

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

Volume 20 Number 51
Zoom Meeting

Held: April 7, 2020
Approved: April 14, 2020

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

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; 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 Carole Lankford.

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda. Seconded by Ellie Bundy McLeod. Carried, unanimous (8 present).

Len TwoTeeth joined the meeting.

Charmel Gillin joined the meeting.

The **Tribal Council Meeting Minutes** for March 17, 2020 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for March 17, 2020, with corrections. Seconded by Charmel Gillin. **MOTION AND SECOND WITHDRAWN.** Those minutes were already approved.

The **Tribal Council Meeting Minutes** for March 24, 2020 were presented for approval.

MOTION by Len TwoTeeth to approve the March 24, 2020 Tribal Council Meeting Minutes, with corrections. Seconded by Charmel Gillin. Carried, unanimous (10 present).

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The **Tribal Council Meeting Minutes** for March 26, 2020 were presented for approval.

MOTION by Charmel Gillin to approve the Tribal Council Meeting Minutes for March 26, 2020, with corrections. Seconded by Anita Matt. Carried, unanimous (10 present).

The **Tribal Council Meeting Minutes** for March 31, 2020 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for March 31, 2020, with corrections. Seconded by Martin Charlo. Carried, unanimous (10 present).

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

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for April 3, 2020, with corrections. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Greg Gould, Unified Command Team Director of Operations, gave an update. The Mass Care includes shelter, housing, quarantining, feeding people, and has become very active in the last week. 27 assessments have been completed in the region to get rolled up to support the Unified Command Team (UCT) in further operations if it becomes necessary. The Flathead Reservation Communication Action was created and the contact person is April Charlo. They have really done an amazing job over the last three weeks in understanding the environment and region. They created web forms for people to identify their needs, and volunteers try to support those needs. They are also getting funding, and received some funding from Hopa Mountain. They are interested in allowing the UCT to share information and share our efforts. On the public health side, there are four cases in the county. They are reporting Lake County as having five cases. The reason for the difference in that number is an administrative level decision how they are assigning cases to specific locations. Case counts will now be reported as the residence on a person's driver's license. Chairwoman Fyant asked about everyone having access on Schoology. Greg can get them the invite. The assessments are being migrated to Schoology now. The notes from yesterday's meeting were posted in the incident command docs.

Audrey Walleser, FEMA, advised that her role is to be a liaison between the Tribes and the State of Montana and FEMA. They are assessing our needs right now. Additional money was allocated for food resources for tribes and the ability to capture the costs for the tribes to receive reimbursement of 100 percent of the cost share if they go through FEMA. **Chairwoman Fyant** mentioned that there

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was talk about a memorandum of understanding between the Tribes and Lake County needing to be in place. Audrey explained that the purpose of the MOU is allocating roles and responsibilities for each entity and identifying the primary bill payer. It is for accounting purposes. **Rick Eneas**, Finance Office, has been working on the MOU. He sent it to Legal this morning. It will take time to go through the FEMA template. Rick will work with Legal, and then send out the draft to the Tribal Council and Lake County. We are working on the assumption that the Tribes will be the lead with the majority of the costs, but the details are still being worked out. Audrey added that the Tribes need to make sure when the document is signed, that they back date it to when the team was developed to capture costs back to that date.

Rod Couture, Logistics, followed up on Anita's questions regarding the Dixon school. They were on spring break, but they were feeding them. About 40-60 students are getting fed breakfast and lunch. They will start feeding today in two or three locations in the Dixon area for those students, so they will have dinner tonight. The team is working in conjunction with Corky Sias regarding transportation for supporting meal delivery to the elders in the Hot Springs, Dixon, and Arlee areas that were added to the list of locations by the Boys and Girls Club. They are gathering donations on a daily basis. Barbara gave him the elder list and those will be delivered today. **Charmel Gillin** asked if the elder elk meat goes through him. Rod responded that it is separate, but they support the deliveries. The list goes to Corky Sias directly. **Steve McDonald** thinks things are moving along. The meeting had some good discussion yesterday and the team has a meeting again on Thursday. **Martin Charlo** requested a discussion with the team and council off Facebook live and in executive session. The discussion continued in **executive session**.

Council reconvened into **regular session**.

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

Chairwoman Fyant informed council that she spoke to Jim Steele about taking over the Unified Command Team role. He is willing to do so, with the caveat that he could bring on a tribal member mentee.

MOTION by Ellie Bundy McLeod to put Jim Steele in the IC role. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Charmel Gillin commented that Tammy Matt was named as the IC in the state of emergency resolution and Bob McCrea was listed in the delegation of shared authority. **Council** directed Jennifer Trahan to revise those documents.

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Rob McDonald, Communications, presented a request from Early Childhood Services to have a Facebook group to support their meetings between parents and needs. It would be a more private internal communications system.

MOTION by Anita Matt to approve the Facebook group for Early Childhood Services. Seconded by Martin Charlo. Carried, unanimous (10 present).

Clayton Matt, Tribal Services/Tribal Health Department; **Bernadette Corum** and **Joe Durglo**, Tribal Health Department; requested approval of a one-year contract with MXR Imaging Solutions to provide maintenance service for the X-ray equipment in St. Ignatius.

MOTION by Bing Matt to approve a one-year contract with MXR Imaging Solutions to provide services to the St. Ignatius Clinic. Seconded by Fred Matt. Carried, unanimous (10 present).

Clayton Matt, Tribal Services/Tribal Health Department; and **Bernadette Corum**, Tribal Health Department; requested approval of a three-year contract with Geoffrey Rohrlach to fill the full-time Nurse Practitioner Physician position to be located in St. Ignatius.

MOTION by Ellie Bundy McLeod to approve the hire of Geoffrey Rohrlach on a three-year contract to fill the Nurse Practitioner Physician position to be located in St. Ignatius. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Charmel Gillin).

Clayton Matt is preparing to bring in a request for the Pharmacy Tech position to be converted from contract to FTE. Those details are being worked out and Clayton will return at a later date to make the request. The advisory committee received the tribal council's message to get back to council. They are meeting today. THD continues to move through the SAMHSA grant application that's due in a couple of days. THD had a call with the Montana Healthcare Foundation and we will get information in writing from them. Their grant writing services are being offered at no cost to the Tribes and they may be able to offer some other long-term services. The first one we would look at is the CDC grant. **Dr. Corum** reported that she met with the steering committee. They will be reviewing the draft bylaws.

Rhonda Swaney and **Brian Upton**, Legal Department, requested approval of a letter to Amy Coffman to support the temporary closure of the National Bison Range. There was some vandalism in the past. There was a burglary. Porta potties were destroyed in an attempt to get toilet paper and other things. Brian reported that there were over 2,000 people at the Refuge over the weekend and

it needs to be closed. **Chairwoman Fyant** advised that Jason Smith would inform the governor, as well.

MOTION by Len TwoTeeth to approve the Fish & Wildlife Service request to temporarily close the National Bison Range and send a letter to Amy Coffman supporting the closure. Seconded by Martin Charlo. Carried, unanimous (10 present).

Rhonda Swaney and **Stu Levit**, Legal Department, discussed the letter regarding the BiOp litigation. The judge ordered an EIS be completed on the entire Columbia River in a five-year period and then it was reduced to four years by the Trump administration. The Tribes are a participating/cooperating agency and worked on the draft document. This will be heavily litigated. We achieved everything we could ask for with the federal government in the draft. Stu requested approval of the letter. This letter puts our final comments clearly in the public record.

MOTION by Martin Charlo to approve by resolution the joint comment letter to the Federal Action Agencies regarding the Columbia River System Operations Draft Environmental Impact Statement. Seconded by Bing Matt. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 20-092

RESOLUTION TO APPROVE AND SUBMIT JOINT COMMENT LETTER TO THE FEDERAL ACTION AGENCIES REGARDING THE COLUMBIA RIVER SYSTEM OPERATIONS DRAFT ENVIRONMENTAL IMPACT STATEMENT

Be It Resolved by the Tribal Council of the Confederated Salish and Kootenai Tribes ("Tribes"):

Whereas, the Tribal Council is entrusted with the responsibility to protect and preserve tribal property, cultural resources, wildlife and natural resources, and to protect the health, security and general welfare of the Tribes;

Whereas, the Tribal Council is further entrusted with the authority to manage governmental and intergovernmental affairs;

Therefore, Be It Resolved that the Tribal Council approves a joint letter, together with the Kootenai Tribe of Idaho and the State of Montana, that provides comments to the federal action agencies regarding the Columbia River System Operations Draft Environmental Impact Statement.

Rhonda Swaney and **Ryan Rusche**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Brian Upton** and **Stu Levit** were present for discussion.

Council reconvened into **regular session**.

Council discussed essential plans. **Martin Charlo** reported that the voicemails are being checked from the switchboard. There have been concerns from employees having to return to work on April 10, which is the governor's proclamation. The Tribes passed their declaration until revoked. Rob McDonald sent out a notice on the everyone email reminding all tribal employees that it is indefinite at this point. **Anita Matt** would like the departments enforcing the guidelines (PPE) if they are going to be keeping their essential employees working. Martin explained there is a shortage. The majority of supplies are going to medical facilities. It was recommended that employees use homemade masks. There is supposed to be another shipment Thursday, which should remedy the gloves shortage. **Ellie Bundy McLeod** commented that there are some community members that are willing to do that if the need is identified. The N-95s need to remain available for medical providers. This could be referred to the Flathead Reservation Community Action Group. The AIS station in Ravalli was requesting masks. Martin put that request out, and they had masks by the end of the day. The community is being responsive and helpful to our essential workers. Departments could get the proper PPE for their employees. **Charmel Gillin** commented that there are entities with crowded production areas that cannot comply with social distancing that should be a priority. She would like the chairwoman to go to them and assess the need for PPE and encourage them to manage their work environment spaces so whether they are implementing alternate schedules and emphasizing that we are in prevention mode. Some department plans said they would make changes when we get further into this, but she wants them to make changes now while we are still able to prevent. **Anita Matt** mentioned concerns about the corporations that have not changed their business as usual. She did not see anything listed on the out-of-state locations, and she wondered about the liability of them waiting to get preventative. Entities need to contact Rod Couture, UCT, for their needs. Mission Valley Power has become an issue, and the tribal council members have been contacted by some employees. Mission Valley Power staff is essential, but the General Manager needs to work on the 93-638 Contract and the IBEW Union Bargaining Agreement to accommodate the staff. The staff has concerns of the health risks and lack of childcare at home. MVP's plan is to require all of the employees to be at work. It is important to try to keep everyone safe. That is an item listed in the review to look at how we can support legal review of their contractual obligations. Council could outline those actions to bring some appropriate support to that when they go through the Internal Auditor's plan. Council needs to approve the modified audit plan that was presented by Vina Little Owl yesterday.

MOTION by Charmel Gillin to approve the modified audit plan.
Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

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

Council **recessed** the regular meeting at 1:07 p.m. to conduct a shareholder meeting.

Council **reconvened** into the regular meeting at 2:15 p.m.

Council **adjourned** at 2:15 p.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary