

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

Volume 21 Number 11
Council Chambers, Pablo, MT

Held: November 5, 2020
Approved: November 10, 2020

MEMBERS PRESENT: Shelly Fyant, Chairwoman; Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; Carole Lankford; James “Bing” Matt; Fred Matt; Charmel Gillin; Mike Dolson; and Len TwoTeeth.

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Abby Dupuis, Recording Secretary; and Donna Durglo, Recording Secretary.

The meeting was called to **order** at 9:03 a.m. Quorum established. **Chairwoman Fyant** will join the meeting later this morning.

The meeting was opened with a **prayer** by Fred Matt.

The **Tribal Council Meeting Minutes** for November 3, 2020 were presented for approval.

MOTION by Charmel Gillin to approve the Tribal Council Meeting Minutes for November 3, 2020, with corrections. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Charmel Gillin to approve the agenda, with changes. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Council met in **executive session**. **Jami Pluff**, Policy Analyst, was present for discussion. **Bryon Miller**, S&K Gaming, joined the discussion.

Chairwoman Fyant joined the meeting.

Council reconvened into **regular session**.

Brian Upton, Legal Department, requested approval of a letter to Robin Vert-Rubel, Lake County Treasurer, regarding tribal members receiving tax bills from Lake County for solid waste management on trust property.

MOTION by Martin Charlo to approve the letter to Robin Vert-Rubel, Lake County Treasurer, regarding tribal members receiving tax bills from Lake County for solid waste management on trust property. Seconded by Bing Matt. Carried, 9 for; 1 opposed (Len TwoTeeth).

Len TwoTeeth, for the record, "I don't agree with sending the letter. I think we need to acknowledge to them that trust land cannot be taxed, rather than explain whether they erred or not."

Rick Eneas, Zachary Camel and **Greg Spahr**, Financial Management, introduced Greg to the Tribal Council. Greg was recently hired to fill the Investment/Cash Flow Manager position and he will begin employment on Monday.

Rick Eneas and **Zachary Camel**, Financial Management, reviewed the dashboard that shows a breakdown by quarter of the topics and time that has been spent by the Tribal Council for the calendar year 2020. The breakdown is: non-policy discussion - 113.75 hours, miscellaneous council approvals - 29.75 hours, council approval of contracts - 26.00 hours, policy discussion - 23.00 hours, orientation - 23.00 hours, non-personnel contract approvals - 22.25, walk-ins - 18.50 hours, council approval for corporations - 18.00 hours, approving resolutions - 17.50 hours, board interviews - 12.00 hours, miscellaneous contract approvals - 6.75 hours, council support actions - 3.75 hours, fieldtrips - 2.75 hours, and internal interviews - 2.75 hours. **Charmel Gillin** suggested that maybe we could look at having some of these topics redirected to hone our approach a little more. Charmel is interested in helping in any way she can, and she appreciates the detailed information. It would be a good discussion for a retreat-type meeting because we have discussed council member roles and responsibilities, and this is a big part of that conversation. **Chairwoman Fyant** commented that this gives us the opportunity to reset, especially with the Tribal Council roles and responsibilities. She looks forward to having that discussion with the council. Rick can provide some insight that may be helpful. The biggest use of time by council is spent on approving contracts; external non-membership issues; or standing committees, such as the COVID-19, homeless and UCC committees. It would be useful to have some sort of a benchmark. **Chairwoman Fyant** mentioned that the council has talked about agenda management in the chairwoman's meeting, and those discussions will continue. We are in a pandemic, so this is not going to be indicative from past years. Council has spent much time on the water legislation and our strategies. The council time will be shifted. The council orientations were cancelled due to the pandemic and will be rescheduled.

Rick Eneas and **Zachary Camel**, Financial Management, requested to meet with council in **executive session**. **Jami Pluff**, Policy Analyst, was present for

discussion.

Council reconvened into **regular session**.

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

Sadie Peone, Salish Pend d'Oreille Culture Committee, requested approval of a resolution for the Humanities Montana CARES Relief Grant in the amount of \$5,000.00 to support the SQCC Historical Collections Management. The department received permission to apply for the grant on June 16, 2020 and funding was awarded, but no resolution was presented for approval as required.

MOTION by Anita Matt to approve by resolution the Humanities Montana CARES grant to support the SQCC Historical Collections Management. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-006

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

WHEREAS, the Séliš-Ql̓ispé Culture Committee was established to preserve, protect, and perpetuate the culture, history, and language of the Séliš and Ql̓ispé people; and

WHEREAS, the foundation of the Séliš-Ql̓ispé Culture Committee and its work are its collections of oral history, photographs, cultural materials, and archival records; and

WHEREAS, the Séliš-Ql̓ispé Culture Committee has a number of urgent needs to protect and conserve the priceless materials in its collections; and

WHEREAS, there are limited funding opportunities available for these specific needs, particularly in the time of Covid-19 pandemic; and

WHEREAS, Humanities Montana has long supported the work of the Séliš-Ql̓ispé Culture Committee, and has invited the submission of an applications for its special CARES act grants;

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves and supports the application of the Séliš-Ql̓ispé Culture Committee for a Humanities Montana CARES Act Grant in the amount of \$5,000 to support the SQCC Historical Collections Management.

Renee Joachim, Personnel Department, presented for consideration incentive awards for Tribal Health Department employee Lynn TwoTeeth - \$1,500; and Kootenai Culture Committee employees Marvin Saloway - \$500, Christopher Tenas - \$500, Danielle Lefthand - \$1,000, Dorothy Berney - \$1,500, and Gina BigBeaver - \$1,500.

MOTION by Charmel Gillin to approve the \$1,500 incentive award for Lynn TwoTeeth. Seconded by Bing Matt. Carried, 8 for; 2 abstentions (Len TwoTeeth and Fred Matt).

MOTION by Len TwoTeeth to approve the \$500 incentive award for Marvin Saloway. Seconded by Charmel Gillin. Carried, unanimous (10 present).

MOTION by Len TwoTeeth to approve the \$500 incentive award for Christopher Tenas. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Len TwoTeeth to approve the \$1,000 incentive award for Danielle Lefthand. Seconded by Bing Matt. Carried, unanimous (10 present).

MOTION by Len TwoTeeth to approve the \$1,500 incentive award for Dorothy Berney. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Len TwoTeeth to approve the \$1,500 incentive award for Gina BigBeaver. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

***Martin Charlo**, for the record, "I fully support each and every one of these people's awards, but if this is truly for the people that worked during the shutdown during the shelter in place, I would hope the department heads from other areas that had employees that worked during that time would look at this, because a lot of people worked very hard during the shutdown and shelter in place and this is just the tip of the iceberg of people we should acknowledge and award. A lot of people have gone above and beyond and continue to go above and beyond."*

Chairwoman Fyant clarified that it is up to the department heads to do that.

***Len TwoTeeth**, for the record, I would like to see the maintenance people nominated for an incentive award also, and soon."*

Martin Charlo asked where the funds for incentive awards come from. **Renee Joachim** advised it comes from the department budgets.

Melinda Charlo, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for preconstruction work only for the US 93 – North -Wildlife fencing, NH 5-2(185)30,

UPN 9828000 for the design and installation of wildlife fencing, jumpouts and feasible approach treatments. The construction project would begin in the fall of 2022, if there are no delays.

MOTION by Ellie Bundy McLeod to approve the project specific agreement with the Montana Department of Transportation for preconstruction work only for the US 93 – North -Wildlife fencing, NH 5-2(185)30, UPN 9828000 for the design and installation of wildlife fencing, jumpouts and feasible approach treatments. Seconded by Anita Matt. Carried, unanimous (10 present).

Johnathan Owens and **Dr. Garry Pitts**, Tribal Health Department, requested approval to hire Dave Seivert on a temporary employment agreement to fill the Relief Dentist position. The position was recently added to the organizational chart.

MOTION by Carole Lankford to approve the hire of Dave Seivert on a temporary employment agreement to fill the Relief Dentist position. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Tony Incashola, Jr., Steve McDonald and **Shawn DeFrance**, Tribal Forestry, requested approval to purchase capital equipment consisting of 2 selected snowmobiles (2021 Skidoo Tundra 600 ACE with 2 up seats) from S&S Sports in the amount of \$21,600 to be funded from the equipment projects account.

MOTION by Martin Charlo to authorize the purchase of capital equipment consisting of 2 selected snowmobiles (2021 Skidoo Tundra 600 ACE with 2 up seats) from S&S Sports in the amount of \$21,600 to be funded from the equipment projects account. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Tony Incashola, Jr., Shawn DeFrance and **Steve McDonald**, Tribal Forestry, requested permission to enter into a partnership with the State of Montana – Montana State Library and USGS on a 3D elevation program. The majority of the reservation has already had light detection and ranging (lidar) data collected or has it planned. This partnership will cover the remaining area so there will be lidar data available for the entire reservation.

MOTION by Martin Charlo to enter into a partnership with the State of Montana – Montana State Library and USGS on a 3D elevation program. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Martin Charlo informed council that there have been 1,013 new COVID-19 cases reported since yesterday. The spike in cases continues, and he reminded everyone to remain diligent.

Jordan Thompson, Legal Department, requested to meet with council in **executive session** to discuss food security.

Council reconvened into **regular session**.

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

Charmel Gillin out of the room for the interviews.

Ellie Bundy McLeod left the meeting for the remainder of the day.

Fred Matt out of the room.

Council met in **executive session** to conduct interviews for the Tribal Credit Committee vacancy for the partial term ending on June 30, 2021. **Melanie Piedalue**, Personnel Department, was present for interviews.

Fred Matt returned to the meeting.

Council reconvened into **regular session**.

MOTION by Anita Matt to accept the results of the ballot and appoint Lytle “Bud” Gillin to serve on the Tribal Credit Committee for the partial term ending June 30, 2021. Seconded by Bing Matt. Carried, 7 for; 1 abstention (Fred Matt – not present for all interviews); 1 not voting (Charmel Gillin out of the room – due to a conflict of interest).

Council discussed the Tribal Gaming Commission vacancy for the partial term ending December 1, 2021. Craig Pablo was the only applicant.

MOTION by Fred Matt to appoint Craig Pablo to serve on the Tribal Gaming Commission for the partial term ending December 1, 2021. Seconded by Bing Matt. Carried, unanimous (8 present – Charmel Gillin out of the room).

Charmel Gillin returned to the meeting.

Jody Perez, Janet Camel and **Karl Henshaw**, Homeless Task Force, requested approval to enter into a contract with R&R Building Productions, LLC for the rehab construction work at the former Starlite Motel. The scope of work and drawings were presented as well as the estimate provided by R&R. Jody stated there could be a change order in a couple weeks for unforeseen issues such as rotten wood. Karl stated that he will be on site every week. Discussion was held on the Indian Preference fee. R&R agreed to cover the Indian Preference fee as

Tribal Council Meeting Minutes
November 5, 2020

part of their estimated overhead fee, thereby reducing the contract amount by \$22,080, for a total contract amount of \$736,000.

MOTION by Anita Matt to approve the contract with R&R Building Productions, LLC for the rehab construction work at the former Starlite Motel utilizing the contract template approved by the Legal Department. Seconded by Martin Charlo. Carried, 8 for; 1 opposed (Mike Dolson).

MOTION by Carole Lankford to adjourn the meeting. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Council **adjourned** at 2:41 p.m., and is scheduled to meet again on Tuesday, November 10, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary