

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

Volume 20 Number 34
Council Chambers, Pablo, MT

Held: February 4, 2020
Approved: February 11, 2020

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

MEMBERS ABSENT: Fred Matt (Inter-Tribal Timber Council Meeting – Portland, Oregon).

OTHERS PRESENT: Jami Pluff, Policy Analyst; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:02 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for January 28, 2020 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for January 28, 2020, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Martin Charlo to approve the agenda, with changes. Seconded by Carole Lankford. Carried, unanimous (9 present).

Charmel Gillin asked for an upcoming agenda item to discuss the livestreaming of council meetings. **Chairwoman Fyant** forwarded that information to Jennifer to get it scheduled on the agenda. Shelly asked Jami Pluff to resubmit her information for the packet to Jennifer.

Bowden Nicolai requested financial assistance. Bo is on the Re-Entry Program but has not been able to receive any financial assistance. He was given a DHRD bus pass. He has been staying at a homeless shelter in Missoula. Bo did

everything he needed to do for Social Services except get a home, and he has been applying for jobs. Bo and his wife have been on the methadone program for the past five months and his wife is employed. He has been denied any financial assistance since he does not live on the reservation. Bo also needs a home and day care services in order to get his son back. **Patricia Courchane**, Department of Human Resources Development, reported that the children have been placed with Bo's mother. She had requested additional assistance from Social Services, but the services provided to her have exceeded the allowance. Bo plans on completing the CDL program in the fall. **Dana Morales**, Department of Human Resources Development, joined the discussion and advised that she could follow up to seek out any other services that may be available. **Leonard Michel** offered to donate his camper for Bo to use if the Tribes will pay the lot rent. Patricia could assist him with OCS and Dire Need but it would require the council to direct DHRD to void their policy. **Council** directed DHRD to research assistance options and report back to council this afternoon.

Ron Swaney, Division of Fire, requested approval of a resolution approving a 638 agreement with the Bureau of Indian Affairs to run the Fire Management Program. This agreement was previously approved, but changes were needed to the language in the resolution. A revised resolution was presented.

MOTION by Anita Matt to rescind Resolution No. 20-040 and approve by resolution the 638 agreement with the Bureau of Indian Affairs to run the Fire Management Program. Seconded by Bing Matt. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 20-067

A RESOLUTION TO ENTER INTO AN INDIAN SELF-DETERMINATION CONTRACT BETWEEN THE BUREAU OF INDIAN AFFAIRS AND THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD INDIAN RESERVATION

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

WHEREAS, the Secretary of the Interior for and on behalf of the United States pursuant to Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450, et seq.) is authorized to contract with tribal governments to administer and perform various programs, services and functions; and

WHEREAS, the United States Department of Interior, Bureau of Indian Affairs, is authorized by 25 C.F.R. §163.28 to manage Preparedness, Aviation, Prevention and Fuels Management activities on the Flathead Indian Reservation, as well as to provide funding, equipment and supplies, and to provide technical oversight

Tribal Council Meeting Minutes
February 4, 2020

and training to Tribal employees working fire Preparedness, Aviation, Prevention and Fuels Management positions, to accomplish the protection of natural resources from wildfire through fast and effective initial attack, fire prevention and fuels management/fire use expertise; and

WHEREAS, it is to the mutual advantage of the Bureau of Indian Affairs and the Tribe to coordinate efforts for Preparedness activities (which include Aviation, Prevention and Detection) and Fuels Management, for resource protection to limit duplication and improve efficiency; and

WHEREAS, the Tribes have contracted the Flathead Agency, Bureau of Indian Affairs Fire Management Program, including the personnel, facilities, and equipment available to assist in the performance of the objectives of a Contract to be specified in the Statement of Work; and

WHEREAS, the Contract and Statement of Work will be made to facilitate the cooperative use of qualified Tribal employees, Tribal equipment, and Tribal supplies in Preparedness, Aviation, Prevention, and Fuels Management activities.

WHEREAS, the value of cooperation in the management of emergency incidents that endanger human life, property, and natural resources has been demonstrated many times; and

WHEREAS, it is desirable and in the public interest to provide specifically for coordinated action between the BIA and the Tribes in all Preparedness, Aviation, Prevention and Fuels Management activities; and

WHEREAS, the Confederated Salish & Kootenai Tribes will meet the minimum procurement, property and financial management standards set forth in 25 CFR, Chapter V, Part 900, Subpart F; and

WHEREAS, the Confederated Salish & Kootenai Tribes will implement programs, functions, services and activities proposed in the contract and will assure confidentiality of medical records and information relating to financial affairs of individual Indians obtained under the proposed contract, or as otherwise required by law;

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby requests to enter into an Indian Self-Determination Contract with the United States Department of Interior, Bureau of Indian Affairs for the operation of the Flathead Indian Reservation Fire Management Program to be effective January 1, 2020.

BE IT FURTHER RESOLVED that the Tribal Council Chairwoman and her designated representative are authorized to negotiate and execute the contract documents and any amendments thereto.

Constance Morigeau, Department of Human Resources Development, requested approval of a modification to the contract with Northwest Care Lawn Services to increase compensation by \$15,000.00, for a total contract amount of \$29,999.00, to expand snowplowing services for the Polson, Ronan and St. Ignatius areas. **Charmel Gillin** questioned the fact that the contract amount doubled but there has not been much snow this year. The area serviced by the contract has not changed.

MOTION by Len TwoTeeth to approve the modification of the contract with Northwest Care Law Services to increase compensation by \$15,000.00 to expand snowplowing services for the Polson, Ronan and St. Ignatius areas. Seconded by Bing Matt. Carried, 8 for; 1 opposed (Charmel Gillin).

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

Greg Wilson, Natural Resources Department, requested approval of a memorandum of understanding with the Montana Bureau of Mines and Geology for a not-to-exceed amount of \$24,900.00 for maintenance of the Flathead Seismic Monitoring System and to interpret and collect data from the system.

MOTION by Charmel Gillin to approve a memorandum of understanding with the Montana Bureau of Mines and Geology for a not-to-exceed amount of \$24,900.00 for maintenance of the Flathead Seismic Monitoring System and to interpret and collect data from the system. Seconded by Anita Matt. Carried, unanimous (9 present).

Greg Wilson, Natural Resources Department, requested approval of change order number 3 to Project Management Plan # 2 to extend the completion date to December 31, 2022 and increase the Project Management Plan amount by \$50,232.00 for technical support for 2020.

MOTION by Charmel Gillin to approve change order number 3 to Project Management Plan # 2 to extend the completion date to December 31, 2022 and increase the Project Management Plan amount by \$50,232.00 for technical support for 2020. Seconded by Martin Charlo. Carried, unanimous (9 present).

Patricia Courchane and **Karen Renz**, Department of Human Resources Development, requested approval to submit an RFP to SAMHSA for a grant opportunity of \$310,000 over a three-year funding period. The funding would

be used for a pilot program to address mental health and substance abuse. A holistic approach would be offered. With the data collected, they would work with a task force to implement a community-based system of care and model for the mental health and wellness of the CSKT. **Carole Lankford** would like to review the grant. She wanted to know how Tribal Health would be involved, and she recommended working closely with the Tribal Mental Health program. Karen advised that the program director would go directly into the home and conduct chemical dependency assessments so services could be provided. DHRD has not worked with Tribal Health on this. **Council** wanted some collaboration with Tribal Health prior to approving this request. Karen told council that she would put Tribal Health Department in the resolution so collaboration can happen, instead of specifying only DHRD. The deadline to apply for the grant is March 9, 2020. Patricia would like Tribal Health involved heavily in this. There has been a long waiting list for children in need of mental health services and there are also some elders that need services. A resolution will be presented for approval.

MOTION by Len TwoTeeth to move forward with applying for a SAMHSA grant. Seconded by Charmel Gillin. Carried, 6 for; 3 abstentions (Bing Matt, Martin Charlo and Carole Lankford).

Martin Charlo, *“I am abstaining because I don’t know what grant we are applying for and we have no information on it.”*

Bing Matt, *“There should be more Tribal Health Department involvement with this issue. I want more information about it.”*

Ruth Swaney, Financial Management, requested approval of modification 3 to the fiscal year 2020 Indian Health Service Self-Governance Compact Budget. The Indian Health Service has awarded funding for sanitation facilities projects and it needs to be allocated to the budget.

MOTION by Len TwoTeeth to approve by resolution modification 3 to the fiscal year 2020 Indian Health Service Self-Governance Compact Budget. Seconded by Carole Lankford. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 20-068

RESOLUTION APPROVING MODIFICATION 3 TO THE FISCAL YEAR 2020 IHS SELF-GOVERNANCE COMPACT BUDGET

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

WHEREAS, the Indian Health Service has awarded funding for sanitation facilities projects and it needs to be allocated to the budget; and

WHEREAS, the budget will be allocated as follows:

Programs, Functions, Services, and Activities	Budget Account	FY 2020 Current Budget	Increase/ (Decrease)	Revised FY 2020 Budget Authority
BI-19-N90 Houle Villa Fe/Mn Reduction	11-501-4172	0	78,000	78,000
BI-19-N93 Woodcock Wastewater Treatment	11-501-4173	0	622,000	622,000
BI-19-N96 Pache Lagoon Upgrade	11-501-4174	0	448,000	448,000
Total Increase/(Decrease)			1,148,000	

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the FY 2020 IHS Self-Governance Compact Budget as reflected above; and

BE IT FURTHER RESOLVED that the FY 2020 IHS Self-Governance Compact Budget is increased from \$28,671,362.87 to \$29,819,362.87; and

BE IT FURTHER RESOLVED that prior years' unexpended funds, in addition to Third Party Revenues, are available to appropriate for budget expenditures pending final obligation of FY 2020 funds.

Len TwoTeeth discussed district reapportionment and wanted to know where we go next. Based on the numbers of the vote, he wanted to know if we just go forward with this. **Carole Lankford** explained that the council would need to make a motion to accept the vote of the people and then provide options to the council on how to do it. A council committee could bring forward options and a time frame would need to be set for this.

MOTION by Len TwoTeeth to create a committee to address the district reapportionment and to accept the ballot of the straw poll. Seconded by Mike Dolson. Carried, 8 for; 1 opposed (Bing Matt).

Len TwoTeeth, Carole Lankford, Mike Dolson, and Martin Charlo volunteered to serve as the council committee. A time frame of 30 days was set.

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented a request from Skellenger Construction for a one-year revocable permit on T4752 located in Hot Springs. The options presented for consideration were: (1) approve a one-year revocable permit, so long as all permitting requirements are met, and a

rental payment of \$200 per month and required insurance coverage; (2) deny request; and (3) hold further discussion.

MOTION by Anita Matt to go with option one and grant Skellenger Construction a one-year revocable permit for T4752 located in Hot Springs, so long as all permitting requirements are met, including a rental payment of \$200 per month and required insurance coverage. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, presented a request from the Roads Program for a road use permit for seven homesite areas to do road upgrades and improvements and waive the monetary compensation requirements of obtaining an appraisal and paying the fair market value.

MOTION by Len TwoTeeth to grant the Roads Program easements for the seven homesite areas to do road upgrades and improvements and waive the monetary compensation requirements of obtaining an appraisal and paying the fair market value. Seconded by Anita Matt. Carried, unanimous (9 present).

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, presented a request from Gibson Hartwell, Namchak Retreat Ranch, for a road use permit for a period of two years at a one-time rate of \$600. The road is about five and a half miles in length, and it would be for light-duty vehicles only for monitoring purposes and preplanning of the upcoming Namchak Irvine Forest thinning project.

MOTION by Ellie Bundy McLeod to grant Gibson Hartwell, Namchak Retreat Ranch, a two-year road use permit at a one-time rate of \$600 for light-duty vehicles only for purposes of monitoring and preplanning of the upcoming Namchak Irvine Forest thinning project. Seconded by Len TwoTeeth. Carried, 8 for; 1 opposed (Charmel Gillin).

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, presented a request from Blackfoot Communications for three easements for the Charlo segment they will be working on. If the tribal council shows interest, this would come back to council for consideration after the appraisals come back. **Len TwoTeeth** wants to pay close attention to these kinds of projects, especially when asking for easements for fiber optics. With advancing technology, we need to pay close attention to the easements we grant. He suggested when we approve it, we approve it for five years with a renewable option. Then that way we can see how fiber optics are serving us and how much revenue that company is making off this. Len suggested showing interest right now, but then work out the time line and amount when the appraisal comes back for final approval.

MOTION by Len TwoTeeth to show interest in granting Blackfoot Communications three easements for the Charlo segment. Seconded by Anita Matt. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, handed out a range unit summary and breakdown for council review. Mark can discuss in further detail at a later date.

Mark Couture, Tribal Lands Department, handed out a copy of the spring bid packet for council review. Mark will return at a later date to seek approval of the packet. The spring bid will be reviewed at the next land committee meeting.

Chairwoman Fyant informed council that March 11-13 is the Salish Language Conference. Council needs to let Nancy Schall know if they plan on attending so she can get their travel done. The water compact hearing dates were moved to either April 1 or April 15, 2020.

Miranda Burland, Tribal Education Department, presented a request for a change of duty for Amanda Bourdon to attend the Johnson O'Malley conference February 9-11, 2020, in Washington, DC.

MOTION by Charmel Gillin to approve a change of duty, with supervisor approval, for Amanda Bourdon to attend the Johnson O'Malley Conference February 9 - 11, 2020, in Washington, DC. Seconded by Anita Matt. Carried, unanimous (9 present).

Chairwoman Fyant discussed the strategic planning session part 2 that needs to be scheduled on the council calendar. Shelly hopes all of the tribal council members can attend. It was tentatively scheduled for Monday, March 2, 2020. **Jami Pluff** was directed to follow up and find out if the S&K Technologies conference room is available that date.

Shelly Fyant reminded council of the Polson chamber meeting at the Kwataqnuq Resort on Wednesday. That is the same date as the elders meeting.

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

Sarah Bell, Missoula County Coordinator; **Chuck Crowzer**, Missoula County; **Karen Hughes**, Missoula County Community & Planning Services; **Dave Strohmaier**, **Josh Slotnick**, **Juanita Vero**, and **Diana Maneta**, Missoula County Commissioners; met with council. Missoula was established 156 years ago. They had failed to acknowledge that Missoula County is located on the Salish homeland. Alongside the United States and state of Montana flags, they will include the CSKT tribal flag in the commissioners' chambers. There will be a flag ceremony in the Sophie Moiese room on February 19th, at 2:30 p.m., and

Tribal Council Meeting Minutes
February 4, 2020

the tribal council was invited to attend the ceremony. The commissioners will get a copy of the agenda sent to the tribal council. There will be a native art exhibit, and Juane Quick To See Smith's work will be displayed. The Higgins Avenue Bridge is being rebuilt, and the commissioners are requesting to rededicate the bridge and name it to reflect whatever name the Tribes prefer it to be named. Dave met with Tony Incashola, Sr. about this. The way to get this done is either go through an act of the legislature or by way of the Montana Transportation Commission taking action. The Culture Committee's suggestion was to go through the Montana Transportation Commission. The commissioners asked that Shelly consider being a speaker at that event on the 19th. **Chairwoman Fyant** agreed to be a speaker. There was discussion on climate change resiliency and the Climate Ready Missoula plan. The draft plan was released and the public comment period closes on Friday. The Tribes were encouraged to submit comments. **Mike Durglo**, Preservation Office, informed them that he has been working on climate change for 12 years and is in the process rewriting our climate change plan. Mike invited them to the planning meetings. The next planning meeting is scheduled for February 19. **Ammera Webster**, Lead for America Fellow, gave an overview of the initiatives she is working on regarding climate change. **Brian Lipscomb**, Energy Keepers, Inc., looks forward to continue working with them on renewable energy options for Missoula County. **Janet Camel**, Economic Development Office, informed them that EDO is working with the Frenchtown School to get some of their unused spectrum on the reservation boundary so the Tribes can manage that and asked for their support.

Mike Durglo, Preservation Office, informed council that he was invited to go to Mongolia on climate change for two weeks this summer (July 27 through August 13). He will be representing the CSKT and indigenous people. Mike was going to take PTO, but Clayton Matt supported the trip and told him to visit with the tribal council about it. Mike's travel expenses will be covered.

MOTION by Carole Lankford to grant Mike Durglo a change of duty, with supervisor approval, to go to Mongolia July 27, 2020 through August 13, 2020. Seconded by Martin Charlo. Carried, unanimous (9 present).

Ellie Bundy McLeod presented a request from Louann Hoskinson. Louann's father passed away and she is requesting financial assistance with the funeral expenses. It was the **consensus** of council to provide assistance.

Len TwoTeeth discussed an email that was sent to the tribal council regarding Joe Sorrell. He wants to know how we are moving forward with that. **Chairwoman Fyant** explained that Jami Pluff is putting together a list of previous actions, expenses, and assistance provided. Jami is drafting a letter for Shelly's signature that will be sent to Joe.

Len TwoTeeth informed council that two weeks ago he was approached by Shay Whitworth. We assisted him last year on a request for relocation. Shay got a residence in Dixon, but it has a substantial monthly cost. Shay is asking if we can look at potentially relocating him to the house next to Gray Wolf. Len knows we had discussed it previously, but he does not remember why we did not help him with that. **Chairwoman Fyant** believes that S&K Gaming has that house as part of their lease. Len wants to know what is going to happen with the house and see if S&K Gaming will give it up. Len wants to let Shay fix it up and live there. It is closer to the hospital for him. **Anita Matt** mentioned that we would need to determine the ownership of the house and find out what kind of shape the house is in. **Council** suggested that Shay follow up on all this. Anita told him there is an allotment in Dixon for sale, but she does not know what shape the house is in. Len advised that Shay wants a home that is closer to Missoula.

Jami Pluff, Policy Analyst, informed council that she provided them the timeline of the Joe Sorrell issue. The chairwoman will be sending a letter to Joe. **Len TwoTeeth** wants the council to take a vote on this issue before she sends out the letter. **Anita Matt** commented that there are various assistance programs Mr. Sorrell would qualify for if he would obtain insurance. **Chairwoman Fyant** advised that the council already discussed this matter.

Charmel Gillin shared stories of a demonstration that the S. Ignatius Head Start children did. They want to cook the tribal council breakfast if the council can go to St. Ignatius.

MOTION by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 2:32 p.m., and is scheduled to meet again on Thursday, February 6, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary