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

Volume21Number45Held:March 16, 2021Zoom MeetingApproved:March 18, 2021

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; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:01 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for March 11, 2021 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for March 11, 2021, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

The **agenda** was presented for approval.

MOTION by Charmel Gillin to approve the agenda, with additions. Seconded by Anita Matt. Carried, unanimous (10 present).

Council met in **executive session**. **Mark Couture**, Tribal Lands Department; and **Tom Johnson**, Tribal Services, were present for discussion. **Jody Perez**, Salish Kootenai Housing Authority, joined the discussion.

Council reconvened into **regular session**.

Jean Matt, **Chelsea Kleinmeyer**, **Dale Nelson**, and **Rob McDonald**, Unified Command Team, gave an update. **Jean Matt** reported that there is a new Incident Action Plan for the two-week update. There has not been much change. They are looking at the proactive part of vaccinations. 36% of Montanans have been vaccinated. We need to reach 70% herd immunity. The UCC wants to

share that we are at the one-year mark this Thursday being under these COVID-They want to start thinking about what our future is, 19 restrictions. transitioning, reporting, and moving forward as people get vaccinated. The UCC wants direction on how to proceed going forward. Chelsea Kleinmeyer reported that Lake County has a total of 2,082 confirmed cases, and 25 active cases as of this morning. There has been a total of 133 hospitalizations, and there are currently 3. There have been 27 deaths to date. They are monitoring the immunization rates. The state dashboards update the numbers on Monday. 38% of the population in Lake County has received at least one dose of the vaccine. It is difficult to identify the race and ethnicity of people that got vaccinated and she will work with the state to figure out where CSKT is sitting for our vaccination rates. The Tribal Health Department has vaccinated 3,600 individuals with at least the first dose of vaccine. They continue to vaccinate American Indians and anyone living in a household with an American Indian, CSKT employees, and educators/teachers on the reservation. They are going to work on a public health information push to get information out on the vaccine, who is eligible, and where to get vaccinated. **Chairwoman Fyant** heard that the Lake County Commissioners are having a meeting today regarding their mask mandate and whether to extend it. Chelsea told her the meeting is at 1:30 p.m., and she plans on attending. Shelly wants the CSKT concerns expressed about The Tribes are still holding strong on the mask mandate and other that. protocols, including avoidance of large gatherings. **Dale Nelson** is pushing the masks. People are concerned and using their masks. He has some masks left to be handed out if needed. Dale has not gotten any more orders. He also has 200 gallons of hand sanitizer if anyone needs it. Dale talked to local religious leaders and they want to continue masking to keep their churches open. Martin Charlo had a request from a family for some kid masks. He asked if that is something the UCC can do. The adult masks do not really fit, and he wanted to know if that is something we can order. Dale will check with Kermit on that. The small masks he had were distributed to Early Childhood Services. Jean Matt has some small masks that he can send to Martin to see if those will work. **Rob McDonald** is working to shape the bulk of what a message should be. We are finding ourselves at a crossroads. The message and audience are splitting. There are messages that could go directly to the membership, which is different than the UCC message to the larger community. There was talk about putting out two different messages. More messaging will come next week. Chairwoman Fyant had a request from the chair's meeting about getting messaging out there about vaccinations, debunking the myths, if we need to target certain demographics, why there is hesitation to get the vaccine, and develop messaging about that. We will be stuck in this mode until we get to 75-80% herd immunity. Martin **Charlo** reported that we are at a year ago on Sunday. He continues to wear a mask, wash his hands, and social distance. If people are unsure whether they are eligible for a vaccine, they can go to the Tribal Health website, cskthealth.org, and sign up to get a vaccine. There are policies and procedures on how to get vaccinated. One reason he got his vaccine is because of his dad. If individuals

are on the fence, what he thinks about is it is the difference from being in the hospital or not. Getting the vaccine is the difference between life and death. Martin does not want COVID-19 taking more lives and he is thankful we did what we did to protect people. Vaccines will save lives. He hopes people make educated decisions and talk to their healthcare providers. The best advice he has for people is stay off Facebook and ask a professional instead of asking Facebook. There is a lot of misinformation on Facebook. Mike Dolson asked if the herd immunity numbers include folks who recovered from COVID. Chelsea explained that those who have it, have antibodies for a period of time. COVID-19 affects people in different ways, and it is unknown how long those antibodies last. Chairwoman Fyant commented that people with adverse reactions to the vaccine causes people to avoid getting the shot. Side effects of the shot are minor compared to having COVID, and she encourages everyone to get the shot. We all want to reunite with our families, and this is one step towards that process. Charmel Gillin reported that she watched 60 Minutes. They had a report on the vaccine and variants. She walked away feeling discouraged and hopeless about how to get through this pandemic. Charmel did her own research. The CDC has an Advisory Committee on vaccine practices. A doctor wrote a report that gave her good information on the variants of concern and how the vaccines are responding to the variants, and even though they may be discussing booters there is no evidence showing the need for a booster because they are showing reasonably effectiveness against the concerns. It showed 68-94% efficacy rates on the current vaccine's ability to protect people from the variants of concern. That encouraged her. Charmel does not think it is as hopeless as it comes across in the community. Being part of the herd immunity is important. Wearing a mask, washing our hands, and social distancing is effective and we all need to do our best.

Steve McDonald, Tribal Forestry, requested approval of a resolution for the Alder Ditch 2021 Logging Unit Timber Sale. The sale was approved on March 4, 2021, but the required resolution was not provided. **Len TwoTeeth** noticed the majority of the sale is for Ponderosa Pine. He asked if we are still at status quo from last year or if it is going up. Steve advised that there has been a dramatic increase in all timber types.

MOTION by Len TwoTeeth to approve by resolution the Alder Ditch 2021 Logging Unit Timber Sale. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-042

RESOLUTION APPROVING SALE OF TIMBER ON THE ALDER DITCH 2021 LOGGING UNIT

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

WHEREAS, the Tribal Forestry Department proposes to offer the sale of tribal timber in an area known as the Alder Ditch 2021 Logging Unit:

Sale Information

		Advertised	
<u>Sale</u>	<u>Volume</u>	<u>Bid</u> Rate	TSI
Alder Ditch 2021 L U	7,865 TONS	\$20.00/TON -DF & O	\$3.00/TON
		\$10.00/TON- PP	\$3.00/TON

WHEREAS, the sale will provide for the salvaging of mature, overmature and diseased trees; and

WHEREAS, the minimum acceptable bid rate for sawlogs on the Alder Ditch 2021 Logging Unit is \$10.00 per ton for Ponderosa Pine and \$20.00/ton for Douglas-fir and Other Species; and

WHEREAS, an additional amount will be collected to cover Timber Stand Improvement on this unit;

NOW THEREFORE, **BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the sale of timber on the above-listed timber sale unit; approves the contract; and authorizes the Chairperson of the Tribal Council to sign the timber sale contract on the above-listed unit for and on behalf of said Tribes, after review of bids by the Tribal Council; and

BE IT FURTHER RESOLVED, that the Approving Officer is authorized to make error corrections in the contract without referral to the Tribal Council, provided such corrections do not materially alter the form and substance of the contract.

Steve McDonald, Tribal Forestry, requested approval of a resolution for the Magpie Salvage 2020 Logging Unit Timber Sale. It was approved on January 28, 2021, but the required resolution was not provided.

MOTION by Carole Lankford to approve by resolution the Magpie Salvage 2020 Logging Unit Timber Sale. Seconded by Mike Dolson. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-043

RESOLUTION APPROVING SALE OF TIMBER ON THE MAGPIE SALVAGE 2020 LOGGING UNIT

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

WHEREAS, the Tribal Forestry Department proposes to offer the sale of tribal timber in an area known as the Magpie Salvage 2020 Logging Unit:

Sale InformationAdvertisedSaleVolumeBidRateTSIMAGPIE SALVAGE 2020 LU12,148 TONS\$26.00/TON –DF & O\$3.00/TON\$9.00/TON-PP\$3.00/TON

WHEREAS, the sale will provide for the salvaging of mature, overmature and diseased trees; and

WHEREAS, the minimum acceptable bid rate for sawlogs on the Magpie Salvage 2020 Logging Unit is \$9.00 per ton for Ponderosa Pine and \$26.00/ton for Douglas-fir and Other Species; and

WHEREAS, an additional amount will be collected to cover Timber Stand Improvement on this unit;

NOW THEREFORE, **BE IT RESOLVED**, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the sale of timber on the above-listed timber sale unit; approves the contract; and authorizes the Chairperson of the Tribal Council to sign the timber sale contract on the above-listed unit for and on behalf of said Tribes, after review of bids by the Tribal Council; and

BE IT FURTHER RESOLVED, that the Approving Officer is authorized to make error corrections in the contract without referral to the Tribal Council, provided such corrections do not materially alter the form and substance of the contract.

Ruth Swaney, Financial Management, requested approval of a resolution approving modification 3 to the fiscal year 2021 total budget allocations for the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Fund.

MOTION by Charmel Gillin to approve by resolution modification 3 to the fiscal year 2021 total budget allocations for the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Fund. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-044

RESOLUTION APPROVING MODIFICATION 3 TO THE FISCAL YEAR 2021 TOTAL BUDGET ALLOCATIONS FOR GENERAL FUND, SELF-GOVERNANCE COMPACTS, CONTRACTS AND GRANTS, AND SETTLEMENT FUND

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

WHEREAS, Resolution 21-036 modified the enacted FY 2021 Total Allocations for the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Fund for a revised total of \$227,150,043; and

WHEREAS, the Total Allocations need to be revised for increases and decreases in the General Fund, Self-Governance Compacts, and Contracts and Grants; and

WHEREAS, the increases and decreases are a total of \$2,282,488 as detailed on the following table:

Function	Revised Total by Function 2/16/2021	Increase/ (Decrease) in Contracts and Grants Allocation	Increase/ (Decrease) in All Other Funds Allocation	Revised Total by Function 3/16/2021
Government Services	\$39,832,709	\$458,190	\$0	\$40,290,900
Health and Human Services	\$77,055,234	\$243,034	\$189,080	\$77,487,348
Natural Resources	\$42,649,975	\$92,874	\$176,000	\$42,918,849
Government Operating	\$1,603,950	\$0	\$20,000	\$1,623,950
Education	\$11,864,126	\$79,775	\$0	\$11,943,901
Administration	\$16,394,837	\$0	\$0	\$16,394,837
Court/Probation	\$1,210,729	\$0	\$0	\$1,210,729
Law Enforcement	\$3,065,791	\$30	\$0	\$3,065,821
Legal	\$4,575,913	\$0	\$0	\$4,575,913
Forestry	\$11,032,001	\$436,545	\$0	\$11,468,546
Capital Programs	\$5,456,000	\$0	\$0	\$5,456,000
Per Capita	\$9,800,000	\$0	\$0	\$9,800,000
Indirect Costs	\$3,363,761	\$0	\$0	\$3,363,761
Tribal Earmarks	(\$754,983)	\$0	\$586,959	(\$168,024)

Spending Authority - Earmarks	\$0	\$0	\$0	\$0
Total by Fund	\$227,150,043	\$1,310,448	\$972,039	\$229,432,530

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to modify the Total Budget Allocations to the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Fund for a total increase of \$2,282,488; and

BE IT FURTHER RESOLVED that the Total Allocations are increased from \$227,150,043 to \$229,432,530; and

BE IT FURTHER RESOLVED that the Office of Financial Management is delegated authority to revise and reallocate the amounts for programs, services, functions, and activities within the Total Allocation authorized and available in the aforementioned Funds.

Mark Couture, Tribal Lands Department, discussed invoices for the Bison Range facilities and fencing inspections that were done by Advanced Environmental. He requested a modification to the MOU to increase the amount to \$100,000.00 to cover the cost of the inspections that were done on the Bison Range.

MOTION by Martin Charlo to approve the modification to the MOU to increase the amount to \$100,000.00. Seconded by Anita Matt. Carried, unanimous (10 present).

Rhonda Swaney, Ryan Rusche, Brian Upton, John Harrison, Stu Levit, Jordan Thompson, Dan Decker, and Mary Price, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

Tony Incashola, **Sr**. and **Chaney Bell**, Salish Pend d'Oreille Culture Committee, requested approval of a resolution to apply for a grant from the Montana Department of Commerce for 2021-2022 Montana Indian Language Program funding.

MOTION by Anita Matt to approve by resolution submission of the grant application to the Montana Department of Commerce for the 2021-2022 Montana Indian Language Program funding. Seconded by Martin Charlo. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-045

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

WHEREAS, in 2005, the Confederated Salish and Kootenai Tribes adopted the Heritage Language Policy, which recognized the vital importance of the survival of the Salish and Kootenai languages for the survival of our cultures as a whole, and for our well-being and survival as a people; and

WHEREAS, the CSKT Heritage Language Policy designated the Sélis-Qlispé and Kootenai Culture Committees as having the responsibility to "guide, monitor, and coordinate language efforts"; and

WHEREAS, the Sélis-Qlispé Culture Committee and Kootenai Culture Committee were established by the CSKT to preserve, protect, and perpetuate our cultures, histories, and languages; and

WHEREAS, the objectives of the Sélis-Qlïspé and Kootenai Culture Committees include working to ensure their survival of the Salish and Kootenai languages for future generations, including teaching, recording, and developing materials in our two languages; and

WHEREAS, in 2019, with the support of the CSKT and other tribes, the Montana legislature passed, and the Governor signed into law, the Montana Indian Language Program, making grant funds available of up to \$89,062.50 to tribal governments located in Montana for certain kinds of language work, and with certain other requirements and stipulations specified in the act; and

WHEREAS, the staff of the Sélis-Qlïspé and Kootenai Culture Committees have developed excellent proposals, budgeted at \$44,531.25 each and detailed in forms provided by the Montana Department of Commerce, to use these funds in ways that both meet the requirements of the act and also support critically needed work for the survival of our endangered languages;

NOW, **THEREFORE**, **BE IT RESOLVED** that the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission by the Tribes of a grant application under the Montana Indian Language Program to the Montana Department of Commerce to fund the projects of the Sélis-Qlispé and Kootenai Culture Committees.

Chairwoman Fyant reported that she spoke to Katie McCleary and found out that there is American Recovery Act monies of \$20 million that is coming in ANA for language preservation and maintenance in grants.

Michelle Mitchell, Tribal Education Department, requested a change of duty for Siliya Pete, Early Childhood Services Employee, to teach beading in Ms. Davis's class at Ronan Middle School on March 23, 2021, from 10:00 a.m. to 11:13 a.m. and March 24, 2021, from 12:00 p.m. to 1:26 p.m. Jeanne Christopher did not object to the request.

MOTION by Fred Matt to grant Siliya Pete a change of duty to teach beading in Ms. Davis's class at Ronan Middle School on March 23, 2021, from 10:00 a.m. to 11:13 a.m. and March 24, 2021, from 12:00 p.m. to 1:26 p.m. Seconded by Bing Matt. Carried, unanimous (10 present).

Linda Ferris and **Michael Munson**, Salish Kootenai College; and **Jeanne Christopher**, Early Childhood Services; requested a change of duty Kristina Mays and Mali Matt, Early Childhood Services employees, to attend a Salish Language Collaborative Cohort meeting on March 26, 2021, from 9:00 a.m. to 12:00 p.m.

MOTION by Charmel Gillin to grant Kristina Mays and Mali Matt a change of duty to attend a Salish Language Collaborative Cohort meeting. Seconded by Anita Matt. Carried, unanimous (10 present).

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

Renee Joachim, Personnel Department, presented a request for incentive awards for the Tribal Lands Department staff: Dolores Joseph and Daniel Cowan for \$100; Louie McDonald for \$200; Marla Couture, Albert Adams, and Shara Hoskinson for \$250; Tara Irvine and Rachael Bigsam for \$300; Frances Skare and Holly Hitchcock for \$350; Rose McCrea and CloAnn Westerman for \$400; DesiRae Nault for \$450; Roberta Decker, Alfred Bigby, George Ducharme, Lee Grant, Jackson Adams, Willie Birthmark, Herbert Couture, and Mark Couture for \$500.

MOTION by Ellie Bundy McLeod to approve the incentive awards for the Tribal Lands Department staff members at the amounts listed. Seconded by Fred Matt. Carried, unanimous (10 present).

Ann Miller, Tribal Defenders Office, provided orientation on the Tribal Defenders Office. Core services include defense of the accused in Tribal Court for adults and juveniles; family defense by representing parents in child protection cases, early intervention, and diversion; civil representation by representing respondents in mental health commitments and adult protection matters; civil matters as allowed by guidance approved by the Tribal Council, such as limited divorce and child custody, housing matters if there is a viable defense, uncontested adoptions, and consumer matters; and operate the Pro Se

Clinic/Civil Intake by providing advice and assistance. Ann gave an overview of the guidelines to be eligible for services. Ann reviewed the model of Holistic Defense. The model was developed by Bronx Defenders in New York and we received technical assistance from them. They provide seamless access to services that meet the clients' legal and social support needs by breaking down barriers. There is an interdisciplinary team and communication among the team. Having a robust understanding of and connection to the community served is important. It is established as a community clinic and there is an opendoor policy. Holistic Defense has the walk-in clinic; provides pro se assistance; provides assistance with collateral consequences, eviction assistance, and driver's license restoration; cultural mentoring; community outreach and education; community service; mediation provided through the University of Montana Mediation Clinic; Justice and Mental Health Collaboration Program; Flathead Reservation Reentry Program; Family Defense; mental health client advocates that are funded through the Montana Mental Health Trust; and Morning Star Permanent Supportive Housing. Over 400 driver's licenses have been restored. Ann discussed filling gaps with mental health care. The Mental Health Client Advocates provide jail services and accessible assessment and treatment. The Clinical Psychology Department provides PhD students through internships which provides a valuable service to the department. They assist with chemical dependency evaluations through collaboration with TBH. Case management includes the reentry intake and assessment tool (RIAT), facilitate referrals to care providers, Medicaid applications, access to medication, engage clients during incarceration, and accessible assessment and treatment at the Defenders. The Flathead Reservation Reentry Program helps individuals who are transitioning from incarceration to the reservation. Those individuals must be a member of a federally recognized tribe and is returning to the Flathead Reservation. Services provided by the Flathead Reservation Reentry Program include reentry intake and assessment tool (risk and needs assessment and identify trauma response and cultural needs); mental health services (assessment, counseling/anger management); case management (assistance to find housing/reduce barriers; assistance with transportation, access to social and financial services, and access to employment); and legal services (sentencing consultation, collateral consequences, parole assistance, presentence investigation, offender registration issues, and expungement). Anger management classes will be offered to clients with Dr. Fox via zoom. The RIAT is a combination of established measures and measures created by reentry staff to develop a risk/resiliency model; provides an index of recidivism risk for each individual screened; services as a screening tool for referral for more thorough assessment of mental health/chemical dependency needs; identifies immediate and log-term case management needs. The goal is to develop a model with a more accurate assessment of risk for incarceration/reentering Native American populations. Next year, the department will collaborate with the Center for Court Innovation to refine and validate the RIAT. The department collaborates with Tribal Police, Tribal Health, Salish Kootenai College, Salish Pend d'Oreille

Culture Committee, Department of Human Resources Development, Partners for Justice; Bail Project; Montana Mental Health Trust, Montana Public Defenders, Montana Legal Services Association, Montana Department of Corrections, Montana State Legislature, Salish Kootenai Housing Authority and Homeless Committee, Tribal Social Services, and the University of Montana. The Bail Project provides bail for indigent clients and supportive services. The Defenders Office engages clients by doing client surveys, being clear about services so clients' expectations match, provide welcoming and relevant services, having an open-door policy, and procedural justice matters. If people believe they have been treated fairly will be more successful. The Holistic Defense program was redefined due to the pandemic. The department provides proactive client services by initiating contact, curbside service, and weekend contact with tribal jail inmates. A community presence is maintained by Facebook, publishing staff extensions, front desk phone coverage seven days per week. Assistance is provided to clients to access court and service providers. Intake/assessments are done via zoom. Mental health screenings are done via telephone or zoom. They assist Tribal Health to vaccinate marginalized people in the community. They continue to redefine staff roles to meet the new challenge. Employees work remotely, when possible. They do zoom and telephone appearances from jail and prison. Work management was adjusted by electronic filings and case management software. They work diligently to communicate with clients, staff, and interdisciplinary team. Email has been a great tool for communication with the clients. The lessons learned were: collaborations are good, but the loyalty is to their clients. Disparity must be addressed with data (length of pretrial detention, length of sentencing, and sentencing conditions). Services must be strength-based. The system may define our clients by their worst act, but we can help them redefine themselves. Client engagement is success and leave the door open for those not ready to engage. Work with the clients in the context of their families and their community needs and resources. If it does not work, do something different. Services first, by providing meaningful services to clients that they will engage in rather than just meeting the needs of the justice system. Don't give up. The goal is to reduce recidivism and provide needed services to their clients. Council thanked Ann for her dedication and hard work to the Tribes and the membership. This program has changed many lives and it is good to see the changes happening. There has been positive feedback on the Morning Star Apartments and supportive housing services to the membership. Council is proud of the staff for what they have accomplished and appreciates them giving people hope during the worst times in their lives. They appreciate the amazing program Ann developed that aligns with our cultural values and beliefs.

MOTION by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 2:45 p.m., and is scheduled to meet again on Thursday, March 18, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/ Ellie Bundy McLeod Tribal Council Secretary