

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

Volume 24 Number 6
Council Chambers, Pablo, MT

Held: October 19, 2023
Approved: October 24, 2023

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

MEMBERS ABSENT: Tom McDonald, Chairman (Providing welcoming remarks at the Montana Lakes Conference – Whitefish, Montana); and Ellie Bundy, Treasurer (MMIP presentation to the U.S. Forest Service Law Enforcement Supervisors – Missoula, Montana).

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 9:07 a.m. Quorum established.

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

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

MOTION by Bing Matt to approve the Tribal Council Meeting Minutes for October 17, 2023, with corrections. Seconded by Jennifer Finley. Carried, unanimous (8 present).

The **agenda** was presented for approval.

Jim Malatara left the meeting for the remainder of the day to go on a field trip to the Medicine Tree.

MOTION by Mike Dolson to approve the agenda, with changes. Seconded by Terry Pitts. Carried, unanimous (7 present).

Bing Matt informed council that he received a call from Homer Courville. Homer received a check for \$2,000 and he did not know if it was for them or their propane for their trailer. The check usually goes directly to the fuel vendor. **Jennifer Trahan** explained the check used to be paid direct since it is a

nonprofit, but for some reason it changed. **Len TwoTeeth** asked Bing to have Homer return the check so it can be paid directly to the vendor. They are a nonprofit and may have some tax issues to deal with. The council is willing to address that issue, but they do not know if they want to do it that way or do it with a donation on an event-by-event basis. Len had wanted the council to set up an annual budget for them, but he wants to know how best to help them. **Carole Lankford** would like to visit with them so everyone understands what is going on. Len requested that Homer be scheduled to meet with the council for further discussion.

Council met in **executive session**.

Council reconvened into **regular session**.

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented the bids for revocable permits for T4752 in Hot Springs. Dan Depoe, Tribal Member, submitted a bid in the amount of \$400 per month to utilize the site for storage of a car lot of vehicles, equipment, and various other items he will have for sale. Cody Stinger, Nontribal Member, submitted a bid in the amount of \$400 to utilize the site for storage of his equipment and work vehicles. The Tribal Lands Department presented the following options for consideration: Option 1: Grant Dan Depoe a one-year revocable permit, so long as all permitting requirements are met, along with a \$400 monthly rental payment, proof of required insurance, and payment of a bond; Option 2: Grant Cody Stinger a one-year revocable permit, so long as all permitting requirements are met, along with a \$400 monthly rental payment, proof of required insurance, and payment of a bond; Option 3: Deny revocable permits; and Option 4: Hold further discussion.

MOTION by Mike Dolson to go with option 1 and grant Dan Depoe a one-year revocable permit to utilize T4752 in Hot Springs, so long as all permitting requirements are met, along with a \$400 monthly rental payment, proof of required insurance, and payment of a bond. Seconded by Bing Matt. Carried, unanimous (7 present).

Lynn Ducharme, Natural Resources Department, requested approval to apply for a grant from the Kendeda Foundation/Hopa Mountain in the amount of \$50,000.00 to assist with lake trout suppression efforts.

MOTION by Mike Dolson to approve by resolution submission of a grant application to the Kendeda Foundation/Hopa Mountain in the amount of \$50,000.00 to assist with lake trout suppression efforts. Seconded by Terry Pitts. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-005

RESOLUTION REQUESTING ASSISTANCE FROM THE KENDEDA FOUNDATION/HOPA MOUNTAIN

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

WHEREAS, the Tribes, pursuant to Article III of the Treaty of Hellgate reserved the right to protect, preserve and utilize their aboriginal fishery in common with the citizens of Montana;

WHEREAS, The Tribal Council of the Confederated Salish and Kootenai Tribes consider the waters and native species of the Flathead Indian Reservation to be among its most valuable natural resources;

WHEREAS, The Council has taken affirmative action to protect and enhance native species on the Flathead Reservation by the adoption of a Shoreline Protection Ordinance, Aquatic Lands Conservation Ordinance, a Water Quality Management Ordinance, Flathead Lake and River Fisheries Co-Management Plan, and a Fisheries Management Plan;

WHEREAS, The Tribes have committed and continue to commit considerable financial resources to maintaining and enhancing native species and protecting water quality on the Flathead Indian Reservation;

WHEREAS, the Kendeda Foundation/Hopa Mountain has funding available for the improvement of the health of fisheries, wildlife, and aquatic habitat;

WHEREAS, the CSKT Natural Resources Department is soliciting funding in the amount of \$50,000; **NOW, THEREFORE**,

BE IT RESOLVED, the CS&KT Natural Resources Department is authorized to submit to the Kendeda Foundation/Hopa Mountain grant proposal documents with all budgets, updates and revisions to further carry out the purposes of the funding request, and to integrate and implement its most recent work plan;

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the Kendeda Foundation/Hopa Mountain proposal documents and authorizes the Tribal Chairman and his designated representative to negotiate and sign all documents and execute this contract on behalf of the Tribes.

Greg Spahr and **Ruth Swaney**, Financial Management, requested approval of modification 1 to the fiscal year 2024 Total Allocations. Increases in the funding for the Indian Health Service self-governance funding agreement and the Bureau

of Indian Affairs self-governance funding agreement, and increases in Contracts and Grants require modification to the FY 2024 Enacted Appropriations.

MOTION by Mike Dolson to approve by resolution modification 1 to the fiscal year 2024 Total Allocations. Seconded by Jennifer Finley. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-006

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2024 TOTAL ALLOCATIONS

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

WHEREAS, increases in the funding for the Indian Health Service self-governance funding agreement and the Bureau of Indian Affairs self-governance funding agreement, and increases in Contracts and Grants require modification to the FY 2024 Enacted Appropriations; and

WHEREAS, the total increases by Function and by Fund are reflected below for a total increase of \$14,192,378:

Function	Total Enacted by Function	Increase/ (Decrease) SG Compacts	Increase/ (Decrease) Contracts & Grants	Total Increase/ (Decrease)	Total Function Revised Mod 1 - 10/19/2023
Government Services	\$20,986,291	\$35,000	\$80,662	\$115,662	\$21,101,953
Health and Human Services	\$54,776,000	\$2,117,000	\$9,400,195	\$11,517,195	\$66,293,195
Natural Resources	\$67,717,049		\$141,811	\$141,811	\$67,858,860
Government Operating	\$3,555,000			\$0	\$3,555,000
Education	\$1,520,645		\$18,699	\$18,699	\$1,539,344
Administration	\$23,590,866			\$0	\$23,590,866
Court/Probation	\$1,627,000			\$0	\$1,627,000
Law Enforcement	\$3,040,000			\$0	\$3,040,000
Legal	\$3,931,906			\$0	\$3,931,906
Forestry	\$2,870,700	\$350,000	\$2,049,010	\$2,399,010	\$5,269,710
Capital	\$3,604,000			\$0	\$3,604,000
Per Capita	\$12,150,000			\$0	\$12,150,000
Indirect Costs	\$4,400,000			\$0	\$4,400,000
Tribal Earmark	\$0			\$0	\$0
Total	\$203,769,457	\$2,502,000	\$11,690,378	\$14,192,378	\$217,961,834

Total Revised by Fund

General Fund	\$0	\$73,838,622
IHS Compact	\$2,027,000	\$35,160,000

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BIA Compact	\$475,000	\$25,679,500
Contracts and Grants	\$11,690,378	\$11,690,378
Third Party	\$0	\$17,443,000
Settlement Funds	\$0	\$4,150,335
Water Compact	\$0	\$50,000,000
Total	\$14,192,378	\$217,961,834

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 1 to the FY 2024 Total Allocations for a total increase of \$14,192,378; and

BE IT FURTHER RESOLVED that the FY 2024 Total Allocations are increased from \$203,769,457 to \$217,961,834; 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 Allocations approved in the aforementioned Funds.

Greg Sphar, Financial Management, informed council that it has become necessary to create a new deposits and refunds bank account to separate the Tribal Lands Department, Gray Wolf, and Tribal Forestry account activity from the Tribal Courts and requested approval of a resolution authorizing the creation of a bank account at Eagle Bank called CSKT Other Deposits and Refunds.

MOTION by Mike Dolson to approve by resolution the setup and signatory authority for the bank account at Eagle Bank called CSKT Other Deposits and Refunds. Seconded by Bing Matt. Carried, 7 for; 0 opposed; 0 not voting.

RESOLUTION 24-007

RESOLUTION AUTHORIZING SETUP AND SIGNATORY AUTHORITY FOR THE BANK ACCOUNT AT EAGLE BANK IN POLSON CALLED CSKT OTHER DEPOSITS & REFUNDS

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

WHEREAS, the Confederated Salish and Kootenai Tribes designate Eagle Bank of Polson to conduct day to day CSKT Other Deposits & Refunds business as the Tribe’s designated depository;

WHEREAS, it has become necessary to authorize employee signatures for the CSKT Other Deposits & Refunds account.

<u>Account Name</u>	<u>Account Number</u>
CSKT – Other Deposits & Refunds	(tbd)

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that all CSKT Other Deposits & Refunds account activity on said accounts from Eagle Bank, at Polson, MT, from the approved date of this resolution will be signed by two of the following:

Rick Eneas	Executive Officer
Greg Spahr	Director of Financial Management
Wanda Salomon	Central Accounting Manager
Lance Friedlander	General Ledger Manager

whose signatures shall be duly certified to said bank, and that no checks against said accounts shall be valid unless so signed;

BE IT FURTHER RESOLVED, that said bank is hereby authorized and directed to honor and pay any checks whether such checks be payable to the order of any such person signing and/or countersigning of said checks. This resolution shall continue forth in the Certification of an authorized representative, accompanying a copy of this resolution when delivered to said bank or in any similar subsequent Certificate until written notice to the contrary is duly served on said bank.

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

Lisa Shourds, Director of Administrative Services; and **Renee Joachim**, Personnel Department; discussed COVID Leave for calendar year 2024. Renee provided the following recommendations: (1) discontinue COVID Leave; (2) allow up to 40 hours of COVID Leave per calendar year; and (3) authorize up to 20 hours of COVID Leave and allow employees to be eligible for leave share if they have exhausted their COVID Leave. **No action taken.** **Mike Dolson** wanted to know how many employees exhausted all of their leave in 2023 due to having COVID. Renee will provide the requested information.

Carole Lankford and **Louie McDonald** informed council that Benny McDonald is on leave sharing and is getting close to the time frame. Louie requested that Benny's leave share be extended until he gets on disability. Employees are authorized to take up to 360 hours of leave share per year. In the past, the council has taken action to extend the leave share until the employee can get on disability.

MOTION by Carole Lankford to extend Benny McDonald's leave share hours until he gets on disability. Seconded by Bing Matt. Carried, unanimous (7 present).

Carole Lankford would like to review the Leave Share Policy. **Council** would like to have some flexibility in the policy and asked the staff to provide a copy of the policy and some recommendations.

Lisa Shourds, Director of Administrative Services, met with council in **executive session** to discuss departmental matters.

Council met in **executive session**.

Council reconvened into **regular session**.

Council **adjourned** at 10:40 a.m., and is scheduled to meet again on Tuesday, October 24, 2023, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary