

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

Volume 20 Number 27
Council Chambers, Pablo, MT

Held: January 9, 2020
Approved: January 16, 2020

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

The meeting was opened with a **prayer** by Fred Matt.

The **Tribal Council Meeting Minutes** for January 2, 2020 were presented for approval.

MOTION by Carole Lankford to approve the Tribal Council Meeting Minutes for January 2, 2020, with corrections. Seconded by Anita Matt. Carried, 7 for; 3 abstentions (Martin Charlo, Bing Matt and Ellie McLeod).

The **agenda** was presented for approval.

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

Ellie McLeod announced that today is National Law Enforcement Appreciation Day. Louis Fiddler, Les Clairmont, Vern Fisher, and staff members of Tribal Law & Order were recognized. Council thanked them for all that they do to protect our communities. **Shelly Fyant** has done ride-alongs with police officers and she saw the daily dangers and risks they face each day just going to work. She is proud that the department consist of all tribal members. **Charmel Gillin** thanked them for their love and compassion for our people.

Shelly Fyant gave a report on the Polson Chamber meeting that some of the tribal council members attended yesterday. Bill Barron was the speaker and he spoke about Lake County criminal justice and the levy that went out. It was an

Tribal Council Meeting Minutes
January 9, 2020

educational presentation on the levy. **Charmel Gillin** took notes from the meeting and wants to have a discussion on the statistics that were put forth. They brought forward that they run at 147% capacity and they have had to rent cells from other facilities. That brings thoughts to mind she wants to talk about. The networking after the meeting was beneficial. We will try to get information on the demographics and market analysis that is available for the city of Polson. The Showboat Cinema is expanding and adding two theatre spots. That was funded by a grant that the city had access to. She asked Dennis Anderson to look into that and provide us information so we can understand the capacity for new business in Polson. **Chairwoman Fyant** noticed there were many realtors at the table and that is an opportunity for us to educate them. It has been reported to her that some realtors are not providing factual information to potential buyers. It is a new facility and the levy is \$2.5 million annually for 20 years. The purpose of the levy is to build the jail and help with operations. The old space would be used for storage. Two school levies just failed, but a school levy can be presented every year. Since Lake County is under a consent decree due to a lawsuit resulting from a death in the jail, they must get this new facility built. There was only one slide that dealt with Public Law 280. The presentation said 25% of inmates are tribal, which includes members of any recognized tribe. In the brochure it says 50% of the inmates are tribal members. Bernie will be publishing an article in this week's edition of the Char-Koosta News.

Shelly Fyant presented a request from Jace Matt for the St. Ignatius School to hang a tribal flag in the gymnasium. **Charmel Gillin** brought this up before when S&K Technologies was asking for tribal flags for all their offices. There should be a protocol for our tribal flags. When we want to lower our flag, anyone who flies a tribal flag should lower that flag. It was the **consensus** of council to provide a tribal flag to the St. Ignatius School and follow up on a tribal flag protocol.

Jami Pluff, Policy Analyst, informed council that an individual with family from Crow reached out to CSKT for financial assistance in the search of Selena Not Afraid who has been missing since January 1st. Jami reached out to Melissa Schlichting from the AG's office and Valerie Falls Down from Missing and Murdered Task Force at Crow. Melissa suggested the need of cold gear for the Search Crew that is stationed at the Rest Stop where Selena was last seen. **Charmel Gillin** requested that the MMIP Work Group add assistance to other Tribes and/or families addressed in their Community Response Protocol that's being developed. **Council** wanted to table the request for funds until they receive documentation from the individual that requested assistance on what exactly the need is. **No action taken.** Council requested additional information.

Keya Camel and **Louie Camel** informed council that the deadline to apply for the Montana Historical Foundation is tomorrow and they need a letter of support. **Charmel Gillin** wants to check with Contracts & Grants to see if there

are any tribal programs competing for these funds. **Council** directed Jennifer Trahan to follow up.

MOTION by Len TwoTeeth to approve a letter of support for the Montana Historical Foundation grant. Seconded by Ellie McLeod. Carried, 9 for; 1 abstention (Charmel Gillin).

***Charmel Gillin**, for the record, "Before approving a letter of support, I would want to know if Kootenai elders support the project and grant application, and I also would like to know if there is any in-house grant applicant for this money, so we aren't endorsing two competitors."*

Sam Sandoval, Char-Koosta News, requested approval to hire Marcy Diamond on a one-year contract to fill the Ad Sales Representative position. The vacancy has been advertised twice, and there were no qualified tribal member applicants. **Charmel Gillin** questioned the rate of pay. Sam clarified that the rate of pay falls within the guidelines of the position description. The position will be advertised again after the one-year contract expires.

MOTION by Fred Matt to approve the hire of Marcy Diamond on a one-year contract to fill the Ad Sales Representative position at Char-Koosta News. Seconded by Charmel Gillin. Carried, unanimous (10 present).

Patricia Courchane and **Kelly Parker**, Department of Human Resources Development; and **Shelley Grenier**, Personnel Department; requested approval to enter into an employment agreement with Marcy Matt. In April 2017, DHRD had gotten council approval to promote Marcy from the CPS Social Worker position to the Lead CPS Social Worker position, and it was not clear whether she would be hired on contract or converted to FTE status. There is no record whether she was contract or FTE, and the department was advised to fix the error from three years ago. This happened prior to Patricia coming on board as the department head. DHRD needs to enter into an employment agreement with Marcy to correct the error that had occurred. It would be retroactive to October 6th, 2019 and would be a three-year employment agreement. DHRD thinks Marcy was a contract employee originally. **Len TwoTeeth** thinks Marcy is a good employee and he is open to giving her a long-term contract or converting her to FTE status. **Shelley Grenier** clarified that all nontribal member contracts need council approval, and it also requires council action to convert an employee from contract to FTE status. **Chairwoman Fyant** questioned whether a position that changes from contract to FTE must be advertised.

MOTION by Len TwoTeeth to approve the contract with Marcy Matt for three years, to be retroactive to October 6, 2019. Seconded by Fred Matt. Carried, unanimous (9 present – Carole Lankford out of the room).

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

James Taylor, Tribal Prosecutors Office, requested approval of a revised organizational chart. There would be no fiscal impact to the department's budget. The vacant Deputy Prosecutor position would change to a Data Entry Specialist/Victim Support position. The position would better serve the department for the case management system and input/track data. The new position will be advertised.

MOTION by Fred Matt to approve the revised organizational chart for the Tribal Prosecutor's Office. Seconded by Martin Charlo. Carried, unanimous (10 present).

Vernon Finley, Kootenai Culture Committee, requested approval of a revised organizational chart to add a Computer Specialist, Ksanka Language Coordinator, Equipment Technician, and Historical Records/NAGPRA Coordinator. Vernon discussed NAGPRA. The positions will be classified and filled. **Carole Lankford** commented that the Liaison position is important and she thinks it is important to get the tribal chairwoman involved in this issue. The Kootenai National Forest and Tribal Preservation Department cost-shared that position. **Charmel Gillin** had questions about this request and wanted additional information since there was no information contained in the council packet.

MOTION by Fred Matt to approve the revised organizational chart for the Kootenai Culture Committee and fill the vacancies. Seconded by Bing Matt. Carried, 9 for; 1 abstention (Charmel Gillin).

***Charmel Gillin**, for the record, "I prefer more information regarding justification, coordination or compatibility with other tribal programs (information technology and maintenance), and financial sustainability after positions are classified."*

Rhonda Swaney and **John Carter**, Legal Department; and **Renee Joachim** and **Melanie Piedalue**, Personnel Department; discussed proposed revisions to Personnel Ordinance 69-C. Additional meetings with tribal council will be scheduled to discuss the proposed amendments in depth. Amendments are recommended for the probation and grievance process. The tribal hiring preference does not comply with federal law. There is a proposed amendment on veteran's preference status for a dishonorable discharge or reserve status. The working sessions with Legal were scheduled for January 28 & 29, 2020.

Len TwoTeeth informed council that he was contacted by the Shakopee Tribe that there is a \$500,000 grant available. It would be a good opportunity to start the planning and architectural and engineering for an Elmo Youth Facility. Len

Tribal Council Meeting Minutes
January 9, 2020

was invited to Minneapolis to visit with them to go over the grant application to make sure it is submitted correctly and do a preliminary design. Len wants to go to this meeting on January 30-31, 2020. This will be discussed at the council strategic planning session.

Melanie Piedalue, Personnel Department, informed council that she has the S&K Technologies Board interviews scheduled for next Thursday. The previous tribal council did not allow telephone interviews and required in-person interviews only. She asked if that policy remains in effect. **Chairwoman Fyant** commented that we have the capability to skype interviews instead of just doing telephone interviews. It was the **consensus** of council to allow telephone and skype interviews.

Melanie Piedalue, Personnel Department, requested to meet with council in **executive session** to discuss a personnel matter.

Council met in **executive session**.

Mark Couture and **George Ducharme**, Tribal Lands Department; and **Rick Eneas**, Financial Management; requested to meet with council in **executive session**.

Council reconvened into **regular session**.

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

Jody Perez, **Colleen Tenas** and **Sid Shourds**, Salish Kootenai Housing Authority; **Mark Couture**, Tribal Lands Department; and **Patricia Courchane**, Department of Human Resources Development; discussed homelessness and the services that are provided from the tribal departments. DHRD deals with homelessness issues with 50-60 tribal members per month. SKHA has 18 units at the Transitional Living Center. 15 of those units are full, and 7 clients are from our Tribe. There was discussion on understanding this demographic. In 2019, SKHA tested 80 units for meth and 34 came back positive. TLC requires drug testing and has rules that must be followed. The cost for remediation per house is approximately \$9,000.00, and then the house has to be put back together which is an additional cost. The cleanup service is contracted out. There are not many people who want to be contractors to do remediation.

Chairwoman Fyant left the meeting for the remainder of the day.

Martin Charlo would like to have a holistic approach and provide wraparound services to the homeless. It seems like we punish people with income guidelines. There needs to be something in the organization. **Carole Lankford** gave an overview of how the Drug Court works and what services are provided to clients.

Tribal Council Meeting Minutes
January 9, 2020

Drug Court is an 18-month program and there are five tribal members that will be graduating. She would like to look at the Family Court model. **Charmel Gillin** emphasized the need for data. She wants the Tribes to commit to a study and then analyze the data to come up with solutions.

Carole Lankford left the meeting for the remainder of the day to go to Drug Court.

Anita Matt suggested establishing a committee to work on homelessness and hold monthly meetings. She wants to know what their basic needs and what is preventing them from having a home. **Jody Perez** reported that SKHA has 450 units and about 100 of the tenants do not have jobs. Financial literacy and support services are offered to clients. Jody wants to offer some homeownership programs. **Council** directed Jennifer Trahan to schedule the next meeting for the afternoon of February 20. **Len TwoTeeth** wanted to know about funding available. Jody responded that the Block Grant is for \$4.5 million from HUD to operate the low-rent units and vouchers for tenant-based assistance. SKHA has 50 vouchers. Small housing units could be built in the Maggie Ashley Court. Rent is based on thirty percent of the person's income.

***Martin Charlo**, for the record, "I did not appreciate the comment about handouts to our people."*

Martin Charlo left the meeting for the remainder of the day for cultural leave.

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

MOTION by Fred Matt to adjourn the meeting. Seconded by Ellie McLeod. Carried, unanimous (6 present – Martin Charlo out of the room).

Council **adjourned** at 3:08 p.m., and is scheduled to meet again on Tuesday, January 14, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary