

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

Volume 24 Number 42
Council Chambers, Pablo, MT

Held: April 4, 2024
Approved: April 9, 2024

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

OTHERS PRESENT: Jennifer Trahan, Tribal Council Support; Leniece Trahan, 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 Tom McDonald.

The **Tribal Council Meeting Minutes** for April 2, 2024 were presented for approval.

MOTION by Tom McDonald to approve the Tribal Council Meeting Minutes for April 2, 2024, with corrections. Seconded by Bing Matt. Carried, unanimous (10 present).

The **agenda** was presented for approval.

MOTION by Tom McDonald to approve the agenda, with changes. Seconded by Bing Matt. Carried, unanimous (10 present).

Carole Lankford discussed a land issue that will be brought up during the Land Committee meeting this afternoon. **Carole Lankford** brought up a shed issue for Stephen Smallsalmon.

Ruth Swaney, Financial Management, requested approval of modification 7 to the fiscal year 2024 Total Allocations. Increases in General Fund and adjustments in Self-Governance Compacts and Contracts and Grants require modification to the FY 2024 Total Allocations.

MOTION by Tom McDonald to approve by resolution modification 7 to the fiscal year 2024 Total Allocations. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 24-067

RESOLUTION APPROVING MODIFICATION 7 TO THE FISCAL YEAR 2024 TOTAL ALLOCATIONS

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

WHEREAS, increases in General Fund and adjustments in Self-Governance Compacts and Contracts and Grants require modification to the FY 2024 Total Allocations; and

WHEREAS, the revisions by Function and by Fund are reflected below for a net increase of \$1,979,363:

Function	Total Functions Revised Mod 6 3/21/2024	Increase/ (Decrease) General Fund	Increase/ (Decrease) IA Compact	Increase/ (Decrease) Contracts and Grants	Total Increase/ (Decrease)	Total Functions Revised Mod 7 4/4/2024
Government Services	\$22,589,926				\$0	\$22,589,926
Health and Human Services	\$103,334,696			\$2,168,938	\$2,168,938	\$105,503,634
Natural Resources	\$81,347,335	\$1,422,000	(\$315,346)	(\$1,634,507)	(\$527,853)	\$80,819,482
Government Operating	\$3,678,000	\$18,500			\$18,500	\$3,696,500
Education	\$2,032,474				\$0	\$2,032,474
Administration	\$23,538,866	\$6,500			\$6,500	\$23,545,366
Court/Probation	\$1,827,000				\$0	\$1,827,000
Law Enforcement	\$3,075,159				\$0	\$3,075,159
Legal	\$3,931,906				\$0	\$3,931,906
Forestry	\$9,157,665			\$338,278	\$338,278	\$9,495,943
Capital	\$3,625,000				\$0	\$3,625,000
Per Capita	\$12,150,000	(\$25,000)			(\$25,000)	\$12,125,000
Indirect Costs	\$4,400,000				\$0	\$4,400,000
Tribal Earmark	\$1,360,609				\$0	\$1,360,609
Total	\$276,048,636	\$1,422,000	(\$315,346)	\$872,709	\$1,979,363	\$278,027,999

Fund	Total Funds Revised Mod 6 3/21/2024	Total Increase/ (Decrease)	Total Funds Revised Mod 7 4/4/2024
General Fund	\$75,222,231	\$1,422,000	\$76,644,231
IHS Compact	\$57,611,490		\$57,611,490
IA Compact	\$48,672,550	(\$315,346)	\$48,357,204
Contracts and Grants	\$22,096,030	\$872,709	\$22,968,739
Third Party	\$18,296,000		\$18,296,000

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Settlement Funds	\$4,150,335	\$4,150,335
Water Compact	\$50,000,000	\$50,000,000
Total	\$276,048,636	\$1,979,363
		\$278,027,999

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve Modification 7 to the FY 2024 Total Allocations for a net increase of \$1,979,363; and

BE IT FURTHER RESOLVED that Modification 7 increases the FY 2024 Total Allocations from \$276,048,636 to \$278,027,999; 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.

Martin Charlo asked if the quarterly council meeting would be livestreamed tomorrow and, if so, he would like Information Technologies notified.

Brian Lipscomb, Energy Keepers, Inc., introduced **Wahleah Johns**, **Karina Ococolah**, and **Stepanie Bostwick**, Department of Energy. The program offers technical assistance at no cost to tribes. They also provide education and outreach. The group is touring CSKT and looking for opportunities to work with the Tribes. They toured Mission Valley Power yesterday and met with Salish Kootenai Housing Authority this morning. They gave an overview of the TCE grant program. The DOE had a funding opportunity last year and only received a few applications. The group is on tour to find out what the needs are so they can make TCE more accessible. There is available funding up to \$15 million for clean energy and the application period ends May 30. There are a number of initiatives for DOE.

Jordan Thompson, Tribal Executive Office, requested approval of a memorandum of understanding with Western Montana Growers Co-op. There will be 3 food distributions this year, and the food will be purchased from WMGC.

MOTION by Martin Charlo to approve the memorandum of understanding with Western Montana Growers Co-op. Seconded by Tom McDonald. Carried, unanimous (10 present).

Tom McDonald asked about the ag fund. **Jordan Thompson** has been following up on that and will report back to council once he has more information.

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

Patrick Yawakie, Regina Madplume and **Alissa Snow**, Montana Democratic Party, gave an overview of voting activities. The Montana Democratic Party will be overseeing the Get Out The Vote activities for all Montana reservations. Public events are held to encourage voting. Voter participation by Native Americans has continued to increase. There are 17 Native candidates running for office (12 democrats and 5 republicans). Activities include: voter registration canvassing and tabling events; voting and registration drive events; communicating with voters by mail, doors, and phones; education presentations for public and schools; hold community meetings; hosting house parties, coffee hour, candidate meet-and-greets and forums; social media information sharing; informational material; radio, mail, ads, videos, and newspaper ads and articles; camp criers; rides to register and vote; and training for organizers, candidates, and communities.

Chairman Dolson out of the room attending a meeting.

There was discussion about the satellite polling locations. By January 1 of each election year, a voting rights analysis must be completed by the county reporting the needs of satellite polling locations on the reservation. Prior to January 1, the county must notify the tribal government in writing if the Tribes desire a satellite office. The county must receive a written request from the tribal government by January 31, or by a deadline agreed upon between the county and Tribes, of each year in which an election for federal office will be held, requesting a satellite office. Patrick requested a copy of the initial letter sent by the counties informing the Tribes about a voter rights analysis and the January 1 satellite office request notification letter; and they would like to set up a regular conversation with CSKT so they can create a timeline and document the counties' involvement and ability to negotiate in good faith. **Council** referred the request to John Harrison. Patrick discussed the potential Secretary of State directive on 911 addressing. There is a potential Secretary of State directive requesting 911 addresses for the 2024 elections. 911 addresses are not set to be implemented until 2026. The current law requires physical descriptions. They asked if the Tribes are aware of this state directive; has 911 addresses been completed for the reservation; and if 911 addressing has not been finalized, would the Tribes be in support of signing a letter stating their opposition to this directive. The Montana Democratic Party will be hiring organizers from the reservation.

Tim Ryan, Salish Kootenai College, gave an overview of the Mission Mountains Youth Crew that was established. It is an eight-week employment program for students. There are 8 high school students and 2 college leaders. The program is funded from a National Forest Foundation grant and is a partnership with Salish Kootenai College, Tribal Education Department, Swan Valley Connections, and the Bob Marshall Wilderness Foundation. Tim requested a waiver of the tribal recreation permit requirement to access tribal lands for the nontribal member Mission Mountains Youth Crew staff and students for the

duration of the program. The Salish Kootenai College van can transport up to 12 individuals, so there will be an additional cost for transportation. There will be limited access to kitchens and bathrooms. Tim would be interested in expanding the program if there is sufficient funding.

MOTION by Len TwoTeeth to approve a waiver of the tribal recreation permit requirement to access tribal lands for the nontribal member Mission Mountains Youth Crew staff and students for the duration of the program. Seconded by Jennifer Finley. Carried, unanimous (9 present – Chairman Dolson out of the room participating in a meeting).

MaryRose Morigeau, Natural Resources Department, requested approval of a change of duty for tribal employees to participate in the annual CSKT Earth Day event on April 25, 2024, from 9:00 a.m. to 1:00 p.m. CSKT will clean up the Highway 93 corridor from mile markers 50-52; Kootenai Culture Committee will be cleaning up Highway 93 from mile markers 66-68 in Elmo, and the Salish Pend d'Oreille Culture Committee will be cleaning up the section of highway from the Tribal Health turnoff to Allard's.

MOTION by Bing Matt to grant all tribal employees/programs a change of duty, with supervisor approval, to participate in the annual CSKT Earth Day cleanup of the Highway 93 corridor on April 25, 2024, from 9:00 a.m. to 1:00 p.m. Seconded by Jim Malatare. Carried, unanimous (9 present – Chairman Dolson out of the room participating in a meeting).

MaryRose Morigeau, Natural Resources Department, informed council she received notice that the council action was rescinded to demolish the bathhouse so she let the contractor know that the structure will be remediated. MaryRose will continue to provide updates to the council via email.

Tim Ryan, Salish Kootenai College, **Paul Phillips**, Tribal Health Department; and **Todd Espinoza**, Wildland Recreation; requested a waiver of the tribal permit requirements for the fishing derby and a waiver for the community hike at Mission Falls to Pitcher Lake on August 8. **Tom McDonald** would like a response from the Tribal Fisheries program before acting on the fishing derby request.

MOTION by James Steele, Jr. to waive the tribal recreation permit requirement for the Mission Mountain community hike on August 8. Seconded by Carole Lankford. Carried, 7 for; 2 opposed (Tom McDonald and Len TwoTeeth); 1 not voting (Chairman Dolson out of the room participating in a meeting).

Tom McDonald discussed trails and opportunities. Tom went to the interpretative art trail in Lincoln, and he would like to consider having something like that on the reservation.

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

Mark Couture, Tammy McCrea and **Rachael BigSam**, Tribal Lands Department; and **Joel Clairmont**, Tribal Member; requested to meet with council in **executive session** to discuss a land issue.

Mark Couture, Tammy McCrea and **Rachael BigSam**, Tribal Lands Department, continued to meet with council in **executive session** for a Land Committee meeting.

Tom McDonald left the meeting for the remainder of the day.

Chairman Dolson returned to the meeting.

Martin Charlo left the meeting for the remainder of the day.

Council reconvened into **regular session**.

MOTION by James Steele, Jr. to show interest in purchasing fee property from Dennis and Homer Courville, containing -0.321 acres in Pablo. Seconded by Bing Matt. Carried, unanimous (8 present).

MOTION by Len TwoTeeth to show interest in Allotments 1914-A, 1914-B, 1916, and 2104-A. Seconded by Jim Malatare. Carried, unanimous (8 present).

MOTION by Bing Matt to approve a 50-year nontransferable easement to the United States of America for the Flathead Indian Irrigation Project for Tracts T4556 (0.06 acres) and T1317 (0.31 acres) and waive the fair market value and compensation, per the CSKT Montana Water Compact, for the Jocko Canal Pipeline project. Seconded by Jim Malatare. Carried, unanimous (8 present).

MOTION by Len TwoTeeth to grant Lake County a 25-year nontransferable easement, with a 25-year renewal option, for a portion of the existing Moiese Valley Road for the Crow Creek Bridge Replacement project, and charge fair market value. Seconded by Danielle Matt. Carried, unanimous (8 present).

MOTION by James Steele, Jr. to allow Dana Tryon to take over Lease # 4066, which expires in 2027; Lease # 4307 (improvement lease), which expires in 2031; and Lease # 4806 (improvement lease), which expires in 2033, for the remainder of the lease terms, at the current rental rates and terms of the 10-

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year improvement leases. Seconded by Bing Matt. Carried, unanimous (8 present).

MOTION by Len TwoTeeth to authorize the gates to be locked on agricultural lease #2031. Seconded by Bing Matt. Carried, unanimous (8 present).

MOTION by James Steele, Jr. to expand the 1.25-acre homesite on Michel Road by 1.5 acres, for a total of 2.5 acres. Seconded by Bing Matt. Carried, 7 for; 1 abstention (Daniele Matt).

MOTION by Jim Malatare to approve the request from Polson Rural Fire District to construct a fire station on Tribal Tract T2577 in Polson, with the stipulation to follow through and have signage. Seconded by Len TwoTeeth. Carried, unanimous (8 present).

MOTION by Carole Lankford to show interest in the allotment located on top of Kerr Dam and Back Road and Davis property. Seconded by Danielle Matt. Carried, unanimous (8 present).

Thomas “Sonny” Lozeau, Shane Hendrickson, Shelly Hendrickson, Sundown Hendrickson (via telephone), and **Bob Whitford** (via telephone) met with council to discuss their concerns. Ann Miller, Tribal Defenders Office; Dan Decker and Michael Wheeler, Legal Department; were present for discussion. Sundown has been trying to get out of the Montana State Prison. There is no funding available and he needs to hire a lawyer. Sundown talked about his constitutional rights being violated. Mr. Whitford told council he is a member of the Browning Tribe and he is incarcerated in the state prison, even though the state has no jurisdiction over him. There was discussion about how the prisoners are not allowed to practice their culture and religion and the prisoners are treated very poorly by the county and state. Sonny gave an overview of documents related to Public Law 280 and he believes it is not legal for the county to have jurisdiction over Indians. Mr. Lozeau went over issues he has regarding Ordinance 40A(Revised). The State and Tribes do not follow the ordinance and it should be voided. Sonny requested that council take action to repeal the ordinance. **Danielle Matt** commented that the victims of crimes need to be supported. Sonny wanted his personnel record brought in. Even though his criminal charges were expunged, he was terminated by the Tribes. Sonny requested Danielle resign from the Tribal Council due to being biased. He talked about the George Mitchell case. **Chairman Dolson** offered to meet with Sonny regarding his personnel record. Sonny requested that the council call for a referendum vote in three weeks and ask the membership about the rights the tribal council took away in 1964 and 1965.

MOTION by Danielle Matt to adjourn the meeting.

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Council **adjourned** at 5:09 p.m., and is scheduled to be meet again on Friday, April 5, 2024, at 9:00 a.m., for the quarterly council meeting.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary