

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

Volume 20 Number 80
Zoom Meeting

Held: August 11, 2020
Approved: August 13, 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; 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 Bing Matt.

The **Tribal Council Meeting Minutes** for August 6, 2020 were presented for approval.

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for August 6, 2020, with corrections. Seconded by Anita Matt. Carried, unanimous (9 present – Len TwoTeeth out of the room).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Fred Matt. Carried, unanimous (10 present).

Ann Miller, Tribal Defenders Office, requested to meet with council in **executive session** to discuss a personnel matter. **Jami Pluff**, Policy Analyst, was present for discussion.

Council reconvened into **regular session**.

Tony Incashola, Jr., Bob McCrea and **Ron Swaney**, Tribal Forestry, gave a fire update. The Magpie fire is close to 100% contained. They demobed most resources and downsized. There have been a few new starts. One fire was started in Ravalli by a bear cub that climbed a pole and got electrocuted. The bear fell down and started a fire. The fire was put out and was about two acres

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in size. The Ronan/Hot Springs cutoff road had a grass fire yesterday and is 100 acres in size. The cause of the fire is under investigation. The weather remains dry and winds are expected throughout the week.

Jean Matt, Dale Nelson, Chelsea Kleinmeyer, Steve McDonald, and Mark Clary, Unified Command Team, gave an update. **Jean Matt** reported that the UCC had a productive IC call yesterday. The emphasis is preparing for schools, the CSKT return to work, and preparing for the unknown. The UCC looks at safety supplies for those. **Mark Clary** has been working well with Jean and things are going well. He feels they are on the right track. Mark is putting together supplies for the smaller school districts to ensure they have the proper PPE when they get back to school. Mark heard that the governor will require mandatory mask wearing in schools. **Chelsea Kleinmeyer** reported that Montana has now surpassed 5,000 confirmed cases. As of this morning there are 5,104 confirmed cases and 1,485 of those are active cases. There have been well over 3,000 recoveries. As of this morning, Lake County reported a total of 181 cases with 22 active cases and 2 in the hospital. Lake County Public Health reported of our confirmed cases in Lake County, 45.3% were male and 54.7% were female. The greatest age range is 20-29 years old. That was more than 40 cases. 40.8 cases reported as being American Indian. **Dale Nelson** filled an order by CSKT through Greg Gould this morning. Dale fulfilled most of the order and did an order for more face shields. Salish Kootenai College and Two Eagle River School have been taken care of and he will be contacting Nkwusm to see what their needs are. Dale has some KN-95 masks and reusable cloth masks if anyone needs them. **Mark Clary** has a supply of the N-95 masks reserved for medical providers, if needed. **Jean Matt** reported that there has not been any spending in the UCC recently, so there is no new finance update. A lot of donations for masks have been coming in. **Rob McDonald** mentioned the report Chelsea discussed this morning. There was discussion on information moving up the chain for public information. Rob is not always aware of information posted, and he asked if it is possible for him to get a heads up when information is coming before it is made public. It could have been useful to know the information that Chelsea provided this morning. **Mark Clary** will relay the request to have Rob put in the loop on that information. **Jean Matt** thanked Rob for including them on the St. Luke's COVID Team about the mail-in ballots. He applauds that work. **Shelly Fyant** commented that any public information that goes out needs to come from our Public Information Officer. If there is a problem with Lake County working with our Public Information Office or the Tribal Health Department needs to be worked out if we are truly a unified command team. The Tribes are cautious about returning to work. We have teleworking and staggered work schedules. We will do our best to physically distance and wear masks. Shields are being installed for reception desks and they are working on the building monitor logistics. **Jean Matt** will work on more coordination with the team and the Public Information Officer. **Martin Charlo** commented that we are back to work as safe as we can be. Tribal Council is in the tribal complex today. He

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wants everyone to stay safe and enjoy the nice weather and exercise their mental and physical health. If we get our immune systems up, maybe we will have less of a flu and COVID season.

Jean Matt advised that Audrey was on the call yesterday and visited about the governor coming down the pike with some more recommendations for mask wearing and updates. The State brought up fires. There were a couple of big-sized fires in eastern Montana. This morning felt like Fall, but we should not let our fire guard down. Jean closed the discussion by saying we need to change our minds about what return to work looks like and the different layers of new rules. We came into this with no rules and no idea since this type of pandemic has never existed in our lifetime before and we are learning as we go. Part of learning is making mistakes and getting on the right track. He applauds our commitment to this 9:30 call to be informed and share information to become better. This is about information sharing so we can become better as a group. COVID does not care what group we are from. Russia put out their first vaccine and Mr. Putin gave it to his daughter, so we will see how it works. Jean discussed the need for increased testing. We should consider more testing events. **Mark Clary** commented on the job well done by the Division of Fire and the resources they bring to the table. **Chairwoman Fyant** is concerned because this is our last year of BIA funding. We hate to lose that resource for the reservation. Mark was willing to help any way he can. He will get the backing of the local fire departments. The Division of Fire provides services throughout the entire area and are a great asset to the community.

Jean Matt has been happy with the Safety Officer's ability to implement the COVID things he learned into Fire Control. The Fire Control crew has yet to have any cases due to how they are managing the crews. We still have all the firefighters working. **Fred Matt** talked about the return to work effort. Yesterday he got a preview of what parents and grandparents will go through this coming year with school kids. There are no school busses running. His granddaughter has a week of summer school. Getting kids to school will be an issue. When he dropped her off at school all the kids had a mask on. Fred asked her how she felt, and she told him she felt safe and thought it was a safe environment on her first day of school. All school districts will address their issues differently. Parents will have to juggle their work schedules around getting their kids to school. **Charmel Gillin** commented that the Tribal Council is aware of our CSKT Education Department is working closely with the Lake County Public Schools Superintendent and at some point will do some communication. She hopes and plans to partner with the Tribal Education Department for the Polson district meeting on August 19. The meeting will be livestreamed. Charmel will gather the building protocol from the Kwataqnuq Resort where they can have some meeting space. Hopefully she will have more information on back-to-school plans at that meeting.

Tony Incashola, Jr., Steve McDonald and **Shawn de France**, Tribal Forestry, requested approval to accept the bid from Cougar Environmental for the CFI contract to provide inventory data for forest planning to project future timber sales and set the AAC. Remeasuring was rescheduled for this fall due to COVID-19. They will begin the project on August 17 and get as many plots in as possible and then finish it up next spring. 416 plots will be remeasured. Quality control will be done by the Tribal Forestry staff. Cougar Environmental was the low bidder. **Len TwoTeeth** asked if we are required to accept the low bid. We have Indian Preference contractors who have done this work in the past, and we are being asked to approve a contract with an out-of-state contractor. We don't know if they will hire our tribal members. **Anita Matt** informed council that there are two Indian Preference businesses on the list, but they did not come close to the lowest bid. **Chairwoman Fyant** commented that it goes back to the years of experience when people get their costs down and come in to do the job. They have two good references from the Coeur d'Alene Tribe and Yakama Tribe.

MOTION by Martin Charlo to accept the recommendation of Tribal Forestry and award the bid to Cougar Environmental for the CFI contract to provide inventory data for forest planning to project future timber sales and set the AAC. Seconded by Anita Matt. Carried, 5 for; 4 opposed (Len TwoTeeth, Charmel Gillin, Bing Matt, and Ellie Bundy McLeod); 1 not voting (Carole Lankford out of the room).

Len TwoTeeth, for the record, "The reason I opposed is because we did have an Indian Preference contractor that is a tribal member on this list."

Bing Matt, for the record, "I am opposed due to Indian Preference."

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

Clayton Matt and **Jessi Cahoon**, Tribal Health Department, requested approval of contracts with Melissa Gilleard, Staff Pharmacist; Richard Preite, Staff Pharmacist; Cameron Neiss, Clinical Pharmacist; Kyle Johnson, Relief Pharmacist; Ping Olsen, Relief Pharmacist; and Angel Flores, Relief Pharmacist.

MOTION by Charmel Gillin to approve the hire of Richard Preite on a three-year contract to fill the Staff Pharmacist position. Seconded by Bing Matt. Carried, unanimous (10 present).

MOTION by Martin Charlo to approve the hire of Melissa Gilleard on a three-year contract to fill the Staff Pharmacist position. Seconded by Anita Matt. Carried, unanimous (10 present).

MOTION by Anita Matt to approve the hire of Cameron Neiss on a three-year contract to fill the Clinical Pharmacist position. Seconded by Bing

Matt. Carried, unanimous (10 present).

MOTION by Bing Matt to approve the hire of Kyle Johnson on a three-year contract to fill the Relief Pharmacist position. Seconded by Martin Charlo. Carried, unanimous (10 present).

MOTION by Charmel Gillin to approve the hire of Ping Olsen on a three-year contract to fill the Relief Pharmacist position. Seconded by Martin Charlo. Carried, unanimous (10 present).

MOTION by Anita Matt to approve the hire of Angel Flores on a three-year contract to fill the Relief Pharmacist position. Seconded by Mike Dolson. Carried, unanimous (10 present).

Clayton Matt, Chelsea Kleinmeyer and Ashley Glass, Tribal Health Department, requested approval to renew a two-year contract with Kati Burton to fill the Registered Dietician position for the THIP program. This position was not advertised, but Tribal Health has another Dietician position that will be advertised. **Charmel Gillin** questioned the THIP funding and how that employee is carried forward beyond the program. Chelsea explained that the previous department head set a standard that all employees hired that were funded by THIP dollars would be brought on under a two-year contract since the funding is not permanent funding. The pay increases are negotiated each time the contract is renewed based on the pay scale for the position. Ashley explained that the initial agreement with the State goes to 2024. With the past years they have had, THD has had quite a few funds that have not been utilized. They could potentially fund the program beyond 2024, given the current amount; and then also if they move into tier 2 and tier 3 with increased funding, that could be looked at to carry employees beyond the 2024 agreement with the State. **Charmel Gillin** commented that it is concerning that the standard that has been set is two- or three-year contracts and each time they are renewed it is with an increase in pay. There is no guarantee for the continuation of the program, so they plan to let everyone go or we pick up the cost of those.

MOTION by Martin Charlo to renew a two-year contract with Kati Burton to fill the Registered Dietician position for the THIP program. Seconded by Bing Matt. Carried, 9 for; 1 opposed (Shelly Fyant).

Shelly Fyant, for the record, “My only reason is because the position was not advertised according to our policy. I know the great work Kati does, but I am concerned how our tribal members will ever get their foot in the door if we don’t advertise these positions.”

Clayton Matt and Dr. Garry Pitts, Tribal Health Department, requested approval to transition Dr. Taylor Diggs from the Staff Dentist position to the

Dental Clinic Manager position on a three-year contract, with an increased rate of pay.

MOTION by Martin Charlo to move Dr. Taylor Diggs from the Staff Dentist position to the Dental Clinic Manager position on a three-year contract. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Casey Ryan, Natural Resources Department, requested approval of a noncompetitive negotiated contractor agreement with Rehbein Enterprises, Inc. for construction of three cast-in-place concrete water measurement structures.

MOTION by Anita Matt to approve a noncompetitive negotiated contractor agreement with Rehbein Enterprises, Inc. for construction of three cast-in-place concrete water measurement structures. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

John Neiss, Facilities Maintenance, requested approval of a contract with R&R Building in the amount of \$22,750.00 for the Longhouse remodel project to conform to the COVID-19 safety guidelines. The project will be financed by the CARES Act funding.

MOTION by Len TwoTeeth to approve a contract with R&R Building in the amount of \$22,750.00 for the Longhouse remodel project to conform to the COVID-19 safety guidelines. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Len TwoTeeth discussed the Dayton Roundhouse. It has been neglected for a few years and is deteriorating. He has had elders and Elmo community members bring it up to him. Len asked the Tribal Council to move forward with having John conduct a damage assessment of the building and what it will cost to address those damages, and if we can come up with a budget to fix this building. Len wants John to work with Rueben Mathias. Len will go with John when he does the assessment. **John Neiss** will follow up.

Anita Matt wants a report from John on the status of the move of the modular. She understands the white building got moved and she wants to know where the Dixon building is in the process. **John Neiss** will follow up.

Chairwoman Fyant reported that there are a lot of weeds in the parking lots at the tribal complex. **John Neiss** advised Maintenance is working on it.

Charmel Gillin asked who would make the request to use the money that was going to be allocated to each of the pow wow celebrations and modify the budget so the facilities in Arlee and Elmo could get some scheduled maintenance done. **John Neiss** said it was suggested that it would go to Maintenance and he

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proposed that the committees make a list and then he would meet with the chairperson. John can get the work done if there is a consensus of the committees. **Chairwoman Fyant** asked Jennifer Trahan to follow up with the powwow committee chairs to get a list of facility needs and set up meetings with each of the chairs.

Rodney Bird, Two Eagle River School, requested approval to hire Rachel Redfox on a one-year contract to fill the Math Teacher position. The vacancy was advertised twice.

MOTION by Len TwoTeeth to approve the hire of Rachel Redfox on a one-year contract to fill the Math Teacher position. Seconded by Fred Matt. Carried, 9 for; 1 abstention (Martin Charlo – on the School Board).

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

Council **recessed** the regular meeting at 11:08 a.m. to conduct an Energy Keepers, Inc. shareholder representative meeting.

Council **reconvened** into the regular meeting at 12:08 p.m.

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

Ellie Bundy McLeod, Charmel Gillin, Carole Lankford, Len TwoTeeth, and **Fred Matt** out of the room.

Janet Camel, Economic Development Office, discussed agenda topics for the meeting with the Missoula County Commissioners scheduled for August 25, 2020. Topics include the place names idea for Higgins Bridge and Mullen Street. The Missoula County Commissioners are interested in that. Another topic is the question on the process they used for doing a staff functional evaluation of their county offices, and she will forward the questions to Chairwoman Fyant. An update on Smurfit Stone and the Railroad Authority will be agenda topics, as well.

Ellie Bundy McLeod, Charmel Gillin and **Len TwoTeeth** returned to the meeting.

Velda Shelby and **Janet Camel**, Economic Development Office, requested approval to apply for extended funding of \$120,000 from the Northwest Area Foundation for the Vibrant Tribal Economies Initiative. Participants are given a gift certificate for attending the ANA and NWF zoom meetings.

MOTION by Anita Matt to apply for extended funding of \$120,000 from the Northwest Area Foundation for the Vibrant Tribal Economies Initiative.

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Seconded by Martin Charlo. Carried, unanimous (8 present – Fred Matt and Carole Lankford out of the room).

Velda Shelby and **Janet Camel**, Economic Development Office, requested approval of a memorandum of agreement and subaward contract with S&K Business Services/Sovereign Leasing & Financing for the EDA CARES Act funding.

MOTION by Ellie Bundy McLeod to approve the memorandum of agreement and subaward contract with S&K Business Services/Sovereign Leasing & Financing for the EDA CARES Act funding. Seconded by Mike Dolson. Carried, unanimous (8 present - Fred Matt and Carole Lankford out of the room).

Len TwoTeeth asked about the scope of work of what businesses are being assisted and what type of assistance is provided to those businesses.

Velda Shelby and **Janet Camel**, Economic Development Office, requested approval of a temporary employment agreement with Steve Clairmont.

MOTION by Len TwoTeeth to enter into a temporary employment agreement with Steve Clairmont. Seconded by Anita Matt. Carried, 7 for; 1 abstention (Charmel Gillin); 2 not voting (Fred Matt and Carole Lankford out of the room).

Rhonda Swaney, **Brian Upton**, **Dan Decker**, and **John Harrison**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Mark Couture**, Tribal Lands Department, was present for discussion.

Fred Matt returned to the meeting.

Carole Lankford returned to the meeting.

Council reconvened into **regular session**.

MOTION by Anita Matt to approve a contract with Advanced Environmental Technology. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

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

Chairwoman Fyant out of the room on a telephone call.

Council met in **executive session**.

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Len TwoTeeth out of the room.

Chairwoman Fyant returned to the meeting.

Council reconvened into **regular session**.

MOTION by Martin Charlo to adjourn the meeting.

Council **adjourned** at 3:14 p.m., and is scheduled to meet again on Thursday, August 13, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary