

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

Volume 20 Number 25
Council Chambers, Pablo, MT

Held: January 3, 2020
Approved: January 14, 2020

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

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.

Winona Tanner, Tribal Court, conducted the swearing-in of the newly elected tribal council members. The new council members signed their oath of office.

The meeting was opened with a **prayer** by Stephen Smallsalmon.

The **Red Horn Drum Group** sang a flag song.

Council conducted the election of officers. The floor was opened for nominations for the Tribal Chairman position.

MOTION by Len TwoTeeth to appoint Shelly Fyant as the Tribal Chairwoman. Seconded by Martin Charlo. Carried, unanimous (10 present).

The floor was opened for nominations for the Vice-Chairman position.

Martin Charlo nominated Anita Matt. There were no other nominations.

MOTION by Martin Charlo to appoint Anita Matt as the Vice-Chairwoman.

Anita Matt was appointed as Vice-Chairwoman.

The floor was opened for nominations for the Tribal Secretary position.

MOTION by Anita Matt to appoint Ellie Bundy McLeod as the Tribal Secretary. Seconded by Bing Matt. Carried, unanimous (10 present).

The floor was opened for nominations for the Tribal Treasurer position.

MOTION by Mike Dolson to appoint Martin Charlo as the Tribal Treasurer. Seconded by Fred Matt. Carried, unanimous (10 present).

The **Red Horn Drum Group** sang an honor song.

The floor was opened for comments from the elders.

Stephen Smallsalmon shared stories. He was happy to see everyone here this morning. Stephen is proud of himself for being in a movie 13 years ago. He talked about how he got into the movie business and learned his lines for his role. The movie will be playing in Polson on January 24 and he recommended that everyone go see him in the movie. Stephen asked that the council support the language. He talked about the low number of elders that are left.

Junior Caye thanked the outgoing council members for their years of service and dedication to the Tribes. Today is a new year and there are some new faces on the council. Junior asked that the tribal council not forget about the membership.

Francis Vanderburg asked the audience if anyone was related to Laura Matt. She shared a story about Laura. Francis wished everyone a happy new year.

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

The floor was opened for updates/comments from the council members.

Carole Lankford welcomed everyone to the quarterly council meeting. She has been attending the Jump Dances. What the membership witnessed today was a peaceful transition of power with the tribal leadership. We are a stable tribal government. The tribal council wants to make sure that we have a united front going forward; we have many big issues facing us, such as water rights. We need to bring the membership up to speed on what it is about. The water rights issue began about thirty years ago, so it has been a long process. Senator Daines introduced that legislation so we are on track to see where that goes this year. Hopefully, it gets done this year. This last tribal election had a straw poll on reapportionment and she hopes the council will get to work on that right away and decide whether to move forward on that. The tribal laws need updating. We are working on the Lands Ordinance and the Personnel Ordinance. Carole congratulated the new council members.

Martin Charlo appreciated everyone that supported him. Every vote does matter in the elections. He thanked Dennis Clairmont and stated that Dennis was the first person that called Martin after the 2015 election. Martin talked about his ancestors and commented that he has big shoes to fill. Going forward, the tribal council needs to be as one and unite to go through things as a nation. We can get a lot more done as a united front than we can separately. He looks forward to working with the membership. Martin will always remember the constituents are his bosses.

Bing Matt appreciated everyone being here this morning. He appreciates being re-elected to the tribal council. He was surprised by the outcome of the election. Bing found out he is the elder of the tribal council now. The council does not want to work individually; they want to work as a group for the membership. He wants to get stability back on this council and get the people's respect back for the tribal leadership. We need to hear from the membership. He appreciates the outgoing council members. Bing will work for the people. Bing is also the only veteran serving on the tribal council.

Ellie Bundy McLeod is honored to serve the membership in this position. She will work hard and does not take it for granted. She will lead with integrity, dedication and respect. Ellie looks forward to the opportunities ahead of us. She will always welcome thoughts, suggestions and questions from the people. Ellie thanked the people for the honor to serve them.

Anita Matt thanked everyone who took the time to celebrate this day with us, the membership for electing her for four more years, and she appreciates the vote of confidence. Anita is honored by the opportunity to act as the vice-chairwoman and she will do the best of her ability to live up to that appointment. Anita attended the Inter-Tribal Agriculture Council meeting and will publish a trip report in the newspaper.

Fred Matt is second in line as the elder on the tribal council. He was happy to see everyone here today to share the new year with the tribal government. He was honored to have served on the tribal council with Mickey Pablo, Sonny Morigeau, and Donny Dupuis in the past. Fred talked about when the United States Attorney Barr met with the tribal council. It was an honor for USA Barr to choose the CSKT visit during his first trip to Montana. Once the dust settles, the tribal council needs to work together for the best interests of our Tribes.

Charmel Gillin wished everyone a happy new year. It is important to clear everything behind her at the new year and cleanse her heart. The new year is a good time to put the past behind us. We have a lot of important issues and opportunities today. This is an exciting time for the Salish and Kootenai people. It is important for the membership to remain engaged with the council so the tribal leadership can serve the people. The council values the involvement from

Tribal Council Meeting Minutes
January 3, 2020

the membership. She wants to livestream council meetings and take advantage of the opportunities for engagement. We had barely a thirty percent voter turnout in this election and there are probably better ways to reach out and get people involved. Opening the avenues of communication will hopefully improve the engagement for those people that cannot attend council meetings. We work hard to get out the vote in the state and national elections, but not the tribal elections. The voice of our people needs to be heard. This last quarter she attended the National Congress of American Indians meeting. It was an honor to be part of that organization. It is a professional and high-level organization. Charmel was able to chair a meeting and three subcommittee meetings, and she enjoyed that experience. Utilizing that network is important. The Rocky Mountain Region was silent for several years and the Blackfeet have now begun to get engaged. That network is useful. She was directly involved with USA Barr and it was a good experience. She spoke to him about the Missing & Murdered Indigenous Women initiatives at the federal level. They recognized, appreciated and honored the CSKT people for the work they have done by being involved in the tragedy of the CSKT people. The election board involvement for her was brand new this year. She wants to make improvements on how to get out the vote and increase voter turnout in tribal elections. She stood behind the newly elected council members this morning and renewed her oath of office. The truth and integrity that goes with that oath is important to her. Charmel works her best for the membership.

Mike Dolson sees so many faces of people he has worked with at Salish Kootenai College. Mike promised he would do his homework if he was elected to the tribal council, and he is ready to roll up his sleeves and work for the people.

Len TwoTeeth acknowledged and thanked the outgoing council members. The Tribes have had an interesting year and he learned from it. It was a challenging year, and the council got through it. Len is honored to be sitting in this seat and it has been a blessing. He looks forward to working with the new council members, and to work under Shelly Fyant's leadership in a new and positive direction. He feels more confidence with this council. He acknowledged the tribal members who attend the council meetings on a regular basis. Len knows who he works for and he will continue to work for the membership. He helped the membership this past year that were going through dire times. Some of our people are struggling and Len feels blessed to be able to help them. The tribal council has been supportive when it comes to helping the membership.

Shelly Fyant thanked everyone, especially the elders and speakers, for the kind words, words of encouragement, and the prayers. She asked for continued support and prayers for the council and that they can work together. She is appreciative for the attendance at today's meeting. Shelly thanked the drum group for the songs today. She has a special place in her heart for the Two Eagle River School students and all young people. The Two Eagle River School

Tribal Council Meeting Minutes
January 3, 2020

students have endured a lot these past few years. She acknowledged the outgoing council members for their sacrifice and service on this council. Until you sit up here and experience the day-to-day sacrifices, you do not realize what the tribal council job entails. She appreciated what the outgoing council members brought to the table. They all had unique contributions and she appreciated their strength. We are a very diverse council and she hopes the ten of them can work together. The council members need to take their roles and responsibilities seriously. She encouraged the new council members to hold regular district meetings, answer phone calls, return messages, and plan time to visit with the people. Shelly wants to have open communication. When she first got on council six years ago, this tribe was going into round two of introducing the water compact to the state legislature. We were also poised to take ownership of the dam. There was a steep learning curve. Shelly is humbled and honored to serve in the chairwoman position for the Tribes. She reviewed the vision and mission statement of the Tribes. Copies of it are at the front desk if the membership wants to look at it. She hopes we can work together to follow that vision and mission with the traditional values and principles in the way we serve and invest in our communities. Shelly wants to work with the tribal council to create a 2020 vision and practices/beliefs of traditional values throughout the organization. We have not had a focused vision for several years and she wants us to get back on track with that. She wants to look at our policy development approach. The 2020 Census is coming up. By answering that census, it impacts future funding sources so it is an important effort. We have a lot of work to do on the water compact. There is a schedule of educational meetings regarding the water compact: January 6 at the Arlee Salish Indian Senior Center; January 15 at the Mission Long House; January 22 at the Polson Indian Senior Center; and January 26 at the Ronan/Pablo joint district meeting in the tribal council chambers at 3:00 p.m. The other meetings will begin at 6:00 p.m. and a meal will be provided. Shelly attended her family lodge and was reminded of the lesson of when you go into a lodge, sweat house, or council chambers, if you have animosities or bad feelings against anyone, you are told to leave those at the door and you must come in there with a good heart and do the work necessary to get the job done.

Rhonda Swaney, Legal Department, gave an update on the water rights compact. The Tribes have worked on this for a very long time and we are near the end of it. If we do not protect our water rights, people will take them from us. Once that happens, it is very hard to get them back. This process is a law and does not define us a people. It gives us an opportunity to sit down and work it out rather than going to court. She knows the cost and length of time it takes to go to court. The negotiation is a painful process and has taken thirty years. The compact will not end us. The United States, State of Montana and the CSKT entered into this agreement. In 2015, the compact was approved by the state legislature. It includes and recognizes tribal water rights on and off the reservation. We need to protect and regulate our water. There will be a

Tribal Council Meeting Minutes
January 3, 2020

regulatory board established that is made up of tribal members and nontribal members. Two board members are appointed by the tribal council; 2 board members are appointed by the Governor; and 1 board member is chosen by the other 4. Requirements to serve on the board is the person must know about water and use.

There is a \$55 million state settlement. The State has already appropriated some of that money. The money was set up as an improved measurement. We want to be able to measure the water that is diverted by the Flathead Indian Irrigation Project (FIIP). This regulates how much they can take from the project. The water savings will come to the Tribes. 60 percent of the water taken from the Irrigation Project is wasted or evaporates or does not irrigate any crops. The compact provides for shared shortages of water in the dry years. It provides for a reasonable transition to local management of the FIIP and attainment of the Federal Endangered Species Act obligations arising from FIIP. Senator Daines and Senator Tester co-sponsored this legislation. President Trump's impeachment is taking the attention away from the compact right now. Speaker Pelosi has not forwarded the articles of impeachment yet so hopefully we can get a hearing on the compact legislation prior to the impeachment hearing. The majority of the information put out there by Lake County is false. The compact settlement would protect fish and wildlife habitat across western Montana; instream flows; provides for valid existing uses as decreed by the Water Court permitted by the DNRC prior to 1996; protects existing tribal uses, including traditional tribal cultural and religious uses; establishes a process to permit new uses, such as domestic, stock, and wetlands; funding for fish habitat and FIIP improvements; a process for changes to existing water; more local control than litigation and other benefits with significantly lower expenditures of time, money and social disruption.

The CSKT Treaty includes the right to take fish in usual and accustomed locations. Courts have confirmed this right to use water outside the reservation to maintain fisheries flows. The CSKT is the only tribe in Montana with this Treaty provision. Our Treaty rights will remain in place. The settlement provides for the exchange of State sections of lands and the National Bison Range being returned to Tribal ownership. Use of the settlement money will be required to comply with environmental federal law and prevent future damages that occurred in the past and improve culverts, bridges and roads. There are 14 uses allowed for usage of the settlement funds. We limited the off-reservation claims. We did not give up ninety seven percent of our water. The MWRPA will ratify the compact and the tribal water rights in the compact. If we accept the settlement under the MWRPA, the Tribes would convey to the State co-ownership of the State's upper Flathead Basin Rights, but the Tribes retain the same amount of water. Rhonda showed some pictures of damages caused from the Irrigation Project over the past 100 years. Congress and CSKT must approve the settlement. Rhonda answered questions from the audience. Off-reservation

Tribal Council Meeting Minutes
January 3, 2020

water rights are not used; they remain in the stream. We cannot take them out and use them for something else. **Casey Ryan**, Tribal Hydrologist, answered questions from the audience. **Shelly Fyant** asked everyone to take a moment to remember all those who have contributed to this water rights effort.

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

Jami Pluff, Missing & Murdered Indigenous Persons Work Group, gave a presentation on the Missing & Murdered Indigenous Persons. The tribal council took action last year to approve a resolution to raise awareness of this issue and create a work group. This is a national tragedy that needs to be highlighted and addressed by tribal, state and federal lawmakers. The families need support. Chairwoman Fyant will be participating in a documentary. Community meetings were held reservation-wide in February to gain community input and the formation of the work group. In March, the group offered training on public awareness. Detective Guy Baker has been working the Jermain Charlo case since June 2018. A Missing Persons Protocol was developed. A social media page and tip line was approved by tribal council. There was a public information event held in May at the Women for Wellness Fair. Chairwoman Fyant was a guest panelist at the MMIW event at Flathead Valley Community College. A draft vision and mission statement for the workgroup was developed. Jami presented a report at the Rocky Mountain Tribal Leaders meeting. The tribal council approved more funding for the billboard and a cash reward for information related to Jermain Charlo. Following Senate Bill 312, State Attorney General Tim Fox created a MMIP task force consisting of representatives from each tribal government in Montana, a representative from the Attorney General, an employee from the Montana Department of Justice, and a member of the Highway Patrol.

Ellie Bundy McLeod serves as the CSKT representative, and provided information on the database and reporting system for Native American persons who are missing. A \$25,000 grant match will be awarded to a college to create the database and reporting system. The grant opportunity was advertised, but there were no applicants. The application process was opened again until January 25. The Lync Coordinator from the Department of Justice is reaching out to the college to find out why they submitted no application. February 15 the money will be awarded. It goes from July 15, 2020 to July 15, 2021. Ellie is working with the specialist and coordinator to do a community presentation/meeting on January 15, 2020. They will meet with Law & Order and then have a public meeting. It will provide updated numbers of the missing, the trends, and the resources available. It is cosponsored by SKC and Student Support Services will do outreach to get the word out. There is a Go Fund Me page for anyone wanting to contribute to the billboard costs for Jermain.

Tribal Council Meeting Minutes
January 3, 2020

Jami Pluff attended the MMIW forum at the Council of Governors that was hosted by Representative Rae Peppers in July. There was a presentation at the South Valley Civic Group in Darby. There was a Human Trafficking and the Link to MMIP Community Engagement training that was offered by Jeri Moomaw in August. In September, Jami was invited to serve on a panel at the Yellowstone Boys and Girls Ranch in Billings to focus on vulnerable youth in the foster care system. Global Indigenous Council producer Rain Bear Stands Last was here to film the documentary called "Somebody's Daughter" and it features Jermain Charlo. Jami was a panelist at the MMIW Tribunal hosted by Global Indigenous Council and Blackfeet Nation. In November, Jami provided a presentation at the Arlee High School during the Red Sand Event. The work group approved the vision and mission statement. The vision of the CSKT MMIP Work Group is dedicated to educating our communities and providing outreach to other tribes and organizations regarding safety and awareness of MMIP as it correlates to domestic and sexual assault, runaways, drug activity, and human trafficking. United States Attorney Barr visited with the CSKT in November to unveil the initiative on MMIP, which created 11 MMIP coordinators in 11 different states, including Montana. It also creates a FBI rapid awareness program.

Shelly Fyant met with United States Attorney Barr when he was here and she wondered why North Dakota and South Dakota were not included, due to the man camps in the area. Mr. Barr mentioned that he met with the president and was going to make this announcement the following week that he was forming a task force. It is her understanding that the task force is made up of federal appointees and they will request tribal input. There is a meeting scheduled for Monday, January 13, at the tribal complex, and everyone was invited to attend and participate. The Work Group will continue working with Jeri Moomaw to work on the development of a Community Action Plan. The group needs to decide how to proceed and whether they will be a nonprofit organization. The group does fundraising activities to cover costs. There are pages developed on Facebook, Instagram and Twitter. The group will continue to do educational awareness and activities in the community and schools, and will continue collaboration with other groups and organizations. Somebody's Daughter will be shown in Tucson, Arizona next week and at the Native American Presidential Forum in Las Vegas, Nevada the following week. The Missing & Murdered Indigenous Women and Girls name was changed to Missing & Murdered Indigenous Persons, since men are victims of this tragedy as well. Men are encouraged to participate on the work group and engage in the initiative.

Emory Wilson discussed getting RIF'd from the Kicking Horse Job Corps Center. He has been struggling to get employment. Emory does not even qualify for any kind of assistance because he is told he makes too much money on unemployment, and he feels let down by the Tribes since nobody has ever offered to help him. He filed a grievance and nothing ever happened. Emory talked about confidentiality, and he heard from other people that he was getting

Tribal Council Meeting Minutes
January 3, 2020

fired before he was ever told that he was fired. Emory wanted to know why HIPAA was not followed. He was bullied at work, he made complaints about it, but yet nothing happened. Only certain people get things. The Job Service is helping him more than his own Tribe is. He had to leave the reservation to get any help. The stress has affected his health. **Chairwoman Fyant** referred Emory to the Department of Human Resources Development.

Wyman McDonald congratulated the newly elected council members and officers. Wyman talked about Corey Stapleton's idiotic comments and ignorant ranting. It is like going back in time. He is a longtime supporter of Gray Wolf Casino. Wyman hates to tell the council I told you so, but he told them not to do a restaurant at Gray Wolf and they did it anyway. Nobody knows how to run a restaurant and now it just sets empty. He talked about the book called Killing Cray Horse and recommended it as a good read.

Stephen Smallsalmon discussed climate change. Stephen had worked at the Kicking Horse Job Corps Center for 4.5 years. That place is sitting empty and people are moving in there. We will be homeless someday if we do not watch ourselves. Stephen read the Char-Koosta last night and read that there are some homeless people, and he wanted to know why we are not taking care of our people. When people go to the tribal council for money or a job, they are told to go meet with someone else. The council is voted in by the membership and they need to help people out. It is our money and we should help each other. Every time he requested assistance, he was told he makes too much money.

Ken Camel thanked the audience for being here today. When one door closes, another one opens. Ken is applying for a 501(c) and it is timely for the MMIP. He shared stories about some young girls that go to his boxing club. He tries to empower them and provide them with training so they have the ability to defend themselves. Ken's rent was increased to \$1,200.00 per month and he felt picked on. He heard the Ronan Library's rent increased to \$1,400.00 per month. Ken is trying to move his business to Polson. He wants to convert a building into a boxing gym and empowerment place and wants to be certified as indigenous people. He could go out and speak as a male to talk about how it hurts us to have our girls taken away. He has three daughters and eight sisters.

The closing prayer was offered by Stephen Smallsalmon.

Council **adjourned** at 2:21 p.m., and is scheduled to meet again on Tuesday, January 7, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary