time

constraints to get it done before the pow wow. The last meeting with Rick, the determination was that they needed to put together a one-, three- and five-year plan to make sure the short-term plans meet the long-term goals so they would not end up in a time crunch. The plan is to get with the Project Manager and stakeholders and identify those so it can be accomplished without a rush next year. **Chairman McDonald** would like to have the conceptual designs expedited. It has been disappointing for the council that a year and a half year later we still have nothing. **Len TwoTeeth** stated there are a number of long-term goals that were identified for both pow wow grounds, and this contract addresses a few of them. Len wants to add the construction of the RV sites on the Elmo Pow Wow grounds and asked them to come back with an amendment to the contract to include the RV sites. Len wants to get the process started and have it done before the next pow wow, and he wants the Pow Wow Committee to participate in the planning process. **Chairman McDonald** stated there is some other work needed at the pow wow grounds, including fencing. The contracts with both pow wow grounds are not completed yet; this contract is just for some other work that needed to get done, and it will all be taken care of. **Jennifer Finley** hopes they will make every effort to work with native architects for the Visitors Center and other projects. We need to seek out native architects for all of our projects. It will be a flagship building project for the Tribes. She asked if there were any discussions with the Natural Resources Department about where they want to be located. **John Neiss** responded the department head has not said anything about that. They will be working on the DEWR project soon. It would be ideal to build a one-story Tribal Health Department clinic in Polson and give the Natural Resources Department the current clinic, and then we could get rid of the building the Natural Resources Department is in which has outlived its usefulness.

**Ruth Swaney**, Financial Management, requested approval of modification 15 to the fiscal year 2023 Total Budget Allocations. Increases and decreases in General Fund and increases in Compacts, Contracts, and Grants are available to appropriate in fiscal year 2023 to the programs, services, functions, and activities approved by the Tribal Council. The net increase is \$44,355,656 which brings the revised allocations to a total of \$350,509,656.

**MOTION** by Martin Charlo to approve by resolution modification 15 to the fiscal year 2023 Total Budget Allocations. Seconded by Mike Dolson. Carried, 9 for; 0 opposed; 0 not voting.

#### **RESOLUTION 23-145**

#### **RESOLUTION APPROVING MODIFICATION 15 TO THE FISCAL YEAR 2023 TOTAL BUDGET ALLOCATIONS**

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

**WHEREAS**, increases and decreases in General Fund and increases in Compacts, Contracts, and Grants are available to appropriate in FY 2023 to the programs, services, functions, and activities approved by the Tribal Council; and

**WHEREAS**, the increases and decreases in total allocations by Fund and by Function are as follows:

Function	Total Revised Mod 14 - 8/3/2023	Increase/ (Decrease) General Fund	Increase/ (Decrease) Compacts, Contracts, and Grants	Total Increase/ (Decrease)	Total Revised Mod 15 - 8/22/2023
<b>PERMANENT</b>					
Government Services	\$840,000				\$840,000
Government Operating	\$750,000				\$750,000
Capital Programs	\$2,000,000				\$2,000,000
Per Capita	\$12,096,000	(\$220,000)		(\$220,000)	\$11,876,000
<b>SUBTOTAL, PERMANENT</b>	<b>\$15,686,000</b>	<b>(\$220,000)</b>	<b>\$0</b>	<b>(\$220,000)</b>	<b>\$15,466,000</b>
<b>MANDATORY</b>					
Government Services	\$19,163,357		\$43,729,279	\$43,729,279	\$62,892,636
Health and Human Services	\$101,454,105		\$1,104,019	\$1,104,019	\$102,558,124
Natural Resources	\$67,405,511		\$697,489	\$697,489	\$68,103,000
Government Operating	\$2,064,000	\$55,000		\$55,000	\$2,119,000
Education	\$10,706,981		\$1,711,703	\$1,711,703	\$12,418,684
Administration	\$21,755,896	\$55,000		\$55,000	\$21,810,896
Court/Probation	\$1,696,548			\$0	\$1,696,548
Law Enforcement	\$3,234,891		\$8,000	\$8,000	\$3,242,891
Legal	\$3,436,000			\$0	\$3,436,000
Forestry	\$7,793,404		\$383,710	\$383,710	\$8,177,114
Capital Programs	\$865,000			\$0	\$865,000
Indirect Costs	\$4,041,000			\$0	\$4,041,000
<b>SUBTOTAL, MANDATORY</b>	<b>\$243,616,694</b>	<b>\$110,000</b>	<b>\$47,634,200</b>	<b>\$47,744,200</b>	<b>\$291,360,894</b>
<b>DISCRETIONARY</b>					
Government Services	\$11,168,750				\$11,168,750
Health and Human Services	\$17,836,500				\$17,836,500
Natural Resources	\$11,709,000				\$11,709,000
Government Operating	\$820,350	\$110,000		\$110,000	\$930,350
Education	\$585,845				\$585,845
Administration	\$181,250				\$181,250

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Tribal Earmarks	\$4,549,651	(\$3,278,544)		(\$3,278,544)	\$1,271,107
<b>SUBTOTAL, DISCRETIONARY</b>	<b>\$46,851,346</b>	<b>(\$3,168,544)</b>	<b>\$0</b>	<b>(\$3,168,544)</b>	<b>\$43,682,802</b>
<b>TOTAL APPROPRIATIONS</b>	<b>\$306,154,040</b>	<b>(\$3,278,544)</b>	<b>\$47,634,200</b>	<b>\$44,355,656</b>	<b>\$350,509,696</b>

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 15 to the FY 2023 Total Budget Allocations for Compacts, Contracts, and Grants for a net increase of \$44,355,656; and

**BE IT FURTHER RESOLVED** that the FY 2023 Total Budget Allocations are increased from \$306,154,040 to \$350,509,696; and

**BE IT FURTHER RESOLVED** that the Office of Financial Management is delegated authority to revise, reallocate, and correct the amounts for programs, services, functions, and activities within the Total Budget Allocations authorized and available in the aforementioned Funds.

**Chairman McDonald** informed Ruth that the council had discussed the direct funding from BIA to build a new building and he wanted to know if that would be a better way to go. **Ruth Swaney** answered it is not a simple answer. We should explore the opportunities to get the lease funding for the facilities we already built that programs are occupying. For example, in the new Complex the Lands Department is wholly funded with BIA and also IIM accounts. The Tribes can recoup the costs through lease for the space they occupy. It is the same with Tribal Health, like the old hospital in St. Ignatius and the clinic in Polson. If we built a building it could be proposed for lease. There is a way we can recoup principal and interest for construction if we had a loan. There is no direct federal funding to build our facilities, such as IHS, which has a priority system. If IHS built it, they would give us funding to staff and equip it. Ruth has provided information to Rick regarding compact programs and the staff and space they are currently using. There may be less indirect cost reimbursement due to shifting the costs. There would need to be funding for the upkeep of the building.

**Teresa Wall-McDonald**, Mission Valley Power Utility Board, requested approval of the Energy Keepers, Inc. power confirmation documents. Energy Keeper's Inc.'s power confirmation to Mission Valley Power must be in their hands no later than August 25, 2023, to enable them to be able to make power reservations for the irrigation block. Without the power reservations, there is no power to provide to the Flathead Irrigation pumps. The rate at which Mission Valley Power purchases the irrigation block is adjusted upwards on September 4 due to the CPI.

**MOTION** by Martin Charlo to approve the Energy Keepers, Inc. power confirmation documents. Seconded by Mike Dolson. Carried, unanimous (9 present).



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**Teresa Wall-McDonald**, Mission Valley Power Utility Board, requested approval of the second confirmation for April 1, 2024 through September 4, 2024. A legal analysis will be done and Michael Wheeler and Ryan Rusche will determine who should pay the transmission or wheeling charge in the long term. Mission Valley Power is paying that charge right now.

**MOTION** by Martin Charlo to approve the second confirmation. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Michael Wheeler**, Legal Department, informed council that he is working with Teresa Wall-McDonald to find options to shift that burden off Mission Valley Power. Mr. Wheeler and Teresa will follow up and inform council at the completion of that deal.

**John Harrison**, Legal Department; **Carol Hatfield**, **Ryan Powell**, **Marcus Chin**, and **Tad Wehunt**, Flathead National Forest; **Tony Incashola, Jr.**, Tribal Resources Management; and **Katie McDonald**, Tribal Preservation Office; met with council to introduce Carol Hatfield, Acting Forest Supervisor, and to continue consultation and discussion with the Council regarding partnership opportunities between the Flathead National Forest and the CSKT. They discussed the Good Neighbor opportunities, and the challenges and opportunities managing public lands and associated resources. The Flathead National Forest is working on a regionwide G&A agreement. **Chairman McDonald** was concerned about the impacts of climate change, population increases, record low water levels, and how can we continue to protect the habitat and our treaty rights. The Tribal Council was invited to go on fieldtrips in areas of interest. The Flathead National Forest wants to bring the Tribes in at the early stages of any planning projects. **Chairman McDonald** would like to have a tribal employee funded under the Good Neighbor Authority to have hands on the ground. **Tony Incashola, Jr.** stated with the secretarial order and consultation, there has been a request for consultation, especially with G&A. There is a master agreement in final review that would allow us to do smaller projects. We are in a cost-share agreement to fund a Tribal Relations Specialist to be housed here. We want to have that funded position through G&A to help coordinate and communicate these efforts with our internal staff. CSKT has limited capacity and Tony wants to make sure we are at the table. The Tribes would like to go on fieldtrips and have a seat at the table. Steve McDonald serves as the Tribal Forest Manager. The agreement opened the door for stream restoration and timber management and the agreement strengthens our relationship. **Chairman McDonald** talked about species of concern that is important for us to have larger populations to withstand the unknowns in the future. The Tribes want to ensure our access is never restricted. **Carol Hatfield** informed council that the Flathead National Forest is working on the river management plan and will reach out to the CSKT. They are in the beginning stages of determining capacity and working with the park because they have

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different thoughts than the Forest Service, and it is important to involve the Tribes. **Chairman McDonald** would appreciate the Tribes being involved in that project. **Katie McDonald** commented that each forest surrounding our reservation is our aboriginal territory and has special locations, and she hopes through continued consultation and conversations with the elders that we could have encampments, those days we are there for extended periods of time, and the locations be blocked off to the general public so tribal members can be there. We need to find those locations and have those opportunities. Ryan talked about the Forest Foundation doing the Wood For Life program in the west and they are exploring the possibility of having it here. They need to determine if there is a need for a supply of fuel wood, with the understanding the Tribes have their own industry, but how can we coordinate and distribute wood debris that gets burned in slash piles, how the FNF can partner with the Tribes to get it where it needs to go, and if there a capacity for that. **Chairman McDonald** advised we have some programs and firewood is a critical service that we try to provide to our community and elders. **Tony Incashola, Jr.** would be interested in entering into some type of partnership with the Flathead National Forest. Tribal members can process it and deliver the product to tribal members. CSKT can find a location if the product is available. **Chairman McDonald** suggested expanding the Mission Mountain Youth Crew. **Tad Wehunt** responded that the Flathead National Forest is very interested in that type of partnership. **Ryan Powell** informed council that the Flathead National Forest just completed its third year with the Mission Mountain Youth Crew. They help out the crew that is helping the Flathead National Forest on various projects. Tony asked everyone to meet in the conference room to exchange contact information and discuss steps moving forward.

**Jennifer Trahan** informed council that the Economic Development Office is in the process of scheduling the midyear shareholder meeting at the Kwataqnuq and asked if council was available on September 14 or 21. **Council** scheduled the meeting for September 14.

\*\*\*\*\* **Lunch** \*\*\*\*\*

**Dan DePoe, Art Caye, Ron Couture, Brian Brazil, Bob Bell, Leonard Michel,** and **Deano Thomas**, Tribal Members, had some questions about the off-reservation bison hunt regulations. Dan read some questions he received from concerned tribal members. They feel the membership was left out of the process. They questioned why such strict rules were put into effect, what are the outcomes the Tribes are looking for, when will the regulations come into effect, and won't it harm the hunters by decreasing access for tribal members and elders. Dan requested to continue the discussion in **executive session**. **Dan Decker** and **John Harrison**, Legal Department; **Rich Janssen** and **Whisper Camel-Means**, Natural Resources Department; were present for discussion.

**Deano Thomas**, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter.

**Dan Decker, Shane Morigeau, Brian Upton, Melissa Schlichting, Zach Zipfel, Lynsey Gaudio, Michael Wheeler, and Chelsea Colwyn**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Eric Hull**, Natural Resources Department, was present for discussion.

**Dan Decker, Shane Morigeau, Brian Upton, Melissa Schlichting, Zach Zipfel, Lynsey Gaudio, Michael Wheeler, and Chelsea Colwyn**, Legal Department, continued to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

**MOTION** by Len TwoTeeth to approve by resolution a 13-month sole source/noncompetitive retainer contract with Mercury Public Affairs, LLC. Seconded by Jennifer Finley. Carried, 8 for; 0 opposed; 1 not voting (Ellie Bundy out of the room).

#### **RESOLUTION 23-146**

#### **A RESOLUTION THE ENTER INTO A CONTRACT FOR CONSULTATION AND PROFESSIONAL SERVICES WITH MERCURY PUBLIC AFFAIRS, LLC**

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

**WHEREAS**, the Tribal Council, as primary governing body of the Flathead Nation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes; and

**WHEREAS**, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes; and

**WHEREAS**, the Confederated Salish and Kootenai Tribes wish to secure, and Mercury Public Affairs, LLC wishes to provide their personal, professional, strategy, management, consultation, and public affairs services; and

**WHEREAS**, Mercury Public Affairs, LLC has agreed to provide their personal professional services according to the terms and conditions of a contract for consultation and professional services; **NOW, THEREFORE**,

**BE IT RESOLVED**, the Tribal Council approves said agreement and authorizes its execution by the Chairman and the Tribal Secretary.

**Brad Pluff**, Tribal Court, requested to meet with council in **executive session** to discuss a personnel matter. **Dan Decker**, **Shane Morigeau** and **Michael Wheeler**, Legal Department; **Rick Eneas**, Tribal Executive Officer; **Craig Couture**, **Louis Fiddler** and **Desmond Joseph**, Law & Order; **Maylinn Smith**, Tribal Prosecutors Office; **Greg Spahr** and **Ken Bauer**, Financial Management; and **Patty Stevens**, Tribal Court; were present for discussion.

Council reconvened into **regular session**.

\*\*\*\*\* **Break** \*\*\*\*\*

**Christopher Largent**, **Mary Beth Beaulieu**, **Laurie Battaglia**, **Jessica Purdy**, and **Laurie Fathom**, Aligned at Work, met with council to give an update on the discovery phase report. **Rick Eneas**, **Lisa Shourds** and **Greg Spahr**, Executive Team; and **Renee Joachim**, Personnel Department; were present for discussion. The four phases of work are (1) Why We Work - the tribal vision and how that vision is communicated and establishes work and cultural values, as well as ethical standards; (2) Doing The Work - getting jobs done that are aligned with tribal vision, implementing the mission of the Tribes in day-to-day work; (3) Document the Work – recording how things are happening; and (4) Reviewing the Work – how work aligns with tribal vision and mission. They reviewed the project timeline. Aligned at Work was contracted for six months and the contract will end in September. The progress report included the discovery process and deliverables. There was an employee survey conducted and there were three main themes that focused on: (1) Diversity and equity within the workplace. Challenges are prioritization and promotion of tribal members, promotions are not available to all, staff do not feel that their contributions are respected, and nepotism, sexism, and lack of cultural understanding. The recommended actions to take included continue to update policies and procedures; train all leaders and staff members to understand and support the work being done; communicate repeatedly within and between departments and throughout the tribal government; build a workplace environment and values that foster a feedback culture; designate oversight for this work and accountability for changes throughout the tribal government.

(2) Fairness and justice. Challenges are policies are not implemented equitably, wages are not equitable and rate of pay is poorly aligned, ethical standards are inconsistent, employees lack psychological safety in the reporting process, and the discipline policy is poorly understood. The recommended actions include leaders must serve as role models and promote equitable conduct and policy adherence; standardized compensation, benefits, and job descriptions (evaluate and adjust the pay rates to reflect current labor market conditions and establish

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wage monitoring and assessment and institute regular equity reviews); reporting concerns or ethical issues by allowing for anonymous reporting and provide multiple entry points to reporting and develop a structure and policy that encourages reporting and protects the reporting party. (3) Leadership and organizational clarity. Challenges include process improvement is not prioritized; employees do not feel heard; performance appraisals are poorly implemented and ineffective; existing personnel structure is inefficient; and physical work environment conditions are inadequate in some offices. The recommended actions to take included: make process improvement a priority, embedded into the regular work; hold leaders accountable for regular communication and feedback; prioritize coaching and mentoring to develop staff; personnel structure: restructure and realign for efficiency, and streamline processes and utilize technology to automate tasks; facilities and equipment: give people what they need to do their jobs. Priority maintenance and renovation, improving the maintenance request process and accountability; and promote a workplace environment and values that foster safe, healthy, efficient workplaces.

The consultants want to do things the way it suits tribal culture and the way the Tribes want things to be. The consultants recommended training and development; personnel policy and procedure writing and training; coaching 1:1 and teams; and workplace environment consulting. Recommendations by the consultants were: (1) Training and Development: aligned leader training; professional development courses; leader and team member assessments for personal and professional growth and self-awareness; and technical training available. (2) Personnel Policy & Procedure Writing and Training: continuing work on policies and procedures; training for leaders and team members; performance standards set; and salary practices reviewed and changes recommended. (3) Coaching 1:1 and Teams: executive and leadership coaching; strength-based coaching; team coaching for building trust, alignment and communication, efficiency, and accountability; and mentoring available. (4) Workplace Environment Consulting: change management; consulting on steps to take for better work environment; ongoing support for leaders and team members to shift the work culture and climate.

The ideal work environment includes communication, align, document, train/coach, and assess. There was an overview of the implementation timeline which goes through 2025. The consultants recommended that the Tribes appoint an internal communications lead; the executive team take two days to do strategic planning and make a plan; conduct a survey; assess what is working and what is not working; obtain employee feedback; streamline processes; pilot the leadership training with the Executive Team and then roll it out to leadership; identify and assess who is next in line for leadership training and team alignment.

Tribal Council Meeting Minutes  
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Council **adjourned** at 4:44 p.m., and is scheduled to meet again on Thursday, August 24, 2023, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

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Martin A. Charlo  
Tribal Council Secretary