

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

Volume 23 Number 18  
Council Chambers, Pablo, MT

Held: January 3, 2023  
Approved: January 10, 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 9:00 a.m. Quorum established.

The meeting was opened with a **prayer** by Terry Pitts.

The **Tribal Council Meeting Minutes** for December 29, 2022 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for December 29, 2022, with corrections. Seconded by Mike Dolson. Carried, 8 for; 2 abstentions (Jim Malatare and Carole Lankford).

The **agenda** was presented for approval. The discussion continued in **executive session**.

Council reconvened into **regular session**.

**Lisa Shourds**, Administrative Services; and **Renee Joachim**, Personnel Department; returned to council to continue discussion on the Temporary COVID-19 Pandemic Leave Policy. There are ARPA funds available to fund the leave pool for this calendar year. **No action taken**. The issue was tabled until later today to allow time for the staff to provide the additional information that was requested by the council.

**Ruth Swaney**, Financial Management, requested approval of modification 6 to the fiscal year 2023 total budget allocations.

**MOTION** by Martin Charlo to approve by resolution modification 6 to the fiscal year 2023 total budget allocations. Seconded by Mike Dolson. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 23-040**

**RESOLUTION APPROVING MODIFICATION 6 TO THE FISCAL YEAR 2023 TOTAL BUDGET ALLOCATIONS**

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

**WHEREAS**, prior year Indian Affairs self-governance awards 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 5 - 12/20/2022	Compacts, Contracts and Grants Increase/ (Decrease)	Total Revised Mod 6 - 1/3/2023
<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		\$12,096,000
<b>SUBTOTAL, PERMANENT</b>	<b>\$15,686,000</b>	<b>\$0</b>	<b>\$15,686,000</b>
<b>MANDATORY</b>			
Government Services	\$16,344,262		\$16,344,262
Health and Human Services	\$84,304,956	\$218,222	\$84,523,178
Natural Resources	\$56,863,350	\$5,614,147	\$62,477,497
Government Operating	\$2,064,000		\$2,064,000
Education	\$1,613,631		\$1,613,631
Administration	\$21,733,975		\$21,733,975
Court/Probation	\$1,576,849		\$1,576,849
Law Enforcement	\$2,983,450		\$2,983,450
Legal	\$3,436,000		\$3,436,000
Forestry	\$5,676,655	\$60,000	\$5,736,655
Capital Programs	\$865,000		\$865,000
Indirect Costs	\$4,041,000		\$4,041,000
<b>SUBTOTAL, MANDATORY</b>	<b>\$201,503,127</b>	<b>\$5,892,369</b>	<b>\$207,395,496</b>
<b>Function</b>	<b>Total Revised</b>	<b>Compacts, Contracts</b>	<b>Total Revised</b>

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	Mod 5 - 12/20/2022	and Grants Increase/ (Decrease)	Mod 6 - 1/3/2023
<b>DISCRETIONARY</b>			
Government Services	\$11,107,000		\$11,107,000
Health and Human Services	\$17,836,500		\$17,836,500
Natural Resources	\$11,746,000		\$11,746,000
Government Operating	\$820,350		\$820,350
Education	\$585,845		\$585,845
Administration	\$172,000		\$172,000
Tribal Earmarks	\$3,270,919		\$3,270,919
<b>SUBTOTAL, DISCRETIONARY</b>	<b>\$45,538,614</b>	<b>\$0</b>	<b>\$45,538,614</b>
<b>TOTAL APPROPRIATIONS</b>	<b>\$262,727,741</b>	<b>\$5,892,369</b>	<b>\$268,620,110</b>

**BE IT RESOLVED** by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 6 to the FY 2023 Total Budget Allocations for Compacts, Contracts, and Grants for a net increase of \$5,892,369; and

**BE IT FURTHER RESOLVED** that the FY 2023 Total Budget Allocations are increased from \$262,727,741 to \$268,620,110; 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.

**Michelle Mitchell**, Tribal Education Department; and **Marie Torosian**, Three Chiefs Culture Center; requested approval to apply for a Montana History Foundation grant in the amount of \$7,405.59 to purchase equipment for the rehousing of permanent collections for long-term storage facility. **Carole Lankford** would like the Montana Historical Society to be invited to the legislative reception. **Council** had no objection.

**MOTION** by Terry Pitts to approve by resolution submission of the proposal documents to the Montana History Foundation for rehousing of permanent collections for long-term storage facility. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 23-041**

**RESOLUTION APPROVING THE SUBMISSION OF PROPOSAL DOCUMENTS TO THE MONTANA HISTORY FOUNDATION FOR REHOUSING OF PERMANENT COLLECTIONS FOR LONG TERM STORAGE FACILITY**

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

**WHEREAS**, the Three Chiefs Culture Center was established to provide public education on aspects of traditional lifeways and histories of the Salish, Kootenai and Pend d'Oreille people as sanctioned by tribal elders and the culture committees; and

**WHEREAS**, the Three Chiefs Culture Center (formerly The People's Center), was destroyed by arson fire on September 6, 2020 and part of its efforts are to rebuild the structure and historic collections; and

**WHEREAS**, the Three Chiefs Culture Center is soliciting funding in the amount of \$7405.59 to help rehouse the permanent collections in a safe climate controlled facility; and

**WHEREAS**, the Three Chiefs Culture Center is working to renovate and prepare two rooms at Kicking Horse to house the entire collections are in need of shelving and supplies; and

**NOW, THEREFORE, BE IT RESOLVED**, the Three Chiefs Culture Center is authorized to submit Montana History Foundation documents with its updates to further carry out the purposes of the funds request, and to integrate and implement its most recent curation restoration and storage work.

**BE IT FURTHER RESOLVED**, the Tribal Council of the Confederated Salish & Kootenai Tribes supports the submission of the Montana History Foundation Grant that supports Three Chiefs Culture Center and authorizes the Tribal Chair and his designated representative to negotiate and sign all documents and execute this contract on behalf of the Tribes authority from Article VI, Section 1 of the Tribes' Constitution and Bylaws.

**Chaney Bell**, Salish Pend d'Oreille Culture Center, requested approval of the 2023 Montana Indian Language Program grant for the Salish Pend d'Oreille Culture Committee and Kootenai Culture Committee and gave an overview of projects that the funding will be used for.

**MOTION** by Martin Charlo to approve by resolution the 2023 Montana Indian Language Program grant for the Salish Pend d'Oreille Culture Committee and Kootenai Culture Committee and waive up to a 5% indirect cost rate. Seconded by Ellie Bundy. Carried, 10 for; 0 opposed; 0 not voting.

**RESOLUTION 23-042**

**BE IT RESOLVED BY THE COUNCIL OF THE CONFEDERATED SALISH AND**

**KOOTENAI TRIBES THAT:**

**WHEREAS**, in 2005, the Confederated Salish and Kootenai Tribes adopted the Heritage Language Policy, which recognized the vital importance of the survival of the Salish and Kootenai languages for the survival of our cultures as a whole, and for our well-being and survival as a people; and

**WHEREAS**, the CSKT Heritage Language Policy designated the Séliš-Qlispé and Kootenai Culture Committees as having the responsibility to "guide, monitor, and coordinate language efforts"; and

**WHEREAS**, the Séliš-Qlispé Culture Committee and Kootenai Culture Committee were established by the CSKT to preserve, protect, and perpetuate our cultures, histories, and languages; and

**WHEREAS**, the objectives of the Séliš-Qlispé and Kootenai Culture Committees include working to ensure their survival of the Salish and Kootenai languages for future generations, including teaching, recording, and developing materials in our two languages; and

**WHEREAS**, in 2019, with the support of the CSKT and other tribes, the Montana legislature passed, and the Governor signed into law, the Montana Indian Language Program, making grant funds available of up to \$89,062.50 to tribal governments located in Montana for certain kinds of language work, and with certain other requirements and stipulations specified in the act; and

**WHEREAS**, the staff of the Séliš-Qlispé and Kootenai Culture Committees have developed excellent proposals, budgeted at \$44,531.25 each and detailed in forms provided by the Montana Department of Commerce, to use these funds in ways that both meet the requirements of the act and also support critically needed work for the survival of our endangered languages;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission by the Tribes of a grant application under the Montana Indian Language Program to the Montana Department of Commerce to fund the projects of the Séliš-Qlispé and Kootenai Culture Committees.

**Carole Lankford** would like programs to provide a summary explaining what grant funds are being used for. **Martin Charlo** is supportive of charging indirect costs, but some of the grants such as the Language grant are for such a small amount that he thinks it should be waived to provide services to elders.

**Whisper Camel-Means, Shannon Clairmont, Willie Stevens, Anton Paul, Kari Kingery, Stephanie Gillin, and Tasha McDanal**, Natural Resources

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Department, provided the first annual report for the Bison Range, including projects and revenues generated. The breakdown of revenue was 2,664 annual passes, 19,748 day passes, 10 commercial/bus, and 30 commercial vans, for a total of 22,452 passes sold. The front gate was replaced, sign infrastructure was updated, and additional permanent surveillance cameras were installed. The wildlife population counts were 350 total bison (65 calves); 350 elk, 15 pronghorn, and 13 bighorn sheep. The range condition was ventenatia, is an issue for 25% of the range, Douglas fir encroachment, rangeland is highly degraded (40% invasive annuals), riparian and wetlands need work, they want to do more biocontrol, and more academic partners-defer some cost (novelty research and experimental projects). Maintenance work included repairing and removal of fencing, road maintenance, vehicle replacement, wind damage mitigation and tree removal, day use area thinning and cleaning for safety, herd health checks, sanitation (vault toilets, cleaning, garbage removal), and new shop move in. **Terry Pitts** stated that he was told an employee was taking antlers and selling them. Whisper advised that is not allowed and she will reiterate that policy to staff. The program is trying to collect all the antlers to improve the existing antler display. The spring feed stock tank is being rejuvenated. There are 60-70 troughs. The Bison Range staff is available to facilitate any tours of the Bison Range. An overview was provided on the upgrades made to the Visitor Center. Outreach/education accommodated some school groups through November. There were about 1,500 people reached through outreach/education. The staff reviewed the infrastructure needs list and plans for 2023. **Chairman McDonald** commented that it is an important topic on infrastructure if they are going to be increasing visitor days and the staff needs to engage in the comprehensive planning in order to do that. The program proposed a fee increase. The annual passes would be increased from \$20 to \$60, commercial bus passes would increase from \$30 to \$45, commercial vans passes would increase from \$15 to \$35, and the day passes would increase from \$10 to \$15. There is no fee for a vehicle with a tribal member driver.

**MOTION** by Len TwoTeeth to accept the proposed fee increase for the 2023 season, with the addition of the day use pass at \$20 instead of the proposed \$15. Seconded by Jennifer Finley. Carried, unanimous (10 present).

**Whisper Camel-Means** discussed proposed changes in the days of closure. Since the Bison Range is set up as a business that generates revenue, it cannot always follow the CSKT holiday schedule. The proposed changes were to be closed on Thanksgiving, be closed at 2:00 p.m. on Christmas Eve, closed all day Christmas, closed on New Year's Day, and closed as needed for all safety related closure days, such as snow days.

**MOTION** by Martin Charlo to accept the closure dates for the Bison Range. Seconded by Ellie Bundy. Carried, unanimous (10 present).

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The proposed photography/videography permit fee schedule was no charge for educational permits for K-12 classes; \$60 for a one-day photography permit; \$300 for a 30-day photography permit; half-day permits for videography, commercial or movie fee of \$400 and \$800 for full day; \$2,400 for a 3-day permit excluding Friday, Saturday and Sunday; no fee for an interview permit only if the staff wants to work with the group conducting the interview; \$400 for a one-day group photography permit (limited to 10 people); and \$800 for a special access permit guided by staff. **Terry Pitts** suggested requiring a royalty for any filming. He also requested the staff include a waiver or insurance. Whisper advised the waiver/insurance are required in the permit.

**MOTION** by Terry Pitts to approve the proposed photography/videography permit fee schedule. Seconded by Mike Dolson. Carried, unanimous (10 present).

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

**Lisa Shourds**, Administrative Services; and **Michael Wheeler**, Legal Department; met with council in **executive session** to discuss a departmental matter.

Council reconvened into **regular session**.

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

**Dan Decker** and **Lana Page**, Legal Department, requested approval of a resolution to support the Montana Indian Child Welfare Act legislation. **Mike Dolson** requested a clean copy of the legislation. Lana will follow up.

**MOTION** by Martin Charlo to approve the resolution to support the Montana Indian Child Welfare Act legislation. Seconded by Jim Malatare. Carried, 9 for; 0 opposed; 1 abstention (Mike Dolson).

**RESOLUTION 23-043**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES TO SUPPORT THE STATE INDIAN CHILD WELFARE ACT LEGISLATION**

**WHEREAS**, the Tribal Council is the duly elected body representing the Confederated Salish and Kootenai Tribes of the Flathead Reservation of Montana and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the Constitution and By-Laws.

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**WHEREAS**, the Montana Legislature wishes to enact a state version of the Indian Child Welfare Act (ICWA), which was enacted in 1978 to stop the widespread removal of Indian children from their families, homes, and tribal communities; and

**WHEREAS**, the Tribal Council believes it is in the best interest of the Confederated Salish and Kootenai Tribes' children to be protected from harm and to prevent the unnecessary trauma that occurs when children are removed from their family, culture, and community; and

**WHEREAS**, the Tribal Council acknowledges that tribes and tribal communities, state governments, members of Congress, national and legal organizations, and thousands of Native American individuals have supported ICWA as an essential and effective policy that protects the best interests of Native American children; and

**NOW, THEREFORE IT BE RESOLVED**, the Tribal Council supports the legislation of the Montana Indian Child Welfare Act, in order to preserve for us and our descendants the inherent sovereign rights of our nations, to preserve cultural values, and to promote stable placements for the Confederated Salish and Kootenai Tribes' children in loving, permanent homes, connected to their families and our culture.

**BE IT FINALLY RESOLVED**, that the Tribal Council is hereby delegated the authority and responsibility to sign all documents necessary to effect this action.

**Dan Decker, Lana Page, John Harrison, Brian Upton, Mike Wheeler, Stu Levit, Katie Jones, and Melissa Schlichting**, Legal Department; and **Jordan Thompson**, Tribal Executive Office; requested to meet with council in **executive session** to discuss legal matters. **Thompson Smith** and **Sadie Stops**, Salish Pend d'Oreille Culture Committee; and **Mike Durglo**, Tribal Preservation Office; joined the discussion.

**Dan Decker, Stu Levit** and **Mike Wheeler**, Legal Department, continued to meet with council in **executive session** to discuss legal matters.

**Jordan Thompson**, Tribal Executive Office, requested to meet with council in **executive session** to provide an update. **Gwen Lankford** was present for discussion.

**Jordan Thompson**, Tribal Executive Office; **Patricia Hibbeler**, Tribal Member Services; **Dan Decker** and **Lynsey Gaudio**, Legal Department; requested to meet with council in **executive session** to provide an update.

Council reconvened into **regular session**.



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Council **adjourned** at 3:29 p.m., and is scheduled to meet again on Friday, January 6, 2023, at 9:00 a.m., for the quarterly council meeting.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

/sgnd/

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Martin A. Charlo  
Tribal Council Secretary