

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

Volume 21 Number 19
Council Chambers, Pablo, MT

Held: December 8, 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 Carole Lankford.

The **Tribal Council Meeting Minutes** for December 1, 2020 were presented for approval. **No action taken.** Approval of the minutes was tabled until full council is present.

The **Tribal Council Meeting Minutes** for December 3, 2020 were presented for approval. **Jennifer Trahan** was directed to follow up on the amount that was donated by the Lutheran Church.

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for December 3, 2020, with corrections. Seconded by Anita Matt. Carried, unanimous (9 present).

The **agenda** was presented for approval.

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

Francis Cahoon, Dan DePoe and **Art Caye** informed council that Fire Control has owed Mr. Cahoon \$52,660.00 for the last 138 days from the last fire. Francis was told he could get a no-interest loan through Tribal Credit, but nobody has let him know that. Francis asked if the Tribal Council would support tribal members that have not been paid. He heard it is over \$1 million that the Tribes owe the tribal members. There should be some interest paid to them since they

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have had to wait so long to get paid. Francis spoke to the captain of a Rural Fire Department and found out that the people under his command are mainly nontribal members, and they got paid. Francis would like the tribal members to get paid out of that same pool of money. **Chairwoman Fyant** explained that as far as contractors with equipment, it was a case where the Department of the Interior did not have the funds for the Bureau of Indian Affairs. Shelly wrote a letter to Senator Tester and on December 1 Katie McCleary, Legislative Assistant on Indian Affairs, sent Shelly an email stating that she received confirmation from the Department of Interior that the BIA is working on distributing fire suppression funds and all vendor payments are being processed, so the BIA should make funding available the week of December 1. Shelly also reached out to Senator Daines's staff. Aaron Thiele sent an email response to Dominic Nordel stating that the BIA was incorrect in saying that the Department is out of money. OWF has been working continuously with all bureaus, including BIA, to manage funding levels in order to meet high suppression needs from fire expenses incurred in late fiscal year 2020 and early fiscal year 2021. As suppression funding is limited under a continuing resolution, OWF has adjusted allocation amounts on an ongoing basis to meet this need. Currently, BIA is working on distributing the available Suppression funding to its regions, and all vendor payments are expected to be processed in accordance with BIA standard operating procedures. He was informed that BIA should be making funding available the first week of December. The tribal leadership asked the Office of Financial Management if there was something that could be done through Tribal Credit to help these contractors that have not been paid. Pete White met with the Tribal Council and offered interest-free bridge loans for those contractors. Those loans would require a security agreement so the payments would go directly to Tribal Credit as the lender.

Tony Incashola, Jr., Tribal Forestry, mentioned that he has been in contact with the BIA and Tribal Credit to track down who got paid since some payments went out already. That information is necessary so they can figure out how much everyone has been paid before they loan out money, so they do not end up loaning out money for what has already been paid. Tony thought that Pete White had already spoken to Mr. Cahoon about some lack of payments. **Rick Eneas** reviewed the loan terms that are available. They were going to be zero percent interest loans and a waiver of fees so it would be of no cost to the borrower. There would only be a minimal fee associated with the cost of recording and processing documents. The hurdle was confirming the amounts and getting the security agreements in place. Rick will follow up with Pete White and confirm that information. Tribal Credit can schedule loan meetings whenever needed. The turnaround time to get the loan would be about one week once all the required paperwork is submitted.

Francis Cahoon had questions about how long it would take to get the loan once he applied. He does not want to have to wait for weeks to get the money. Mr.

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Cahoon asked if there was a way to charge interest to the BIA. The BIA should be held accountable and a fair interest rate should be given for those most affected. He had to pay his employees out of his pocket. He would like tribal member contractors to be paid out of the same account as the nontribal member contractors, because they would get paid on time and would not be required to have workers compensation and insurance. Francis asked the Tribes to support a letter stating that they expect interest to be paid on the money owed to the tribal member contractors. **Rick Eneas** commented that the long-term solution for this is something the Tribes should be pushing on the BIA or the federal government on behalf of tribal member vendors, because apparently all those payments that are owed should be going out this week. That is after the Tribes started pushing the questions up the chain at the federal level and the higher-ups at BIA. That is the route taken to resolve this issue. But in the interim, Tribal Credit can offer those bridge loans.

Tony Incashola, Jr. received information from Devon that the issue is getting the confirmation from BIA. The staff has been in contact with most of the contractors that have not been paid. Devon has emailed the BIA numerous times trying to get the confirmation and she also sent them a list trying to find out if payments could be itemized to each vendor. The department has been unsuccessful in getting any information from BIA at this point. **Dan DePoe** suggested that the Tribes pay the tribal member contractors out of the general fund, and then the Tribes could work on the BIA, so the tribal members are not put in this inconvenient situation. Those contractors did the work for the BIA and the Tribes. **Chairwoman Fyant** commented that it goes back to verifying the amount and the security agreement. **Fred Matt** recommended having more discussion on this topic. He thought we should find a pool of money to pay these guys with and then have the Tribal Council deal with the BIA to get paid back with interest. The BIA charges interest when they are owed money. **Ellie Bundy McLeod** understands the frustration and she hoped they could go to Tribal Credit today so they can get that loan as soon as possible. Ellie appreciated them coming forward to push this issue, and she wanted them to know that the Tribes are moving this forward and not letting it sit on the back burner.

Carole Lankford thinks the chairwoman has done everything she can. Rick Eneas knows that a process needs to be in place and that you cannot just issue money out of the general fund without that process being in place. Rick needs to make sure the money is secured so the Tribes get paid back. We need to discuss this matter when we talk to the congressional delegation in the future. When the new administration steps in, hopefully they do not use the Wildland or FEMA money for something else so these services can be paid in a timely manner. We could check into the interest request, but it may turn into litigation. **Anita Matt** thinks organizations such as the Intertribal Timber Council, Rocky Mountain Tribal Leaders Council, and the National Congress of American Indians could be used for congressional issues. We need to use it to advance

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these issues. Other tribes are probably having the same problem. She also suggested consultation with the Northwest Regional Office – BIA. **Tony Incashola, Jr.** stated that it would be helpful if he could get the total amount owed to the vendors and a request from each vendor for the minimum amount they need until the payment comes through. They can work on verification today so they can make an informed judgment on the amount they can loan out to these guys.

Mr. Cahoon does not know why nontribal members from the Rural Fire Departments get paid but the tribal member vendors on their own reservation do not get paid. **Dan DePoe** wanted the Tribal Council to tell their tribal member loggers they have been logging for 25 years and do a good job, and not to worry about all these regulations and stuff we have to worry about, but keep working and the tribal government will deal with the regulations. The Tribes have lawyers, and they can figure it out. Dan DePoe and Francis Cahoon wanted to be on the Forestry Advisory Board but now it is going to be advertised, so it will be a few months before that board is created. These issues should have been fixed the day he first came into council two years ago. It is the same situation with permitting; they were told it must be advertised to give everyone an opportunity.

Anita Matt left the meeting for the remainder of the day to participate in a virtual Intertribal Agriculture Council Membership meeting.

Art Caye commented that the Tribes have a lot of power, but they don't know it. It is so simple, but everyone wants to make it hard. The Tribes could give Mr. Cahoon a check today and put Art back to work tomorrow if they wanted to. That is how easy it is. The Tribes are the government, and they need to remember that. The Tribes can do whatever they want. He does not know why the Tribal Council is so scared. Mickey Pablo and Pat Lefthand would have done it just like that. They had the best lawyers working for this Tribe. The membership likes what the council members tell them, and that is why the membership elects them to represent us. The last six years have been promises and promises. He thought it was figured out three months ago, but then he found out it went away. They spent six months getting it figured out and when they returned the next day, they found out it was changed behind their backs. They had an agreement set in stone and it went away just like that. It will take him 20 years to get his credit back. He had to sell his ranch to pay back Tribal Credit because his small logging was taken away from him. The Tribes can write a letter to the BIA and tell them this is what we are going to do. That is what Mickey and Pat used to do and they were never questioned. With the snap of a finger, the Tribes can do whatever they want to. **Chairwoman Fyant** told Art that the Personnel Department is currently advertising the Forestry Advisory Committee. Tribal members are asked to submit a letter of interest if they are interested in applying to serve on that committee. Shelly thanked them for

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coming in today. They should be able to get Tribal Forestry and Division of Fire the paperwork that is needed to verify what is owed to them from either the BIA or the Forest Service.

Dan DePoe requested a status report on reapportionment. **Chairwoman Fyant** told him that the council established a Reapportionment Committee and she asked that the committee provide an update. **Martin Charlo** reported that he and Mike Dolson are on the Reapportionment Committee and they were going to bring it up in the next week or so. They will be taking it to council to make sure of the way we are moving forward, and then have it done before the next election. Martin has not forgotten about reapportionment, and he appreciated Dan bringing it up.

Francis Cahoon read that Tribal Credit asks the individual to be in good standing in order to be eligible for a loan. That sounds good, but how can people be in good standing with their loan when they have not been paid for four and a half months. **Rick Eneas** explained that the Tribal Credit Plan of Operations require borrowers to be in good standing, so Tribal Credit must have that requirement in order to be in compliance with policy. It is not a dealbreaker, particularly in these circumstances. It would be up to the Tribal Council to waive their policy.

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

Jean Matt, Chelsea Kleinmeyer, Rick Eneas, Dale Nelson, Rob McDonald, and **Mark Clary**, Unified Command Team; and **Ed Meece**, Polson City Manager; gave an update. **Jean Matt** informed council that the new Incident Action Plan was sent out last night and is available by email. It contains good information on the direction we are going. **Chelsea Kleinmeyer** reported that Lake County has a total of 1,417 confirmed cases, and 191 of those are active. There are currently 5 hospitalizations and there have been 14 deaths to date. The CDC came out with some new guidelines regarding quarantining. The team discussed those with the State last week. The Tribal Health and County Public Health brought the new recommendations to the COVID Task Force and decided to continue with the 14-day quarantine and not move to the new CDC guidelines at this time. They felt the guidelines were implemented right away and they did not have time to process what that meant for the county. It does not mean they will not move to those new guidelines at a future date. The team will discuss further at the next Task Force meeting. The new guidelines allow for a 10-day quarantine if people remain asymptomatic during that 10-day period and do self-monitoring for days 10-14. It allows for a 7-day quarantine if there is a negative test result on day 5 or later. The CDC did this to get more compliance with quarantining across the nation. Lake County will continue with the 14-day quarantine until further notice. It was an exciting day for the UK as they are doing their first vaccines today. The FDA will possibly be giving an emergency

use authorization to Pfizer this week in the United States. After that emergency use authorization is granted, the Advisory Commission on Immunization Practice will finalize their recommendations for vaccine distribution and prioritization of the vaccine. The first dose in Montana will come from Pfizer next week. They will go to the large hospital systems in our bigger cities first. Shortly after that, the Moderna vaccine will get their emergency use authorization and we will see that coming into the state, as well. Those doses will be allocated to Walgreens and CVS for long-term facilities and then to the hospitals. It is expected that the vaccines will be available in Lake County by the end of this year or the beginning of next year. The vaccine will be rolled out in phases. Phase 1-A is for health care workers and long-term care facilities; Phase 1-B is for essential workers, such as the fire departments and police force; and Phase 1-C is for those with high-risk health conditions. The State is holding weekly COVID Immunization Work Group meetings and she should have more information on Thursday.

Len TwoTeeth asked if both vaccines require two doses and if individuals are still vulnerable to the virus during the time between dose one and dose two. **Chelsea Kleinmeyer** explained that the vaccine does require two doses. One vaccine is at 21 days and the other one is at 28 days. People will not be protected from the virus until after they get the second dose. The recommendation is that we do not let our guard down once the vaccine starts rolling out. We still need to take all preventative measures, such as wearing a mask, washing hands, and social distancing until the majority of the population is vaccinated.

Dale Nelson followed up with hotel and motel managers in our area about the use of their facilities for isolation and quarantining. The consensus is that they want a contract stating who has jurisdiction over the person in the room, how will the room be maintained, who will maintain the room, and who will clean the room after the people move out. Dale spoke to the Red Cross. The Red Cross told Dale that coming up with funds for housing people in hotels must be an emergency, such as a flood or fire that takes them out of their home. They have plans to handle people who are COVID infected while they have to be rehoused. They are willing and ready to have the supplies (bed, linens, blankets) to set up a large shelter for isolation and quarantining if we need them to do that. It would be at a site already approved by the Red Cross and there are quite a few of those on the reservation. The people would be fed while staying there.

Len TwoTeeth wanted to know the status of the white house in Pablo. **Dale Nelson** advised there was family in there now. As soon as they are done with their isolation, our tribal people will clean it and get it ready for another availability. We also have the medical building at the KHJCC site that can be used to house somebody. **Chelsea Kleinmeyer** was contacted by John Neiss last week about the keys, so Chelsea has a set of keys. There is a family in there right now and as soon as they vacate, John said that it would be appropriate to

let him know so he could arrange for the cleanup.

Rick Eneas has been focused on the COVID relief fund money, specifically related to emergency responses. There is additional funding available if there is a desire or something that comes up where we would want to increase our capacity in emergency shelters or whatever that looks like. He is ready to present options for council on how to proceed with those items. **Rob McDonald** has been tracking discussions among the tribal leadership as they are going into production of some short videos. Setbacks from other duties have delayed that, but he hopes to put out more of them soon. **Jean Matt** informed council that there is information on isolation versus quarantine and information related to self-care in the Incident Action Plan. That is a good landing spot for people to review what is going on during this pandemic.

Ed Meece, Polson City Manager, gave an update. The city continues to have City Hall staff out on quarantine or isolation due to COVID exposure. The city enforces the mask wearing mandate and social distancing. The city is happy to be as helpful as possible during this time. **Mark Clary** reported that most of the employees who were out on quarantine have returned to work. **Jean Matt** informed council that having one entrance and exit was discussed at the meeting. Martin Charlo talked about the Tribes' new policy regarding that issue. The team has been discussing what has been successful within agencies so far and sharing that information with other agencies.

Chairwoman Fyant mentioned that the tribal leadership revised the protocols based on employees not adhering to the building and employee protocols that were in place (temperature checks, signing in, going in one door, etc.). It is not a perfect system and there will be some variances depending on the building. The Tribal Health Department will have COVID positive cases and vendors enter through different doors. The Tribal Council is trying to reduce the transmission to our employees, and all they can control is the protocols for the tribal employees and encourage everyone to seriously think about the sacrifices we need to make during this holiday season. It is not who we are since we are all about family being together, but there was a huge spike this past weekend that coincides with two weeks after Thanksgiving. Shelly understands the sacrifice, the fear of isolation, and the loneliness. We are strong people and we need to remember that. This is for a reason. The sacrifices we make now will enable us to see 2021 in a healthy manner.

Rick Eneas and **Ruth Swaney**, Financial Management, requested approval of modification 1 to the fiscal year 2021 total budget allocations for the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Funds. This modification includes the Law & Order budget request that was approved by the Budget Committee.

MOTION by Carole Lankford to approve by resolution modification 1 to the fiscal year 2021 total budget allocations for the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Funds. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 1 not voting (Martin Charlo out of the room).

RESOLUTION 21-017

RESOLUTION APPROVING MODIFICATION 1 TO THE FISCAL YEAR 2021 TOTAL BUDGET ALLOCATIONS FOR GENERAL FUND, SELF-GOVERNANCE COMPACTS, CONTRACTS AND GRANTS, AND SETTLEMENT FUNDS

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

WHEREAS, Resolution 20-159 enacted the FY 2021 Total Allocations for the General Fund, Self-Governance Compacts, and Settlement Fund; and

WHEREAS, the enacted Total Allocations need to be revised to include allocations for Contracts and Grants, allocation of increases and decreases in accordance with funding awarded by the self-governance compacts, allocation of FY 2020 carryover to certain programs, and to adjust for programs that have been increased and decreased from the enacted allocation; and

WHEREAS, the total increases/(decreases) are \$97,470,087 as detailed on the following table:

Function	Total Enacted by Function	FY 2021 Contracts and Grants Allocation	Revised Total by Function 12/8/2020	Total Increase/ (Decrease)
Government Services	\$7,609,000	\$29,882,022	\$37,952,187	\$30,343,188
Health and Human Services	\$43,147,304	\$19,055,817	\$73,228,266	\$30,080,962
Natural Resources	\$9,351,775	\$1,711,424	\$37,999,330	\$28,647,556
Government Operating	\$1,589,350	\$0	\$1,655,950	\$66,600
Education	\$1,320,800	\$6,104,673	\$7,429,994	\$6,109,194
Administration	\$15,773,101	\$88,285	\$15,901,956	\$128,855
Court/Probation	\$1,165,000	\$0	\$1,210,729	\$45,729
Law Enforcement	\$2,144,000	\$390,000	\$2,534,000	\$390,000
Legal	\$4,348,595	\$3,939	\$4,351,839	\$3,244
Forestry	\$2,143,167	\$6,784,167	\$11,056,150	\$8,912,983
Capital Programs	\$4,754,167	\$0	\$4,775,000	\$20,833
Per Capita	\$9,800,000	\$0	\$9,800,000	\$0
Indirect Costs	\$3,363,761	\$0	\$3,363,761	\$0

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Tribal Earmarks	\$0	\$0	(\$754,983)	(\$754,983)
Spending Authority - Earmarks	\$6,524,074	\$0	\$0	(\$6,524,074)
Total by Fund	\$113,034,093	\$64,020,327	\$210,504,181	\$97,470,087

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to revise the Total Budget Allocations to the General Fund, Self-Governance Compacts, Contracts and Grants, and Settlement Fund for a total increase/(decrease) of \$97,470,087; and

BE IT FURTHER RESOLVED that the Total Allocations are increased from \$113,034,093 to \$210,504,181; 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.

Renee Camel, Information Technology, requested approval of a contract with Naviant, Inc. in the amount of \$291,910.00 to begin the implementation of OnBase based on the Discovery Audit that was done for Tribal Council, Finance, and Personnel. The CARES Act funding will cover the cost.

MOTION by Martin Charlo to approve a contract with Naviant, Inc. in the amount of \$291,910.00 to begin implementation of the OnBase for Tribal Council, Finance, and Personnel. Seconded by Carole Lankford. Carried, unanimous (9 present).

Dana Morales, Department of Human Resources Development, requested approval to hire Ahleesa Teton on a one-year contract to fill the Foster Care Worker Trainee position. The vacancy was advertised for two weeks and there were no qualified tribal member applicants. The second vacancy will be re-advertised.

MOTION by Carole Lankford to approve the hire of Ahleesa Teton on a one-year contract to fill the Foster Care Worker Trainee position. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Michelle Mitchell, Tribal Education Department; and **Nancy Fonicello**, Ancient Artways Conservation; presented the Conservation Survey Report and Recovery Project Recommendations for the work Nancy has done due to The People’s Center fire. Nancy did a survey of the onsite collections. There were 5 different objects that were damaged in the fire. She made recommendations on how to deal with each type of those objects and provided an overview of how to recover the collection along with a timeline.

MOTION by Carole Lankford to accept the report and its findings. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Michelle Mitchell, Tribal Education Department; and **Nancy Fonicello**, Ancient Artways Conservation; requested approval of a consultant agreement with Ancient Artways Conservation for an amount not to exceed \$15,000.00.

MOTION by Len TwoTeeth to approve the consultant agreement with Ancient Artways Conservation for an amount not to exceed \$15,000.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

Marie Torosian, The People's Center, informed council that The People's Center opened yesterday. Its new location is in the Allard Complex in St. Ignatius. The center is open from 9:00 a.m. to 5:00 p.m. Monday through Friday. **Carole Lankford** mentioned that the building was built with donated tribal timber.

Michelle Mitchell, Tribal Education Department, requested approval of an Education Learning Pod for Joni Bolman in the amount of \$15,000.00.

MOTION by Len TwoTeeth to approve an Education Learning Pod for Joni Bolman in the amount of \$15,000.00. Seconded by Bing Matt. Carried, 7 for; 1 abstention (Charmel Gillin); 1 not voting (Ellie Bundy McLeod out of the room).

***Charmel Gillin**, for the record, "I abstained due to the time frame left regarding the CARES fund and the term of the school year."*

Dan Lozar and **Jace Smith**, Natural Resources Department, requested approval of modification 1 to Project Management Plan 001 for the Flathead River Pumping Plant scoping study to increase the not-to-exceed amount to \$150,000.00 and to change the completion date from September 30, 2020 to June 30, 2021, due to delays caused by the COVID-19 pandemic.

MOTION by Fred Matt to approve modification 1 to Project Management Plan 001 for the Flathead River Pumping Plant scoping study to increase the not-to-exceed amount to \$150,000.00 and to change the completion date from September 30, 2020 to June 30, 2021. Seconded by Mike Dolson. Carried, unanimous (9 present).

Jeanne Christopher, Early Childhood Services, requested approval to hire Shaelynn Walks Over Ice on a three-year contract to fill the Teacher in Training position.

MOTION by Carole Lankford to approve the hire of Shaelynn Walks Over Ice on a three-year contract to fill the Teacher in Training position. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Jeanne Christopher, Early Childhood Services, requested approval to hire Rose Santos on a three-year contract to fill the Teacher in Training position.

MOTION by Len TwoTeeth to approve the hire of Rose Santos on a three-year contract to fill the Teacher in Training position. Seconded by Fred Matt. Carried, unanimous (9 present).

Jeanne Christopher, Early Childhood Services, requested approval to hire Marciel Yellowmule on a three-year contract to fill the Teacher in Training position.

MOTION by Carole Lankford to approve the hire of Marciel Yellowmule on a three-year contract to fill the Teacher in Training position. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Rob McDonald, Communications, presented options and images to be used for the Tribal Council Christmas card.

Council met in **executive session** to conduct an interview for the S&K Electronics Board of Directors vacancy. **Melanie Piedalue**, Personnel Department, was present for the interview.

Council reconvened into **regular session**.

MOTION by Carole Lankford to appoint Donna Richard to serve on the S&K Electronics Board of Directors for a three-year term. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Council met in **executive session** to discuss personnel matters. **Melanie Piedalue**, Personnel Department, was present for discussion.

Council reconvened into **regular session**.

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

Council met in **executive session** to conduct interviews for the S&K Gaming Board of Directors vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council met in **executive session** to conduct interviews for the Mission Valley Power Utility Board vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Mike Dolson to accept the results of the ballot and appoint Francine Dupuis to serve on the S&K Gaming Board of Directors for a three-year term. Seconded by Martin Charlo. Carried, 8 for; 1 abstention (Bing Matt).

MOTION by Martin Charlo to accept the results of the ballot and appoint Richard Erb to serve on the Mission Valley Power Utility Board for a three-year term. Seconded by Ellie Bundy McLeod. Carried, 8 for; 1 opposed (Fred Matt).

Rhonda Swaney and **Mary Price**, Legal Department, requested approval of a contractor agreement with Abt Associates to provide human health risk assessment support for the Smurfit-Stone Superfund site.

MOTION by Carole Lankford to approve by resolution a contractor agreement with Abt Associates to provide human health risk assessment support for the Smurfit-Stone Superfund site. Seconded by Martin Charlo. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 21-018

RESOLUTION APPROVING A CONTRACTOR AGREEMENT WITH ABT ASSOCIATES TO PROVIDE HUMAN HEALTH RISK ASSESSMENT SUPPORT FOR THE SMURFIT-STONE SUPERFUND SITE

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

WHEREAS, the U.S. Environmental Protection Agency (EPA) has proposed the Smurfit-Stone Site at Frenchtown, Montana for listing on the National Priority List of Superfund Sites; and

WHEREAS, the EPA is conducting a remedial investigation to determine the nature and extent of Site-related contaminants and assessing risk to human health and the environment from exposure to Site-related contaminants; and

WHEREAS, the Tribal Council has authorized the Legal Department to consult with the EPA on the remedial investigation and risk assessment for the Smurfit-Stone Site; and

WHERAS, the EPA has identified risk to Tribal fishers from the consumption of fish caught adjacent to and downstream of the Smurfit-Stone Site; and

WHERAS, Abt Associates is an independent expert human health risk assessment consultant with unique and relevant experience at the Smurfit-Stone Site; and

WHERAS, the Legal Department needs expert human health risk assessment assistance to complete its consultation with EPA and protect the Tribes interests at the Smurfit-Stone Site; and

WHEREAS, Abt Associates seeks to provide this human health risk assessment expertise to the Legal Department; **NOW, THEREFORE**,

BE IT RESOLVED, the Legal Department is authorized to execute a Contractor Agreement with Abt Associates for an amount not to exceed \$90,000 to provide human health risk assessment support to the Legal Department.

Rhonda Swaney and **Jordan Thompson**, Legal Department, discussed the distribution of 1,100 meal packs. There are very few places to store that many turkeys. Delivery is the other issue. Jordan requested approval of a contract with Western Montana Growers Co-op in the amount of \$9,165.38 to purchase produce.

MOTION by Len TwoTeeth to approve a contract with Western Montana Growers Co-op in the amount of \$9,165.38 to purchase the produce. Seconded by Carole Lankford. Carried, unanimous (9 present).

Rhonda Swaney and **Jordan Thompson**, Legal Department, requested approval to purchase Butterball gift checks in the amount of \$27,500.00 to purchase turkeys or any other Butterball grocery products.

MOTION by Mike Dolson to authorize \$27,500.00 to purchase Butterball gift checks to purchase turkeys or any other Butterball grocery products. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Rhonda Swaney and **Jordan Thompson**, Legal Department, discussed the issue of canned goods. Costco does not have everything that is needed and does not deliver. Rod's has the inventory that is needed. Jordan requested approval of a contract with Rod's in the amount of \$2,993.63 to purchase the canned goods.

MOTION by Martin Charlo to approve a contract with Rod's in the amount of \$2,993.63 for the purchase of canned goods. Seconded by Bing Matt. Carried, unanimous (9 present).

Rhonda Swaney and **Jordan Thompson**, Legal Department, requested approval to accept the bid from Pape' in the amount of \$7,734.25 for the storage racks in the KHJCC cafeteria area.

MOTION by Carole Lankford to accept the bid from Pape' in the amount of \$7,734.25 for storage racks in the KHJCC cafeteria area. Seconded by Martin Charlo. Carried, unanimous (9 present).

Rhonda Swaney and **Jordan Thompson**, Legal Department, requested approval of an amendment to last week's motion made by council to purchase a box truck. The box truck was available in Missoula and Spokane so Legal was going to purchase the truck from Missoula, but the truck sold already. The truck in Spokane is still available. Jordan requested approval to purchase the box truck in Spokane.

MOTION by Carole Lankford to approve the purchase of the box truck from Spokane. Seconded by Mike Dolson. Carried, unanimous (9 present).

Rhonda Swaney, Mary Price, Ryan Rusche, Dan Decker, Stu Levit, Jordan Thompson, Brian Upton, John Harrison, Michael Wheeler, and Shane Morigeau, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Jami Pluff**, Policy Analyst, was present for discussion.

Council reconvened into **regular session**.

MOTION by Len TwoTeeth to approve the letter of recommendation for Carolee Wenderoth to be appointed to the Governor's Director of Indian Affairs position. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Carole Lankford to remove the Two Eagle River School Board Member due to BIE Rules & Regulations and funding implications. Seconded by Bing Matt. Carried, 7 for; 1 opposed (Len TwoTeeth); 1 abstention (Martin Charlo).

Martin Charlo, for the record, "I am abstaining because I am on the School Board."

Jami Pluff, Policy Analyst, gave an update on the grassroots applications received and requested approval of a memorandum of agreement with the Alano Polson Club in the amount of \$10,000.00 for PPE, sanitizing, renovations to make it more sanitized and social distancing, and for loss of income.

MOTION by Martin Charlo to approve the memorandum of agreement with the Alano Polson Club in the amount of \$10,000.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

Jami Pluff, Policy Analyst, requested approval of a memorandum of agreement with Friends Forever Mentoring in the amount of \$25,000.00. Friends Forever Mentoring had requested \$37,000.00, but some of the costs, such as salaries, were not eligible. The funding will be used for PPE, freezer storage and food products for a food program.

MOTION by Charmel Gillin to approve the memorandum of agreement with Friends Forever Mentoring in the amount of \$25,000.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

Velda Shelby, Economic Development Office, requested approval of business relief grants, for a total of \$383,075.00.

MOTION by Martin Charlo to award a business relief grant to Louis J. Matt, owned by Louis & Anita Matt, in the amount of \$21,212.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Cynthia A. Bras-Benson, owned by Cynthia Bras-Benson, in the amount of \$15,590.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Martin Charlo to award a business relief grant to Big River Incorporated, owned by Lenora Liberty, in the amount of \$30,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Martin Charlo to award a business relief grant to Big Sky Heating, Refrigeration Services & AC, Inc., owned by Francis Snell, in the amount of \$25,400.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Dorothy A. Bras, owned by Cynthia Bras-Benson, in the amount of \$20,000.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Smith Paving & Contracting Enterprises, Incorporated, owned by Larry Smith, in the amount of \$24,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

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MOTION by Charmel Gillin to award a business relief grant to Orsino Walker, owned by Orsino Walker, in the amount of \$24,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Bing Matt to award a business relief grant to Joel Clairmont, owned by Joel Clairmont, in the amount of \$30,000.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Bison Inn Café, owned by George Hansbrough, in the amount of \$30,000.00. Seconded by Mike Dolson. Carried, unanimous (9 present).

MOTION by Martin Charlo to award a business relief grant to Galen McDonald Beef Cattle Business, owned by Galen McDonald, in the amount of \$18,227.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Len TwoTeeth to award a business relief grant to Rocky Mountain fire & Timber, owned by Brian Cahoon, in the amount of \$22,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Hook Horn Ranch, LLC, owned by Alisha Burland-Taylor, in the amount of \$12,748.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Carole Lankford to award a business relief grant to Diana L. Smith, owned by Jace Smith, in the amount of \$29,500.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Ellie Bundy McLeod to award a business relief grant to C. Reese, LLC, owned by Crystal Reese, in the amount of \$20,000.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Bing Matt to award a business relief grant to Renall T. Hendrickson, owned by Stephanie Hendrickson, in the amount of \$20,279.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Steve C. Vert, owned by Steven Vert, in the amount of \$20,000.00. Seconded by Carole Lankford. Carried, unanimous (9 present).

MOTION by Carole Lankford to award a business relief grant to Galen McDonald Rodeo Business, owned by Galen McDonald, in the amount of \$5,890.00. Seconded by Fred Matt. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Brad Johnson, owned by Brad Johnson, in the amount of \$13,229.00. Seconded by Fred Matt. Carried, unanimous (9 present).

Chairwoman Fyant confirmed that the advertisement for the Forestry Advisory Committee will be published in this week's edition of the Char-Koosta News.

Council discussed an issue from this morning. **Chairwoman Fyant** will prepare a letter with the assistance of Legal.

Chairwoman Fyant asked that any council members that receive comments on the new COVID-19 protocols be forwarded to full council and James Steele, Sr.

James Steele, Sr., Sergeant at Arms; and **Rick Eneas**, Financial Management; discussed the building and employee protocols. James had some suggested changes to the protocols. James had used some discretion regarding disciplinary actions, so he hopes that was okay. He told departments they must comply with these new protocols until they are amended by council. James advised the Door Monitors to not get into personal discussions or get angry with people over their interpretations of the memo, and to just take their temperatures and give them a mask if needed. The Prosecutors, Defenders, Mail Room, Information Technologies, and Maintenance Departments, by the nature of their jobs, are required to spend a lot of time going in and out the doors in all buildings. That was an anticipated issue. Mr. Steele spoke to them about checking in and signing in at a station when they come in the building. Then they can go through the building to do their work, and just let the monitors know when they are leaving. Employees are required to show the Door Monitor their employee identification. The Prosecutors and Defenders go in and out of the court building numerous times a day. James told them to go to Emory's post. He told the mail carriers to just check in once, do their mail delivery, and then check out with the monitors to let them know when they are leaving the building. DHRD asked if their door monitor was being removed. James told them it was just a misprint, and the door monitor will not be removed. There have been issues and resistance with some hardcore smokers. Mr. Steele will follow up with council about that in private. The Door Monitors work Monday through Thursday on ten-hour shifts, but it could be changed to have someone working on Fridays. **Chairwoman Fyant** will forward to council Cheryl Finley's email regarding the BIA offices. The Lands Department had some questions, and she forwarded those to James and full council. **Martin Charlo** asked if this will be ending December 30, 2020. **Rick Eneas** responded that he spoke to James about the end date being December 30. Those employees currently hired do not have emergency hire agreements that go beyond that date. There was discussion about putting together a schedule that would lead to a budget that could be discussed with the council. The Tribes have some other COVID-related pools of money that have not been tapped into yet that can easily transition, but he wants

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to bring that forth in the context of what the cost is going to be on a bi-weekly or monthly basis and present options for council to consider and how to designate the funding if they want to continue the program. Rick will be prepared to discuss it in further detail either at next week's council meeting or the budget committee meeting. **James Steele, Sr.** received a call from the Tribal Health Department. He watched their process in action, and they have their act together. Joe Durglo was going to forward their process and internal protocols so Jim could copy those and maybe finetune the amendments and suggestions we have. It comes down to the number of doors in the buildings. It is difficult to cover all those doors. He wants to look at the Tribal Health Department protocols and suggest some modifications. **Martin Charlo** commented that the fact that everyone is using the same piece of paper to sign in scares him. His signature is not very clear because he does not like sharing the sign-in sheet with other people. The Tribal Health Department has the Door Monitors sign people in so only person is touching that sheet of paper. James commented that is what is being done in Polson. They also wear gloves and sanitize each day. **Chairwoman Fyant** advised there are lots of boxes of gloves at Home Depot, if people want to wear gloves. James has a bunch of gloves in storage if the Tribes want to start using them. **Chairwoman Fyant** asked if the key fobs were disengaged. **James Steele, Sr.** informed council that the fobs are set for a particular time. The guys showed up for work at 5:30 a.m. and could not get in the building. He forgot to tell IT to change the access time for the key fobs to work. Employees also have key cards to enter the buildings. That is what he prefers employees to use. **Rick Eneas** advised that we cannot fully disengage the electronic access to the doors. Employees work after hours and on weekends. The threat is real. We are seeing good compliance. We should have a good result moving forward. The suggestions are easy to implement by having the Door Monitors do the sign-in and wear gloves.

Carole Lankford received a message asking if the direct deposit checks will be sent out for everyone who responded and not just the individuals who sent in a postcard. **Rick Eneas** advised that yes, they will. The staff must sort through the applications to make sure people marked the correct boxes. The first round of checks will be issued on Thursday. The others will be sent out the following Thursday.

Ellie Bundy McLeod received concerns from a tribal member regarding the Amish building an ice rink at Mission Dam. She reached out to Dan McClure and was told they did that last year and everyone had permits. There is nothing in the tribal regulations that prevent them from doing this. The other concern by the tribal member was liability issues related to this type of activity. Ellie followed up with Dan McClure again and was told there is nothing in the regulations to prevent this type of activity and there are no liability issues related to that. Dan checked with Tom McDonald and Tom agreed that there are no liability issues. **Fred Matt** was concerned about the number of people that

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would be gathered in one location and he suggested approving emergency regulations to prohibit the use of ice-skating rinks if we want to curb that activity.

Len TwoTeeth was contacted by a tribal member requesting burial assistance due to her nontribal member husband passing away. **Chairwoman Fyant** told him to let Erma know.

MOTION by Len TwoTeeth to adjourn the meeting.

Council **adjourned** at 3:47 p.m., and is scheduled to meet again on Tuesday, December 15, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary