

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

Volume 23 Number 29
Council Chambers, Pablo, MT

Held: February 21, 2023
Approved: February 23, 2023

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

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. **Martin Charlo** is at the National Congress of American Indians Conference in Washington, DC, and will participate in the council meeting when possible.

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

The **Tribal Council Meeting Minutes** for February 16, 2023 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for February 16, 2023, with corrections. Seconded by Mike Dolson. Carried, unanimous (10 present).

The **agenda** was presented for approval. **Chairman McDonald** added to the agenda a draft memorandum to Salish Kootenai College and discussion about the Election Committee.

Jennifer Finley gave a report on her trip to Helena to attend the State-Tribal Economic Development Commission meeting last Wednesday. Agenda topics included cross-promoting each other by developing a passport where individuals could visit each reservation and receive a stamp on their passport when they visit certain areas, such as the Crow Fair, Bison Range, or the Arlee Pow Wow. Once the individuals receive all their passport stamps they would receive a gift from the Tourism Department. The Tribal Council would need to approve usage of the tribal seal on the passport stamp and identify which CSKT areas and events would be highlighted. There was a presentation by the Montana Department of Labor on apprenticeships. Some of the trades there are

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apprenticeships for are bison herding and elevator repair and the participants would receive hands-on training. If the Tribes are interested in having an apprenticeship program they could work with Salish Kootenai College to develop the curriculum to provide on-the-job training.

MOTION by Ellie Bundy to approve the agenda, with changes. Seconded by Len TwoTeeth. Carried, unanimous (10present).

Chairman McDonald gave a report on his trip to Helena yesterday. Tom gave a speech to the congressional delegation. CSKT has no mechanism to receive funding for wildlife fencing, and Joe Read will be working on it through the State to help tribes. The Tribes have the means to do everything Joe Read has in his bill, so his bill is not necessary. Senator Tester, Senator Daines, Representative Zinke, and Representative Rosendale spoke yesterday, and Tom had the opportunity to meet with them. **Mike Dolson** would like a copy of the speech. **Chairman McDonald** can forward council a copy of it.

Chairman McDonald requested the council members review the memo to Salish Kootenai College; he would like to get it sent to SKC by the end of the day once council reviews it.

Chairman McDonald asked if a decision was made regarding the Election Committee. **Len TwoTeeth** stated the council decided to go with 5 at-large tribal members and a Legal Department representative to serve as the committee. **Mike Dolson** informed council that Carole had requested one council member be appointed, and Mike recommended having the five council members not up for election and then add a tribal member citizen and a legal representative. **Carole Lankford** clarified that the attorney would not a member of the Election Committee; that person would serve as a legal advisor. **Martin Charlo** agreed with Mike's recommendation to have the five council members not up for election serve as the committee. We need that involvement to make sure we do not do things that could incite litigation against the Tribes for things that are only privy to events around the council. Martin preferred to leave the committee as is. **Bing Matt** agreed with Mike's recommendations. He would like to leave it as is and have the five council members not up for election and a legal representative assigned. Mike Dolson served as the council's legal advisor during the last election and that worked out fine. **Carole Lankford** commented it is the appearance that the other five council members are tainted. The people want it to be more independent from the governing body. **Jennifer Finley** wants tribal member involvement for transparency. There were some glaring mistakes with the last election regarding the dates which, on the outside, was confusing and raised a lot of questions. If tribal members were involved in the process more eyes would be looking at it, it would not be such a mysterious process, people would know what is going on, and the membership would be more reassured of fairness. **Ellie Bundy** recommended keeping it with the five council members, a

tribal member and a legal representative. **Terry Pitts** mentioned it used to be the five council members not up for election. If we went to the community, we need to make sure we have one from the north and one from the south. The committee needs to be an odd number. **Chairman McDonald** recommended the legal advisor be the department head that serve as a non-voting member of the committee. Having witnesses could be critical. Another alternative could be that we look to our elders to provide a representative to observe the election process and the Election Committee. The Salish Committee and Kootenai Committee could each select one person to be an observing member of the committee. **Council** will continue the discussion later today.

Scott Johnston, Natural Resources Department, requested approval to enter into a noncompetitive negotiations contract with design consultant DJ&A. DJ&A completed various stages of design for projects that were delayed for various reasons under Contract # 16-184, which has now expired. The projects are now ready for the designs to be completed for bid-ready plans and specifications to be constructed in fiscal years 2023-2024. The projects are Elmo – Indian Avenue (Albert Lane), Dixon Agency Homesite Street Improvements, Revais Creek Bridge Replacement, St. Mary’s Lake Road Bridge Replacement, and continued work on general funding opportunities, including the NSFLTP grant. Carole Lankford requested there be aerial lighting at the Dixon Agency. It was the **consensus** of council to have lighting at the Agency. **Len TwoTeeth** requested a status report on the walking track between Big Arm and Elmo. Scott is developing a matrix for all the paths to be reviewed. It is ready to submit for the next funding opportunity that comes along for that. There is a scope of work for it and when funding becomes available the survey can be done. Len asked if it could be included in next year’s budget. Scott could add it into the next budget. He is putting together the tribal transportation improvement plan and he will be meeting with the Transportation Committee in the next two months. Len wants to keep apprised of that meeting so he can attend. There is a BIA road located in the subdivision north of Elmo that traverses north and goes through some of those fee parcels up there. The road has an easement to the Tribes that the community has used in the past to access Chief Cliff and Big Meadow area. There are some new houses going up there and the landowners are fencing their property which includes that particular road. Len wants the landowners notified that the Tribes have an easement and will continue to use that road. Scott requested a meeting with Len to obtain detailed information on which roads he is referring to. Len will set up a meeting with Scott.

MOTION by Len TwoTeeth to approve entering into a noncompetitive negotiations contract with design consultant DJ&A. Seconded by Ellie Bundy. Carried, unanimous (10 present).

Chairman McDonald mentioned to council that Sonny Lozeau had recommended changing the name of the town of Dixon to Jocko City. Council

would need to take action to being the process to change the name. It was the **consensus** of council to look into the name change.

Miranda Burland, Tribal Education Department; and **Mike Perry**, Arlee School District; presented the 2021-2022 Indian Education Report for the Arlee School District. Both school bonds were passed. They will break ground in February and the project should be completed in the fall of 2025. Carole Lankford had questioned Mr. Perry about the numbers of CSKT students and that information is included in the report he provided. Scott gave a report on the Smarter Balance testing scores. The Kindergarten scores are as low as he has ever seen them. Mr. Perry can send the council a copy of the other local testing system that gives more in-depth information about where the students are at compared to the Smarter Balance testing. The students are way behind in testing scores. Mike Dolson asked about the Indian Education For All program. It is a robust program due to the staff. There is a K-6 teacher dedicated to Native American studies. Grades 7-12 have a committed staff to bring Indian Education For All to bring into every classroom. The teachers find a way to bring that into every classroom. A cultural aspect to the music program is missing. The school lost the music instructor last year and does not have a music program this year. They like to bring the Native American culture into the music program. The school district is involved with the University of Montana with the Social & Emotional Learning in Arlee (SELA) Project and it has been a terrific program. The program provides social and emotional learning opportunities for the Native American youth. The school just received another grant that will allow them to increase the program to grades K-6. The school is involved in the Gear Up program, which is a program for post-high school education. Miranda Burland informed council that Mr. Perry was named Superintendent of the Year and he received a national award, as well. The new principal has taken over the Math program for grades K-12. The school district hired a literacy consultant that works with teachers and observes the teachers giving their lessons and provide advice on how to improve instruction to students. The consultants know our scores and are helping to improve those. **Chairman McDonald** asked about the low participation numbers in the Upward Bound program. There are only two students participating. Mr. Perry would need to look into why the numbers are so low. There was a question about the school having a baseball program. The school does not have the facilities in Arlee to host baseball. **Terry Pitts** discussed his opposition to having a four-day school week, especially since the games are on Tuesday and Thursday evenings. **Mr. Perry** inherited the four-day school week when he took this position and he has received some calls about the four-day week versus the five-day week. He is concerned about the food and security of the students over the three-day weekend.

MOTION by Carole Lankford to accept the 2021-2022 Indian Education Report for the Arlee School District. Seconded by Bing Matt. Carried, unanimous (10 present).

Tony Incashola, Jr., Tribal Forestry; **Carolyn Upton**, Lolo National Forest Supervisor; **Justin Moschelle**, Program Manager; and **Jeremy Casterson**, Deputy Forest Supervisor; discussed revisions to the Lolo National Forest Management Plan and requested approval of a memorandum of understanding for the Lolo National Forest Plan Revision process. An inter-government working group will be established to talk about matters of concern and provide an opportunity for the staff to listen to important issues that will need to be addressed in the plan, and CSKT was asked to designate representatives to the group. **Chairman McDonald** asked the Forest Service to keep Shane Hendrickson, BIA Superintendent, updated on all issues. The Chairman has asked the Superintendent to be involved with any matters regarding our Aboriginal rights in the federal landscape and sister agencies and to participate to protect our trust resources and those obligations. **Tony Incashola, Jr.** commented the CSKT will have wildlife and culture staff assigned to make sure our treaty rights are protected in the planning efforts.

MOTION by Jennifer Finley to approve the memorandum of understanding for the Lolo National Forest Plan Revision process. Seconded by Jim Malatare. Carried, unanimous (10 present).

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

Jordan Thompson, Tribal Executive Office, requested to meet with council in **executive session** to discuss legislative issues. **Lynsey Gaudio**, **Katie Jones** and **Melissa Schlichting**, Legal Department; **Ryan Rusche**, Sonosky Law Firm; and **Gwen Lankford**, Consultant; were present for discussion.

Council reconvened into **regular session**.

MOTION by Jennifer Finley to approve by resolution submission of the 2023 application to First Nations Development Institute grant for Food Sovereignty Program funding. Seconded by Bing Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 23-058

A RESOLUTION SUPPORTING THE 2023 APPLICATION TO FIRST NATIONS GATHER GRANT 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,

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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 First Nations Development Institute, which is a non-profit organization, has grant funding available for causes that promote the health of Tribal communities, including food sovereignty; and

WHEREAS, the Confederated Salish and Kootenai Tribes began a Food Sovereignty Pilot Program that work to strengthen the Tribal food system on the Flathead Indian Reservation by distributing fresh, local, and culturally relevant food to tribal elders in the community, working with Tribal departments to ensure a strong Tribal food system is being created, and providing educational opportunities for the community; and

WHEREAS, the Confederated Salish and Kootenai Tribes' Food Sovereignty Pilot Program would like to utilize the First Nations Institute grant to perform activities such as support tribal families with gardening, provide opportunities to gather and learn about our traditional wild foods, conduct dry meat socials where traditional methods of food preparation are taught, teach food preservation classes, and create opportunities for cultural knowledge keepers to share traditional food systems information with our communities; **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Council hereby approves submission of the grant application to First Nations Development Institute for the CSKT's Food Sovereignty effort; and

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

Terry Pitts would like funding for the garden and the Anita Matt Building in Dixon. They need a root cellar, storage, and a freezer. **Jordan Thompson** has a variety of funding sources that may be able to assist with the garden and the building. **Bing Matt** informed Jordan that Shelly had concerns about not getting water to the garden in Arlee. He does not know where they plan to put in the garden. Jordan stated some of the gardens are going on tribal land and some are going in on fee land. Jordan is not sure if that garden is going in on tribal property, so he will need to follow up on it. **Mike Dolson** asked if the program is

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considering bitterroot this year. Jordan responded a fieldtrip to do traditional harvesting and digging is being planned. Mike talked about a garden in Hot Springs that will be located next to the Indian Senior Center and he asked if there was a plan to have the center open for the folks working in the garden. He does not support opening the Senior Center to support the garden unless the center is manned. Jordan commented that some gardens are tribal and some are not. A determination will need to be made about how it impacts our tribal buildings. He can come back with the Food Sovereignty team for an in-depth conversation about the gardens.

Chairman McDonald informed council he will make the suggested edits to the memorandum to Salish Kootenai College and will add a general statement about the number of staff that goes to the college and how the relationship has been important and gaining financially from the Tribes. Tom will review the edits from council and get the memo issued today.

James Steele, Sr., Sergeant at Arms, discussed concerns regarding the amount of money that is being spent on snacks during the council meetings. James tries to make sure when he purchases snacks that he balances them out so there is not an excessive amount of expenditures. Sometimes Mr. Steele pays for it out of pocket. In the past each council member, James, and Abby contributed \$20 every pay period, which amounted to \$240.00. When there were two council meetings per week, that was enough money to cover the cost of snacks. Any extra money would be carried over for the next month's snacks. **Chairman McDonald** told James the concern was that the snack costs were exceeding the budget. James suggested the budget be increased. It is important to have food to snack on when the Tribal Council is in all-day meetings with little opportunity to eat. **Council** will discuss further at the chairman's meeting.

Brad McCrea, Ronan Fire Department, requested approval to have an inter-agency ice rescue training for the local volunteer fire departments at Turtle Lake. The training is scheduled for February 25, 2023. Chairman McDonald mentioned there was an issue during the last training where they did not reconstitute the oversized holes. One of the variants is to exceed the ice hole diameter, so it is large enough to get a person in and out of the hole. It will be a refrigerator-sized cut in the ice and they will need to cover it back up when they are done to prevent any liability issues.

MOTION by Jim Malatare to authorize the inter-agency ice rescue training for the local volunteer fire departments at Turtle Lake on February 25, 2023. Seconded by Ellie Bundy. Carried, unanimous (10 present).

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

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Martin Charlo out of the room attending the National Congress of American Indians conference.

Dan Decker, John Harrison, Grace Judge, Melissa Schlichting, Chelsea Colwyn, Lynsey Gaudioso, and **Katie Jones**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council met in **executive session. Melissa Schlichting**, Legal Department, was present for discussion.

Council reconvened into **regular session**.

Council **adjourned** at 1:44 p.m., and is scheduled to meet again on Thursday, February 23, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary