

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

Volume 21 Number 7
Council Chambers, Pablo, MT

Held: October 22, 2020
Approved: October 27, 2020

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

MEMBERS ABSENT: Carole Lankford.

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 9:07 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for October 20, 2020 were presented for approval.

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for October 20, 2020, with corrections. Seconded by Anita Matt. Carried, unanimous (9 present).

The **agenda** was presented for approval.

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

Thomas “Sonny” Lozeau, Tribal Member, informed council that next week his water will be shut off and he requested assistance with that. He was referred to DHRD for assistance. Anita Matt suggested he apply for disability because it’s a lengthy process. Sonny advised he applied for disability and is still going through that process.

Thomas “Sonny” Lozeau, Tribal Member, discussed voter fraud. He gave council the background on his concerns regarding the secretarial election that took place in 1973 to amend the constitution. **Dan Decker**, Legal Department, read the regulations and advised the time to challenge that issue has long past.

Legal was willing to review any documents Sonny had. Council referred Sonny to the Legal Department if he wants his documents reviewed.

Craige Couture, Law and Order, requested to meet with council in **executive session** to provide an update. **Dan Decker**, Legal Department, was present for discussion.

Council reconvened into **regular session**.

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

Jean Matt and **Mark Clary**, Unified Command Team, discussed the desire to continue to pursue support of both county and tribal public healths. Mark commented that supporting the Public Healths for the Tribes and County are their main concerns. They are getting tired and need some backup, especially as the numbers grow. We need to get them what they need. Anita Matt asked where is the county on this. People are getting lax and not wearing masks. She hopes stores and businesses could also help. Some people don't wear masks in stores. She wanted to know if the commissioners have addressed this with the stores. Mark said the courthouse requires a mask to be worn. Some local businesses don't want to follow what everyone else is doing. It's a personal responsibility of everyone to wear a mask. Some people still think this is a hoax and don't think it's real. Some businesses won't follow the guidelines, so he doesn't give them his business. There's a portion of the population that doesn't think they need to wear a mask. Martin Charlo asked Mark if he talked to Bill Barron and the other commissioners about doing more PR about this. The Tribes have been pushing PR and doing what they can on their side, but it would be helpful for them to sit at the table. People tell him we should have a UCC and he tells them we already have one. It's redundant, but we have to do it over and over until people get it. The message needs to get out that we are working on this. Mark thought the joint message with Bill and Shelly was a good thing and he wants to see that happen again and post a video on Facebook. It was huge to bring two governments together and send out the same message. It would be awesome to send out a joint message. Chairwoman Fyant does not support businesses that don't enforce the guidelines. Charmel Gillin commented that at one point we all agreed a UCC was in order and today we're not unified. She asked Mark if the party he represents believes there is in fact an incident. The UCC has been reporting to council regularly for several months now and we need to treat it like an incident whether we have a unified command or not. Missoula County authorized the Health Officials to lead the incident; Missoula County supports orders issued by health officials. She thought if this was a different kind of threat, such as a flood, it would be supported and everyone would fill sandbags and the county would have all hands on deck. If it was a flood, we wouldn't know whose property might suffer or if there would be loss, but we would fill sandbags. If it was a physical attack, everyone would be gearing up

and reacting. She hoped the Unified Command Team could accomplish a unified response to an incident. For some reason the Native American populations in Lake County and Montana are disproportionately impacted by this virus. She doesn't know if that makes us care more and the other party care less. The UCC is an important tool. It's our duty as a governing body to support an incident command response; that's what we try to do as responsible governors. She hopes the commissioners continue that as well. Mark commented this is a public health issue. They're at the front of this with the medical knowledge. He supports them with what they need. The commissioners are on board with this. They are relying on Mark to do that part for them, so he probably has not done a very good job on that. They get pressure from small businesses and such, but they are taking masking seriously. The problem is we don't have enough people in the county and on the reservation to do the back support on this thing. Law enforcement is pulled thin and covering a big area and is tied up on more serious incidents. The 9-1-1 center gets a lot of calls regarding people not wearing a mask. There are officers responding to domestics and robberies and that takes precedence over masks being worn. They don't have money to get those people out there. He understands Charmel's frustrations and will relay them to the commissioners. Jean Matt asked if they could set up a PSA opportunity for next week to start fresh. Jean can work with Rob McDonald to get it set up. Shelly told Jennifer to find out if Bill is available tomorrow to do a PSA. Mark commented that communication seems to be a problem with everything. They are willing to get that message out there. They want the virus gone as much as everyone else does. Shelly talked about having the health officials joining in on that message. Chelsea suggested having Dr. Corum on the PSA and someone from the county to join it. Shelly told them to work through Rob to set it up.

Rick Eneas, Financial Management; and **Zachary Camel**, Central Accounting; requested approval of a five-year employment contract with Greg Spahr to fill the Cashflow and Investments Manager position. It was advertised twice. The tribal member applicant made it through the screening through Personnel, but did not meet the requirements of the position during the interview process. The interview is part of the qualifying determinators and Greg was the best qualified applicant. The plan is to hopefully have a tribal member trained in the future that has the expertise needed for investments. **Anita Matt** suggested hiring the tribal member applicant as the assistant to this position. Rick advised that he offered that position to the tribal member, but the individual declined.

MOTION by Fred Matt to approve a five-year employment contract with Greg Spahr to fill the Cashflow and Investments Manager position. Seconded by Charmel Gillin. Carried, 8 for; 1 abstention (Bing Matt).

Rick Eneas, Financial Management; **Zachary Camel**, Central Accounting; and **Renee Joachim**, Personnel Department; requested to meet with council in **executive session** to discuss a personnel matter.

Council reconvened into **regular session**.

Charmel Gillin requested clarification on Ordinance 69-C. She thought council planned on revisiting other sections of the ordinance before it was approved. Renee Joachim understood that when she and John Carter met with council last week, John was going to make those final edits and present back for consideration. Charmel wants to reiterate we talked about other sections we had difficulty on and was going to go back to those before it is approved. Rick Eneas advised that benefits was one section. If council is willing to leave 69-C in transition for a longer period of time, they could review them. Shelly said to set up a working session to go over those. Rick will check everyone's calendars and find a time that works. Chairwoman Fyant told them to work with Jennifer to coordinate council's schedule.

Johnathan Owens and **Jessi Cahoon**, Tribal Health Department, requested approval of permanent additions to the organizational chart for two pharmacy technicians to be placed under Jessi's supervision. COVID funding will pay for the positions this year.

MOTION by Martin Charlo to approve the revised organizational chart to add two pharmacy technician positions to the Tribal Health Department. Seconded by Fred Matt. Carried, unanimous (9 present).

Johnathan Owens, **Dr. Corum** and **Jessi Cahoon**, Tribal Health Department, requested approval of a one-year temporary employment agreement with Alexandria Rivazfar to provide consultant services for women's health. She will provide telework services until she can relocate here from New York in the spring. This service requires a unique skillset and was not advertised. Alexandria had approached Jessi about wanting to find employment here is how they found out about her. Tribal Health is interested in providing these types of services to their clients. Len TwoTeeth would like to table the request and advertise the position. Jessi commented women's health clinicians are not common positions. She would be able to provide a framework to have a WHC in our facilities in the future. Tribal Health would only be committed to contract with her for up to one year. Martin Charlo thought this was a good opportunity to bring these services to women.

MOTION by Martin Charlo to approve a one-year temporary employment agreement with Alexandria Rivazfar to provide consultant services for women's health. Seconded by Fred Matt. Carried, 5 for (Martin Charlo, Bing Matt, Charmel Gillin, Anita Matt, and Fred Matt); 4 opposed (Mike Dolson, Ellie Bundy McLeod, Shelly Fyant, and Len TwoTeeth).

Anita Matt asked Johnathan Owens to follow up on an email she sent him

regarding the homeless committee commitment of services. Mr. Owens will follow up.

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Advanced Environmental.

MOTION by Anita Matt to approve a one-year contract with Advanced Environmental. Seconded by Len TwoTeeth. Carried, 8 for; 1 abstention (Charmel Gillin).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Mike Duffey dba Duffey Land Surveying.

MOTION by Martin Charlo to approve a one-year contract with Mike Duffey dba Duffey Land Surveying. Seconded by Mike Dolson. Carried, 8 for; 1 abstention (Charmel Gillin).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with First American Title Company.

MOTION by Anita Matt to approve a one-year contract with First American Title Company. Seconded by Ellie Bundy McLeod. Carried, unanimous (8 present – Charmel Gillin out of the room).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Hydrometrics, Inc.

MOTION by Martin Charlo to approve a one-year contract with Hydrometrics, Inc. Seconded by Bing Matt. Carried, unanimous (8 present – Charmel Gillin out of the room).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Garold Jette dba Jette Appraisal.

MOTION by Anita Matt to approve a one-year contract with Garold Jette dba Jette Appraisal. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Rod Johnson dba Fidelity Agency and Lake County Abstract & Title Company.

MOTION by Bing Matt to approve a one-year contract with Rod Johnson dba Fidelity Agency and Lake County Abstract & Title Company. Seconded by Martin Charlo. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Jennifer McGinnis dba McGinnis Real Estate Appraisal Group.

MOTION by Anita Matt to approve a one-year contract with Jennifer McGinnis dba McGinnis Real Estate Appraisal Group. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Dee Oakland dba Oakland Right of Way Services.

MOTION by Anita Matt to approve a one-year contract with Dee Oakland dba Oakland Right of Way Services. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Mark Couture, Tribal Lands Department, requested approval of a one-year contract with Western Montana Land Services, Marc Carsten.

MOTION by Martin Charlo to approve a one-year contract with Western Montana Land Services, Marc Carsten. Seconded by Anita Matt. Carried, unanimous (9 present).

Chairwoman Fyant informed Mark she had a request from Marcia Pablo, BLM Coordinator. Jami sent Mark the email, and she asked Mark if he could respond to that. **Mark Couture** explained it is an environmental impact statement they sent out because they are revamping grazing regulations for BLM. They wanted Mark to review the document and provide comments. That document is 904 pages, so it has been time-consuming for Mark to go through all of it. He is sending it to the Culture Committees and Preservation Office to review. The finalized comments already went through. He couldn't find whether they extended the comment period. Marcia wants a letter of descent to agree to impact statement from the Tribes. Mark suggested that it be best to go through this document thoroughly to make sure the Tribes agree to that comment and if they want to comment on it. Shelly told Mark to respond to Jami's email because she is tracking those for Shelly. Mark will include Jami in the emails he sent out on this.

Dan McClure, Natural Resources Department, presented the quarterly report for Fish and Game. The road attendants worked for 96 days and made 20,350 contacts in that time. The wardens made 221 traffic stops.

Martin Charlo announced October is domestic violence month and Crystal Reese sent out an email to that effect. We're supposed to wear purple today so he wore a purple tie. It is an important issue for our community. Trish White and Marlene have purple ribbons in the office that's located by probation in the

basement.

Dan McClure, Natural Resources Department, continued the report on Fish and Game. 19,000 contacts were made by road attendants during the COVID closure. As of October 18 the wardens had 2,200 hours down there making traffic stops at the AIS station in Ravalli and made 221 traffic stops over the summer. 162 bear complaints were received. There were mountain lion complaints from Arlee to Jette. Howard Walker will be done at the academy on December 15. **Anita Matt** asked what the off-road use was. She wanted to know if the regulations changed because she thought four-wheelers could only be used by elders and disabled for hunting. Dan advised that off-road vehicle is when they operate a vehicle off a designated roadway. Tribal members can only use vehicles to retrieve game. Anita informed Dan that there are some four-wheelers and off-roading happening in Ferry Basin. Chairwoman Fyant gave a shout-out to the road attendants and the Fish and Game officers for all they do.

Patricia Courchane, Department of Human Resources Development, requested approval of a revised organizational chart. It would result in a pay raise for two positions, and there are sufficient funds in the budget.

MOTION by Ellie Bundy McLeod to approve the revised organizational chart for the Department of Human Resources Development. Seconded by Martin Charlo. Carried, unanimous (9 present).

Patrick Matt, Department of Human Resources Development, showed council the Serving The Circle video. The Families First grant was renewed for another five years. This video is their five-year report. He thanked council for allowing usage of the drones to make this video. The Fresh Lives Church is donating \$10,000 to the Families First Program.

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

Raph Graybill, Attorney General Candidate, thanked the CSKT for being a great partner. The promise he made early on to meet with council matters to him. He cares about council's views and supports the water compact. Chairwoman Fyant told him the CSKT has all hands on deck and is working with Montana Native Vote to do some drive-through feeds for people to drop off ballots. Council started a list of issues they will bring to his attention, as far as MOUs with county law enforcement and tribal law enforcement. Martin Charlo told Mr. Graybill that he and his family support him and voted for him already. Raph appreciates all that the Tribes have done to support him. It would mean a lot to him if the Tribes would endorse him. He wants to remain a good partner with the Tribes. **Council** took the request under advisement.

Jordan Thompson, Legal Department, requested to meet with council in

executive session to review the Food Security structural options.

Council reconvened into **regular session**.

Sandra Boham, Salish Kootenai College, gave a report. SKC has seen an increase in enrollment. SKC is the only tribal college offering different methods to attend college. Other colleges are doing online learning only. They took a conservative approach. SKC staff has to do a health assessment each morning before coming to work. If staff has to be off work due to COVID they are paid administrative leave. The students that are in isolation or quarantine are provided a place to stay and food/personal items are delivered to them. Mental services have tripled. Sandra sees in the Char-Koosta News NRD professionals with graduate degrees. SKC got funded to offer its first master's degree in interdisciplinary natural resources program. The tuition waiver covers 50% of tuition for this academic year. SKC used some of the COVID relief money to fund the tuition waiver. Existing students are doing remote learning. There is no price difference between the online and in-person learning. SKC received enough funding for 100% of the students to get tested from now until January. SKC received funding from the federal government and have until October 2021 to spend that money. Most classes have a maximum of 8 students. That creates some construction needs. The dental, nursing and Allied health programs are going in the new building that's being constructed. Tourism Tidbits is next Thursday and the foundation will be highlighting the nursing program. Sandra informed council they do not have a cadaver on campus; they use a dummy that is an artificial cadaver. Every Friday they have a meeting for people to ask questions. SKC continues to operate as is unless the Tribes order a shelter in place. Charmel Gillin commented the Tribes are looking at how to assess our pay scale and recently was told that SKC maintenance position was advertised well below a living wage. She hopes SKC will do an assessment. Sandra said SKC did a position survey two years ago. They looked at other like sized organizations and have entry, midlevel, and red line rates for those positions. She's not sure if the custodial job was advertised, but the campus had some jobs below minimum wage because the pay scale had not been updated. Charmel's concern was a recent position below living wage, not minimum wage, and whether that could eventually be addressed.

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

Jody Perez, Salish Kootenai Housing Authority; **Zoe LeBeau** and **Katie Symons**, BeauxSimone Consulting; gave a report. Jody will send the service plan and the roles and responsibilities. Len TwoTeeth asked how much money is left in the homeless initiative that needs to be spent. Anita Matt told him Janet Camel had a spreadsheet and most of the money has been spent. Jody said the last she knew it was \$6.9 million that was spent. Zoe discussed the plan for providers and the MOU with Missoula Housing Authority for four units. The

building was toured last week. Tribal members will be required to pay 30% of their income for 10 years, and then after that a voucher pays the rent in perpetuity. The Tribes pay for the real estate. The Tribal Defenders Office will be the referral source. Zoe reviewed the supportive housing roles and responsibilities for the CSKT. More work needs to be done on the MOU. Council reviewed the supportive housing services plan. Anita requested that they send council a budget. Zoe will update the budget information and send to council before next week's update.

Bing Matt received a call from an elder wanting to know if they are still dropping off boxes of food and supplies. Sometimes they come by and the elder is not home and they don't leave the boxes. Jennifer will follow up with DHRD.

Bing Matt discussed the meeting with corporations yesterday. Carole Lankford had suggested using some of those dividends to buy the Whiskey Trail Ranch. Rick Eneas came up with the funds for the programs, like the motel. Bing thought Rick would need to come to council for that instead of telling us what he was going to do with the funds. It was already appropriated for different programs when it came in. None of that money was for land acquisition. We are always looking for money for land acquisition. He wants to know where the appropriations for programs came from. **Chairwoman Fyant** explained that this year's dividends will go to next year's budgets. This year's appropriations came from last year's dividend payments. It was set up that way due to the uncertainty of corporate dividends. Rick was designated to track that for the council. There is a Budget Committee meeting next Wednesday and they can get an explanation at that time. The Law and Order request will be discussed at that meeting.

Patricia Courchane, Department of Human Resources Development, informed council that the Elderly program finished sending out boxes. 17,081 were given out. That includes the 2,700 commodity deliveries. The 28th is the next drop and 900 more boxes will be handed out with commodities. The program has left boxes when nobody is home, but they were stolen. Patricia will make sure that individual Bing mentioned gets a box. **Martin Charlo** asked about elder boxes and an issue with his father's box. Patricia will have DHRD follow up if Martin can tell him if it was a commodity box or different program box. Mike Dolson reported that Farm to Families program in Hot Springs was giving out boxes.

Ellie Bundy McLeod gave an update on the Missing Indigenous Person Task Force. Today they are launching the MIP website in partnership with Blackfeet Community College. AT&T provided the \$25,000 match for the Montana MIP task force grant funded by SB312, Looping in Native Communities – LINC. Blackfeet Community College (BCC), in partnership with Montana's Missing Indigenous Persons Task Force, today announced the launch of a new Missing Indigenous Persons reporting portal (www.mmipmt.com [mmipmt.com]) to streamline reporting efforts to help locate missing individuals. BCC received a

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\$25,000 grant from the Montana Department of Justice, funding that was allocated in the 2019 Montana Senate Bill 312, the *Looping in Native Communities (LINC) Act*. The law requires a \$25,000 match from the college. AT&T has generously provided a \$25,000 donation for the entire match. Funding from the LINC Act will allow for a network of tribal communities to share missing persons data and allow for a safe, easily accessible online reporting portal. The website allows families and friends to complete a Contact Information Form about the missing person online. In the past, missing persons' loved ones have expressed reluctance to report missing individuals directly to law enforcement. The BCC reporting system will serve as the go-between for those reporting and all levels of law enforcement. Once the form is submitted on the website, an automatic notice will be sent to local tribal law enforcement. Volunteers from BCC will provide support to the missing person's family while working with law enforcement. All data collected through the website will be shared with appropriate law enforcement entities including tribal, county, state, and federal. The initial rollout of the website will be within the Browning area with remaining tribal communities in Montana to be added to the network within the next year. Additional information about missing persons, simultaneous posting to social media, and the ability to submit an anonymous tip about a missing person will also be available through the website. On Saturday, November 7, BCC will host a virtual concert online at 7:00 p.m. Mountain Time to mark the launch of the Missing Indigenous Persons reporting portal. The public is invited to join the concert to help mark the launch of the website and raise awareness. Details about the concert are attached to this release in a flyer designed by a BCC student. Please visit www.mmipmt.com [mmipmt.com] for more information about the database, reporting portal, and details about the upcoming concert.

MOTION by Ellie Bundy McLeod to adjourn the meeting.

Council **adjourned** at 3:25 p.m., and is scheduled to meet again on Tuesday, October 27, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary