

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

Volume 21 Number 17
Council Chambers, Pablo, MT

Held: December 1, 2020
Approved: December 15, 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 9:00 a.m. Quorum established.

The meeting was opened with a **prayer** by Mike Dolson.

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

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for November 24, 2020, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

The **agenda** was presented for approval.

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

Rene Wildcat requested to meet with council in **executive session** to discuss a personal matter. **Clayton Matt**, Tribal Services; and **Jami Pluff**, Policy Analyst; were present for discussion.

Craige Couture, Law & Order, requested to meet with council in **executive session**. **Jami Pluff**, Policy Analyst, was present for discussion.

Council reconvened into **regular session**.

Mark Clary, **Gale Decker**, **Dr. Bernadette Corum**, **Rob McDonald**, and **Lisa Shourds**, Unified Command Team, gave an update. **Fred Matt** discussed who

has the authority to enforce the mask mandate imposed by the governor. It sounds like it boils down to the City Council to enforce it. Arlee is not an incorporated city. The store in Arlee does not recognize or enforce the mask mandate. **Mark Clary** clarified that Polson, Ronan and St. Ignatius are the only cities that are incorporated and everyone else is under the county jurisdiction. The Health Department probably has more effect with the mask mandates. **Gale Decker** had discussions with the County Attorney and Don Bell, but the mask mandate must be from someone in authority that actually has the ability to write tickets to bring people into Justice Court for violations. Sheriff Bell told him he will not have his deputies writing tickets for mask mandate violations and the County Attorney would not be prosecuting them. **Mark Clary** reported that there is a total of 1,259 confirmed cases in Lake County, and 170 of those are active. There have been 11 hospitalizations and 13 deaths to date. The vaccine will be distributed in phases. Phase one is for the critical health care workers, and then the health care personnel. There are approximately 45,000 – 60,000 health care workers in the state. Phase two is for the high-risk population, such as the elderly and persons with medical issues. Phase three is for the general population. That will happen sometime in late spring. **Len TwoTeeth** asked if there is a distribution plan in place for the vaccine. He asked if it would be administered by drive-through clinics or if people must go into the clinic. We need to work together, and Len wants to get the Tribal and Public Health together to go to the local stores to remind them that there is a mandate in place. **Dr. Corum** showed a PowerPoint presentation and advised that the plan is the phased approach that was discussed. She is looking at what to do as far as the recordkeeping for vaccines. Documentation must be done in a timely manner. If the vaccine can be coordinated to do that through a mass vaccination fashion, that is the route they would like to go.

Fred Matt out of the room.

Gale Decker commented that Missoula County has been very strict with the mask mandate and fining businesses for noncompliance. Flathead County did the opposite approach, and the COVID cases in both counties are close in number. Mr. Decker discussed the court decision in Flathead County where businesses challenged their citations and the judge ruled in favor of the businesses. Gale said the question is whether the city wants to enforce closure of the business in Polson that council is referring to over the July 4 weekend celebration. The city has jurisdiction over that business. **Chairwoman Fyant** commented that behind each of those numbers is a real person, a real family, and a real community that is affected. The Tribes are reaching out to the County to help us in any way possible; we are not here to debate the issue. We need to take some real action. Shelly had mentioned a curfew, but she received very little feedback on that. If the Tribes need to take enforcement within the reservation boundaries, that is something we will look into since it poses an imminent danger to public health. The Tribes would like to move forward in a

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unified way, but if we can't, then the Tribes will look into taking some strong action of their own. **Martin Charlo** commented that we all live here, and we are all community members. The relationship between the Tribes and Lake County is what it is, but the County needs to realize that tribal members are county citizens, as well. We shop and eat at the same places. That is where we are at. It is about public and community safety. We are not talking tribal or non-tribal; this is everyone. Those numbers can be skewed whichever way they want, but we are in a tremendous fight. The vaccine is not our silver bullet; the rollout on that is several months. People are dying. Some businesses would like help with enforcement. Signage is important; the signage has not been updated. Sending out a joint message of masking would be good. Maybe we need to put up the obituaries of the people we have lost every time we meet. We have lost too many people to this virus. **Ellie Bundy McLeod** recommended hiring someone to specifically go from business to business to see how many of them are following the mandate, educate them, and find out why they are noncompliant to the mandate. **Len TwoTeeth** would like to take action to implement a curfew as soon as possible. **Gale Decker** commented that there has been some good discussions and debate on whether the masks really work or not. The schools have not been brought up. We have many children who are suffering academically because they do not have access to the in-person schooling. That needs to be discussed by the group and determine what can we do to get our kids back in school. Some students have lost nearly an entire academic year, and that is difficult to make up. Gale had concerns regarding the winter sports season if there is a curfew implemented. We cannot have the kids home by 10:00 p.m. if they have a game in Noxon. We should discuss what we can do to help get our kids back in school. It has been detrimental to our kids because they have had no in-person instruction, due to lack of staff, support staff, and various reasons such as those.

Fred Matt returned to the meeting.

Chairwoman Fyant reported that our tribal schools have gone to virtual learning only. They worked all summer to develop curriculum and figured out their classrooms. The Tribes allocated funding to the Tribal Education Department to develop education learning pods. They also allocated funding for students who may need tutoring. Shelly hopes we can take some action as a unified team in the near future.

Tony Incashola, Jr., Tribal Forestry; and **Art Trahan**, Fire Control; requested approval to do winter pile burning during the closed burning season from December 1, 2020 to March 1, 2021.

MOTION by Charmel Gillin to authorize Fire Control to do winter pile burning during closed burning season from December 1, 2020 to March 1, 2021. Seconded by Martin Charlo. Carried, unanimous (10 present).

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented a request from Rose O'Bennick for a revocable permit for Tribal Tract T-6047 for the old bowling alley. Options discussed were: (1) grant a one-year revocable permit as long as all permitting requirements are met, including a onetime payment of \$150.00; and proof of required insurance. (2) deny the request; and (3) hold further discussion.

MOTION by Len TwoTeeth to go with option 1 to grant Rose O'Bennick a one-year revocable permit for Tribal Tract T-6047 for the old bowling alley, as long as all permitting requirements are met, including a onetime payment of \$150.00; and proof of required insurance. Seconded by Mike Dolson. Carried, unanimous (10 present).

Mark Couture and **Tara Irvine**, Tribal Lands Department, presented a request from Rose O'Bennick for a revocable permit for Tribal Tract T-6047 for the 64 acres to be used for recreational activities. Options discussed were: (1) grant a one-year revocable permit as long as all permitting requirements are met, including a onetime payment of \$750.00; proof of required insurance; and payment of the bond; (2) deny the request; and (3) hold further discussion.

MOTION by Anita Matt to go with option 1 and grant Rose O'Bennick a one-year revocable permit for Tribal Tract T-6047 for the 64 acres to be used for recreational activities, as long as all permitting requirements are met, including a onetime payment of \$750.00; proof of required insurance; and payment of the bond. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Mark Couture, Tribal Lands Department; and **Art Caye**, Tribal Member; discussed insurance for the Christmas Tree sales. Art is getting a permit for the site across from Super One in Polson. The insurance policy would cost Mr. Caye \$399.00, and Art would like the insurance requirement waived. **Rhonda Swaney**, Legal Department, explained liability insurance is necessary and is a standard requirement for people who have a business on tribal land. It is precautionary so the person is covered if there is an accident and the person is sued. Art wanted to sign a vendor waiver instead of purchasing insurance. Mark explained the vendor is still required to obtain insurance; the waiver is for the Tribes to not be held liable. If Art does not have insurance and there is an incident, the Tribes could be sued. **Charmel Gillin** would like the Tribal Lands Department to come forward with a policy recommendation. Art commented that he could buy a \$10 permit and sell firewood and the same accident could happen as when he is selling Christmas trees. **No action taken.** **Chairwoman Fyant** would like this matter handled at the staff level. **Council** was not interested in waiving policy. Shelly would like Mark to follow up on people with permits like Art mentioned and give council an update on Thursday.

Michelle Mitchell, Miranda Burland, Phylicia McDonald, and Alexandria Plant, Tribal Education Department, reviewed proposed revisions to the JOM Policy Handbook and requested approval of the policy. A code of conduct for Indian Education Committee (IEC) members and vendors was included. A background check will be done annually for anyone involved with the IEC and vendors who have contact with children. **Chairwoman Fyant** asked about travel plans and contacts with the youth and if it was ever addressed. Michelle confirmed it is included in the background check policy that was developed. Generally speaking, the IEC members do not travel with the youth. The policy was changed internally regarding staff members traveling with students.

MOTION by Ellie Bundy McLeod to approve the JOM Policy Handbook. Seconded by Martin Charlo. Carried, unanimous (10 present).

Michelle Mitchell, Tribal Education Department, informed council that due to funding restrictions the applications for the education learning pods was closed. The ones council will hear from today are Twila Guerrero, Richard Pierre, Karissa Trahan-Sorrell, Johnson Caye, Maggie Sheridan, and Kaetie Thompson. Michelle has been working on the support plan. Michelle had updates from teachers. There are 9 teachers who are tutoring 22 students. Chromebooks were ordered and will be delivered to tribal students.

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

Richard Pierre gave an overview of the Stickgame Education Learning Pod that focuses on Stickgame. The total application amount is for \$15,000.00.

MOTION by Martin Charlo to approve the Stickgame Education Learning Pod for Richard Pierre in the amount of \$15,000.00. Seconded by Ellie Bundy McLeod. Carried, 9 for; 1 abstention (Charmel Gillin).

Charmel Gillin, for the record, *“I am abstaining due to the late term start of the education pods and related concerns.”*

Karissa Trahan-Sorrell gave an overview of the School of Stsa Education Learning Pod. The total application amount is for \$15,000.00.

MOTION by Carole Lankford to approve the School of Stsa Education Learning Pod for Karissa Trahan-Sorrell in the amount of \$15,000.00. Seconded by Fred Matt. Carried, 8 for; 1 abstention (Charmel Gillin); 1 not voting (Anita Matt out of the room).

Johnson Caye gave an overview of the Spike CT Education Learning Pod. The total application amount is for \$14,996.00.

MOTION by Martin Charlo to approve the Spike CT Education Learning Pod for Johnson Caye in the amount of \$14,4996.00. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Charmel Gillin).

Twila Guerrero gave an overview of the Genealogy Education Learning Pod. The total application amount is for \$11,530.25.

MOTION by Fred Matt to approve the Genealogy Education Learning Pod for Twila Guerrero in the amount of \$11,530.25. Seconded by Len TwoTeeth. Carried, 9 for; 1 abstention (Charmel Gillin).

Margaret Sheridan gave an overview of the Arts & Humanity Education Learning Pod. The total application amount is for \$15,000.00.

MOTION by Ellie Bundy McLeod to approve the Arts & Humanity Education Learning Pod for Margaret Sheridan in the amount of \$15,000.00. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Charmel Gillin).

Kaetie Thompson and **Francis Brown** gave an overview of the Arlee Lonebears Education Learning Pod. The total application amount is for \$15,000.00.

MOTION by Anita Matt to approve the Arlee Lonebears Education Learning Pod for Katie Thompson and Francis Brown in the amount of \$15,000.00. Seconded by Martin Charlo. Carried, 9 for; 1 abstention (Charmel Gillin).

Rhonda Swaney and **Dan Decker**, Legal Department, presented for consideration a letter addressed to the National Council of Public History Consulting Award Committee to nominate Ian Smith for the Excellence in Consulting Award. Ian works with HRA and was the Tribes' expert witness for the Big Arm litigation last year. His historical report was the centerpiece of the case.

MOTION by Len TwoTeeth to approve the letter to the National Council of Public History Consulting Award Committee to nominate Ian Smith for the Excellence in Consulting Award. Seconded by Martin Charlo. Carried, unanimous (10 present).

Rhonda Swaney, **Dan Decker** and **Brian Upton**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Mark Couture** and **Desirae Nault**, Tribal Lands Department; and **Jami Pluff**, Policy Analyst; were present for discussion.

Rhonda Swaney, **Dan Decker**, **Brian Upton**, **Ryan Rusche**, **Michael Wheeler**,

and **Shane Morigeau**, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Rick Eneas**, Financial Management; and **Jami Pluff**, Policy Analyst, were present for discussion.

Chairwoman Fyant left the meeting to meet with Kurt Alme.

Council reconvened into **regular session**.

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

Chairwoman Fyant returned to the meeting.

Kurt Alme, US Attorney; **Leif Johnson**, US Assistant Attorney; **Clair Howard**, Public Affairs Officer; **Jerod Cobell**, Liaison; **Ernie Weyand**, Missing & Murdered Indigenous Persons Coordinator; **Jeanne Torske**, US Assistant Attorney; **Rhonda Busenitz**, Victim-Witness Coordinator/USDOJ; **Tim Dunham**, FBI Deputy Director; **Jay Greenberg**, FBI Section Chief; **Regina Thompson**, FBI Assistant Director; **Kimberly Poyer**, FBI; **Ashley Shrewsbury**, FBI Special Agent in Charge; **Jerin Falcon**, BIA Special Agent in Charge; **Melissa Schlichting**, Deputy Attorney General; **Gary Seeder**, DOJ Investigator; **Ken Weaver**, Ronan Police Chief; **Bob Meacham**, Assistant Special Agent in Charge, BIA Salt Lake City Field Office; **Lenora Niose**, BIA OJS Special Agent in Charge, District V in Billings; **Craige Couture**, **Will Mesteth** and **Louis Fiddler**, Law & Order; **David Conway**, Missoula County Sheriff's Office; **Bernard Azure**, Char-Koosta News; **Kimberly Power**; **Brian Heino**, Flathead County Sheriff's Office; **Ann Miller**, Tribal Defenders Office; and **Jami Pluff**, Policy Analyst; met with council for a government-to-government meeting regarding the Missing & Murdered Indigenous Persons Guidelines Project. **Kurt Alme** stated that this will be the first pilot project in the state of Montana. 98% of missing persons were found; in 2019, the percentage of Indian/Alaska Natives was still at 28%, which is 4 times the average percentage for Indian/Alaska Natives in the state. Over 80% of missing persons were under the age of 18. 60% of missing persons are attributed to reports of people missing more than once. Behind every missing record is a face and a community, such as Jermain Charlo. We need to work together to make sure every Indian missing person is found. Last November, Attorney General Barr announced the Department of Justice's initiative to address MMIP cases. The CSKT developed a work group and protocols for media and a tip line, held safety awareness campaigns, supported billboards, and donated money for Jermain Charlo. The Arlee School did a campaign on student safety and awareness. Ernie is the first Coordinator hired in the country. He was hired to help find Selina Not Afraid. Ernie deployed rapid response teams. The DOJ, FBI, and BIA held two state-wide trainings to learn how to use alerts and what to do for the public when loved ones go missing. They developed a public service announcement to let the public know what to do when a loved one goes missing. Ellie Bundy McLeod and Jerod Cobell serve on the MMIP Task Force. Their

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efforts included reaching out to all tribal governments to make sure tribal members are included in the state Missing Persons Clearing House. They launched Operation Lady Justice. Savannah's Act was put into law, which requires development of federal guidelines. The working groups are developing guidelines for law enforcement, victim services, public communication and media, and community outreach. When completed, they want to share our experience before they are distributed nationally next year. CSKT was one of six that were chosen for the pilot project.

Ernie Weyand thanked the CSKT for working very hard on this issue for the past year. **Bob Meacham** covers the criminal branch in Salt Lake City and Indian reservations throughout Utah, Idaho and Montana. **Lenora Niose** is the Special Agent in Charge for the District Office in Billings. She oversees the state of Wyoming and the part of Montana that Mr. Falcon does not cover. **Craig Couture** introduced Will Mesteth, who will lead up the MMIP Department in Law & Order. **Tim Dunham**, FBI Criminal Investigator, has been heavily involved in national working groups to develop guidance for MMIP cases and particularly in specialized resources under appropriate circumstances, such as child abduction, that can be made available. He looks forward to working with these partners on these resource guides which are valuable resources for everyone involved.

Chairwoman Fyant is pleased to be a partner in this very important pilot project and looks forward to forming these guides in the four areas talked about (law enforcement, community assistance, public relations, and victim services). This is a difficult issue. When we talk about the numbers, native people go missing four times the rate as the general population. Behind every one of those numbers is a family and a member of our community. She applauds everyone for working through these difficult conversations we have to have. Unfortunately, our work will probably never be done. CSKT developed a resolution in January 2018 to establish a working group. We are trying to be on top of our game, as far as having protocols in place. We have an active law enforcement partnership, and a lot of people in the community. We learned what families needed during this time, and we learned we are resilient. Shelly thanked Marita Growing Thunder. When she was a senior at the Polson High School, she dedicated her senior year to awareness of the missing and murdered indigenous women. The campaign was Save Our Sisters and she started that organization. She organized a walk from Dayton to Evaro. Marita experienced a lot of racism while working on this project. Shelly thanked Lorelei Williams, from British Columbia. She was one of the first people Shelly met to talk about victim services and community involvement. If someone went missing in Victoria, she was the person they reached out to. She made contact with the families, organized search parties, and hung posters, etc. Shelly also thanked Anita Louie Casey who founded Sovereign Bodies Institute. Anita is a cartographer by trade and maps out all these MMIW. She came to a training and helped us to add to her database.

Jerin Falcon commented that he has worked in Indian country for 20+ years. He is happy to participate in this important issue, especially with the BIA. They are not just law enforcement; they are also tribal members and it affects all reservations. He got to see firsthand some of the impacts from having missing persons in Indian Country during the roundtable discussions. **Melissa Schlichting**, Montana Department of Justice and Montana MMIP Task Force, is excited to work alongside these partners on this pilot program and is excited that a Montana tribe is among the first in the nation to be selected for the pilot program. **Ellie Bundy McLeod** looks forward to the meetings next week. She is grateful to be part of the task force and to be able to help in a small way to bring light to the situation and making sure collaborations continue and helping to improve reporting, looking at ways to help support families, doing a better job at tracking numbers, such as the runaways, and how to curb those runaway numbers. **Fred Matt** commented that it has been a year ago or so since the Attorney General was here, and he wanted to know if there was any update.

Mr. Alme reported that Attorney General Barr deployed the rapid team coordinators. Ernie heads up that group. They are instrumental in developing the guides we have. They were involved in the Selina Not Afraid case. Selina went missing from a rest stop between Billings and Hardin. They were actively involved in that case and responded immediately with the help of the Behavior Analyst. The rapid deployment team arrived and was on site that evening and had narrowed the search. Although it was too late to save Selina, her body was recovered. The BIA was aggressively involved in that case. The Attorney General instructed them to work on guidelines. Ernie chaired the working group. **Jami Pluff**, Policy Analyst, has been part of the work groups and meetings. She has worked on this for the past two years and this is near and dear to our hearts. She thanked Law & Order for being part of our work group. It has been important to have them here; they helped develop the protocols and have been involved in our meetings. There is a meeting tomorrow. The group will be doing an awareness campaign. Jami and Will Mesteth had the opportunity to be a part of an awareness campaign with the Montana Beer Distributors Association who had seen a map of sex trafficking areas in Montana. They realized that is where their beer distributors go to. They were surprised this issue happens in Montana and wanted their drivers and staff aware of the issue. They put together an awareness video for their employees and drivers. Will and Jami were part of that video. The CSKT work group thought they needed to do that too, so they want to come to council and ask for permission to do an awareness campaign. Charmel Gillin and Michelle Mitchell did a COVID-19 youth campaign and a lot of young music artists did music videos on safety awareness and COVID-19. We may do some music videos for MMIP.

Len TwoTeeth commented that funding is the biggest obstacles the Tribes face when trying to develop a program in Indian country. Due to the passing of

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Savannah's Act, he asked if there will be funding available to the Tribes to assist families with missing loved ones. Families have requested money to do billboards. The CSKT has helped a local family with billboards. Funding would be extremely helpful to the whole cause to our reservation. **Kurt Alme** talked about sustainability. What we learn here will go back to the group to do appropriate training to sustain these programs. Specific to victims, there is no funding in Savannah's Act, but the Office of Victim Crime has a substantial fund to help support victims of crime. They have never allocated the entire fund each year; there is more money than what has been requested. He told the Tribes to consider applying to the Office of Victim Crime for funding. The Victim Services staff gets involved in cases early on and work as a liaison with the tribal partners to identify programs to support victims of crime.

Chairwoman Fyant announced that there will be no council meeting next Thursday so all council members can participate in the working group meetings scheduled for next Wednesday, Thursday and Friday. **Mr. Alme** informed council that he resigned as the US Attorney, to be effective tomorrow. He is joining Gianforte's team as the budget director. He looks forward to working with the Tribes in that capacity. Mr. Johnson will be acting in this position in the meantime. He is grateful to have had the chance to work with everyone on this issue. **Charmel Gillin** thanked Kurt for his service in that capacity; she appreciates his help getting us to this point. **Chairwoman Fyant** realized how dedicated Kurt is to this issue when he held off on his resignation for one week so he could participate in this discussion.

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

Chairwoman Fyant and **Ellie Bundy McLeod** out of the room meeting with Kurt Alme.

Velda Shelby, Economic Development Office, presented for approval a list of business relief grants, for a total amount of \$331,009.00.

MOTION by Charmel Gillin to award a business relief grant to Kelly Clairmont, owned by Kelly Clairmont, in the amount of \$23,488.00. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Cheri Lawson, owned by Cheri Lawson, in the amount of \$18,368.00. Seconded by Mike Dolson. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Agriculture Business, owned by Madeline Caye, in the amount of \$19,644.00.

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Seconded by Martin Charlo. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Charles R. Hanson, owned by Charles Hanson, in the amount of \$25,000.00. Seconded by Charmel Gillin. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Charmel Gillin to award a business relief grant to Cahoon Construction and Fire, owned by Francis E. Cahoon, in the amount of \$26,000.00. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Courville Logging, owned by Elizabeth Courville, in the amount of \$15,580.00. Seconded by Mike Dolson. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Smith Septic Service, LLC, owned by Fred Ashley, in the amount of \$22,500.00. Seconded by Charmel Gillin. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Martin Charlo to award a business relief grant to Northwest Lawn Care and Excavation Services, owned by Honora Irvine, in the amount of \$25,624.00. Seconded by Charmel Gillin. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Martin Charlo to award a business relief grant to All American Autoworks, owned by Richard Johnson, in the amount of \$17,899.00. Seconded by Mike Dolson. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Illegal Image Clothing, owned by Mark Padilla, in the amount of \$12,929.00. Seconded by Mike Dolson. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of room).

MOTION by Martin Charlo to award a business relief grant to Crash and Burn Auto, owned by Michael Matt, in the amount of \$22,000.00. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Len TwoTeeth to award a business relief grant to Soap Stone Construction, owned by Galen McDonald, in the amount of \$22,500.00.

Seconded by Charmel Gillin. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Charmel Gillin to award a business relief grant to Ivanhoff Contracting, owned by Brad Ivanhoff, in the amount of \$18,345.00. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Charmel Gillin to award a business relief grant to TH Logging, owned by Thomas Haynes, in the amount of \$24,000.00. Seconded by Mike Dolson. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Charmel Gillin to award a business relief grant to Howell Wallpaper Hanging, owned by Marilyn Howell, in the amount of \$7,132.00. Seconded by Martin Charlo. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

MOTION by Mike Dolson to award a business relief grant to Barbershop of Hot Springs, owned by Nicholus Barber, in the amount of \$30,000.00. Seconded by Martin Charlo. Carried, unanimous (8 present – Shelly Fyant and Ellie Bundy McLeod out of the room).

Rick Eneas, Financial Maintenance, requested approval of a contract with R&R Construction in the amount of \$334,750.00 for repair, insulation, and replacement of the roof for the KHJCC building.

MOTION by Martin Charlo to approve a contract with R&R Construction in the amount of \$334,750.00 for repair, insulation, and replacement of the roof of the KHJCC building. Seconded by Bing Matt. Carried, unanimous (8 present - Shelly Fyant and Ellie Bundy McLeod out of the room).

Martin Charlo reminded the Facebook Live audience to get tested if they feel symptomatic, wash their hands, wear a mask, and social distance.

Rick Eneas, Financial Management; **Laurence Kenmille** and **Arlen Tellier**, Enrollment Office, requested approval of a resolution authorizing the correction of an administrative error in the blood quantum of Joseph Ladderoute and his descendants. This request was reviewed at the Enrollment Committee meeting and the committee was in favor of the request.

MOTION by Bing Matt to approve by resolution the correction of an administrative error in the blood quantum of Joseph Ladderoute and his descendants. Seconded by Fred Matt. Carried, 7 for; 0 opposed; 1 abstention (Martin Charlo); 2 not voting (Shelly Fyant and Ellie Bundy McLeod out of the

room).

RESOLUTION 21-016

AUTHORIZING THE CORRECTION OF AN ADMINISTRATIVE ERROR IN THE BLOOD QUANTUM OF JOSEPH LADDERROUTE (AO1369) AND HIS DESCENDANTS

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

WHEREAS, the Ladderoute families have requested a correction in the blood degree of their ancestors' ancestry and to reflect that correction to all descendants; and

WHEREAS, the Ladderoutes' blood quantum reflect an error in the calculation of their ancestors; and

WHEREAS, documentation has been provided to show that Joseph Ladderoute was in fact 3/4 blood; **NOW, THEREFORE**,

BE IT RESOLVED, that the Confederated Salish and Kootenai Tribes hereby authorizes the correction of an administrative error in the blood quantum of Joseph Ladderoute from 1/2 to 3/4 and to reflect that change on his descendants' blood quantum. Individuals that become eligible for enrollment due to this correction shall not receive any retro-active benefits.

Rick Eneas reminded council that there is an Enrollment Committee meeting scheduled for next Monday, and the Enrollment staff can provide an update on the outstanding research requests at that time.

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

Mark Couture, Tribal Lands Department; **Stu Levit** and **Michael Wheeler**, Legal Department; discussed external land ordinance policies. They reviewed policy for abandoned structures and tribal government use of lands under the Lands Department authority. **No action taken.** Legal and Lands will get scheduled on the agenda on a regular basis to continue review and discussion of the proposed policies.

Chairwoman Fyant and **Ellie Bundy McLeod** returned to the meeting.

Anita Matt was appreciative that some of the railroad cars were removed from Dixon. **Chairwoman Fyant** thought they were moved to Arlee. **Stu Levit** will follow up. She asked Clayton Matt to follow up with MaryRose and Willie. They

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December 1, 2020

were looking to see if the cars were leaking. MaryRose was doing an environmental review on where those cars were leaking, but council has not gotten a report back. That is what EPA was waiting on.

Carole Lankford out of the room.

Stu Levit will follow up with the chairwoman regarding the Elk Water Shed. The hearing with the Board of Environmental Review is scheduled for December 11.

Council met in **executive session**. **Shane Morigeau** and **Michael Wheeler**, Legal Department, were present for discussion.

Carole Lankford returned to the meeting.

Council reconvened into **regular session**.

MOTION by Len TwoTeeth to direct the Board per policy to temporarily suspend the Mission Valley Power General Manager until his driver's license is reinstated, to be suspended without pay. Seconded by Ellie Bundy McLeod. Carried, 7 for; 2 opposed (Shelly Fyant and Martin Charlo); 1 abstention (Bing Matt).

Charmel Gillin, for the record, *"I was not aware that abstaining from this action was an option. I understood we were going with the majority and everyone was going to be supportive. I am concerned that the way the motion is stated divulges more information than necessary."*

Shelly Fyant, for the record, *"I will still support the action, but I do not agree with directing the board what to do."*

Bing Matt, for the record, *"It's my choice to abstain or not, and I'm going to abstain. I am not doing something that affects the family members."*

Martin Charlo, for the record, *"I feel like council needs to stay out of personnel issues. We hire boards for a reason, and we should let them do their jobs."*

Fred Matt, *"I can see Bing's point, because he is a close relative. We all talked about abstentions, but I thought we were all in support. What Martin said, we are not doing this ourselves; we are directing the board to do their job by telling them to follow policy. I thought we were going to all follow that same line, and now it looks like everyone's not in favor of that."*

Mike Dolson, for the record, *"Shane talked to us earlier about the board on a 638 contract is not the same as a shareholder over a corporation; those*

are distinct things.”

MOTION by Anita Matt to adjourn the meeting.

Council **adjourned** at 5:30 p.m., and is scheduled to meet again on Thursday, December 3, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary