

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

Volume 20 Number 73
Zoom Meeting

Held: July 16, 2020
Approved: July 21, 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; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:05 a.m. Quorum established.

The meeting was opened with a **prayer** by Ellie Bundy McLeod.

The **Tribal Council Meeting Minutes** for July 14, 2020 were presented for approval.

Bing Matt joined the meeting.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for July 14, 2020, with corrections. Seconded by Anita Matt. Carried, 9 for; 1 abstention (Bing Matt).

The **agenda** was presented for approval.

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

Velda Shelby, Economic Development Office; **Dr. Tino Sonora** and **Dr. Patrick Barkey**, University of Montana; requested approval of a resolution to contract with the Montana Bureau of Business and Economic Research to conduct a COVID-19 economic impact assessment for the reservation economy. Tribal Council approved CARES allocation for CSKT Economic Recovery in June and this study is the prerequisite for an overall economic development plan. The Bureau of Business and Economic Research is the region’s foremost authority on economic forecasts and studies. The unprecedented economic collapse calls for specialized expertise to analyze all aspects of the economy. CSKT can build off data driven evidence-based data as we begin to adapt to the new reality. In

June 2020, CSKT allocated and authorized 2.9 M CRF for the Economic Development Office to develop economic revitalization and recovery strategy and assist Tribal businesses.

MOTION by Martin Charlo to approve by resolution a contract with the Bureau of Business and Economic Research at the University of Montana to assess the economic impact of COVID-19 on the Flathead Reservation regional economy. Seconded by Anita Matt. Carried, 9 for; 0 opposed; 1 abstention (Bing Matt).

RESOLUTION 20-132

RESOLUTION APPROVING A CONTRACT WITH THE BUREAU OF BUSINESS AND ECONOMIC RESEARCH AT THE UNIVERSITY OF MONTANA TO ASSESS THE ECONOMIC IMPACT OF COVID-19 ON THE FLATHEAD RESERVATION REGIONAL ECONOMY

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

WHEREAS, the Tribal Council of the Confederated Salish and Kootenai Tribes is the duly recognized governing body of the Flathead Reservation, is entrusted with the responsibility to protect and preserve Tribal property, wildlife and natural resources, and to protect the health, security, and general welfare of the Tribes; and

WHEREAS, protection and preservation of property, wildlife, natural resources, health, security, and general welfare of the Tribes is among the highest priorities of the Tribes; and

WHEREAS, the Confederated Salish and Kootenai Tribes are committed to the sound planning and management of Flathead Reservation resources; and

WHEREAS, the Confederated Salish and Kootenai Tribes have directed the Office of Economic Development to fill the important need of diversification of revenues and protection of resources as the Tribes strive for self-sufficiency and planned economic development opportunities; and

WHEREAS, the Confederated Salish and Kootenai Tribes are currently experiencing a life-threatening global health pandemic resulting in major disruption and temporary closures of businesses, governmental services and community activities with adverse impacts on the Flathead Reservation economy; and

WHEREAS, the extraordinary measures taken to combat the spread of the Covid-19 disease in humans have precipitated an economic contraction that is unprecedented in its speed, scope, and severity; and

WHEREAS, economic recovery and resiliency planning is essential to mitigate and address the impacts on the Reservation economy across all industry sectors; and

WHEREAS, data-driven and evidence based research is necessary for the Tribes to: 1) calibrate expectations and mitigate future economic events, 2) yield information to make better investment, planning, and consumption decisions for the short and medium-term and 3) identify sectors of the economy with special challenges and opportunities; and

WHEREAS, the purpose of this project will explain the effects of Covid-19 on the Flathead Reservation regional economy; providing valuable information for households, businesses and governments whose prosperity depends on the vitality of the economy locally and regionally. **NOW, THEREFORE,**

BE IT RESOLVED, that CSKT acknowledges the urgency for this study and commits to official data collection in a timely manner to assess overall economic impacts and to generate baseline data for future projection of employment, income, production and other key economic indicators over the next five years.

BE IT FINALLY RESOLVED that the Confederated Salish and Kootenai Tribes authorize entering into a contract with the University of Montana Bureau of Business and Economic Research. The work shall commence immediately with final report to be produced on August 31, 2020.

Clayton Matt, Tribal Services/Tribal Health Department, requested approval to transfer Joe Durglo from a temporary employment agreement to FTE status. The action requires council approval. He is currently working under a Temporary Employment Agreement (TEA) as the Tribal Health Business Executive Officer. This was done as a temporary measure pending establishment of the Health Board and the subsequent Board hiring of a Health Director. Joe has assisted not only with budgets and contracts, but with coordination and successful application of COVID funds during this pandemic.

MOTION by Carole Lankford to go with the recommendation of the acting department head and transfer Joe Durglo from a TEA to FTE status. Seconded by Fred Matt. Carried, 8 for; 2 opposed (Shelly and Charmel).

Clayton Matt, Tribal Services/Tribal Health Department; and **Juanita Swaney**, Tribal Health Department; requested approval to have a Facebook page. The request was reviewed by Gwen Lankford and Rob McDonald. Juanita wants to

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have a Facebook page dedicated to American Indian Tobacco Prevention. This page would represent all Montana Tribes to share the post information on Tobacco for Montana. The Facebook page would enable Juanita to do her job by social media outreach while practicing social distancing and the page would be monitored by Charleena Penema and other Tobacco Prevention Specialists.

MOTION by Len TwoTeeth to approve the Tribal Health Department American Indian Tobacco Prevention Facebook page. Seconded by Martin Charlo. Carried, unanimous (10 present).

Mark Couture, Tribal Lands Department, presented a request from Charles Sanders for a letter of disinterest for his property located in Valley Creek, containing 240 acres. This issue went to the Tribal Council and the Land Committee. The property was offered to the Tribes, but then Mr. Sanders withdrew the offer and wants a letter of dis-interest to take the properties out of trust.

MOTION by Fred Matt to show disinterest in the Charles Sanders property. Seconded by Anita Matt. Carried, 8 for; 2 opposed (Carole Lankford and Len TwoTeeth).

Len TwoTeeth commented that the Tribal Council took action to show interest in the past and he wanted to know if the council needed to rescind that action. **Chairwoman Fyant** advised that it does not need to be rescinded since Mr. Sanders withdrew the offer. **Anita Matt** mentioned that the CFR states you can negotiate and have an appraisal, but Mr. Sanders was asking for more than the appraised value.

Mark Couture, Tribal Lands Department, presented a request for a letter of disinterest for Charles L. Dixon, Melinda M. Dixon, Christine Dixon and Rebecca G. Lewis in their undivided $\frac{1}{4}$ interest (each) in Flathead Tract No. 4794, containing 4.97 acres, to the Confederated Salish and Kootenai Tribes. The Dixon family advertised the property in the Char-Koosta News. No Tribal members showed interest in acquiring subject property. The Dixon family would now like to proceed in having gift deed in fee completed. The property is located in Polson.

MOTION by Fred Matt to show disinterest in Tract No. 4794. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Len TwoTeeth requested the status of the tower project. **Mark Couture** reported that some of the geo work is getting done and they are working on an EA for the four sites. Jim Durglo is the NEPA coordinator on this project. The EA will go to the region in the next couple of weeks. They are optimistic that they can get the four towers constructed within 90 days. Michael Wheeler in

Legal and Chuck Reese are looking into this for a determination on what happens if we do not meet the December 31 deadline. Len wanted to know if International Towers LLC has the capability to install the towers simultaneously or if they would be constructed one at a time. **Martin Charlo** stated that International Towers has two crews working to complete the project by the deadline. Mark will have to talk to Chuck and report back.

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

Rich Janssen and **Lester Bigcrane**, Natural Resources Department, discussed the status of the Blue Bay Campground. Since opening for the season, the campground this past weekend was at 90% capacity, the day-use area was at capacity, and social distancing and disinfecting measures are being done with the exception of the dock locations. The Blue Bay supervisor abruptly resigned due to COVID-19 concerns and her replacement backed out due to the same concerns. 45 of the 50 campsites were filled up by tribal members. Only one or two were nontribal members. There has been an average of 4-6 people per camp, and that is about 200-250 people camping in the campground, in addition to their visitors. Blue Bay also get boaters and day-use people in the campground. Not everyone is aware or willing to follow social distancing requirements. NRD recommended beginning on Monday that the campground be at 50% capacity, and every other campsite. NRD will be posting signs stating that social distancing is mandatory. There will be sanitation stations available. **Anita Matt** discussed issues she has been made aware of about campgrounds on tribal lands and she requested that the Natural Resources Department check those out. Rich will have the Game Warden follow up. **Fred Matt** suggested limiting the stay to 7 days instead of 14 days and require the camper to leave the campsite for a period of time before returning to the campground instead of just moving to another campsite.

MOTION by Martin Charlo to go with the department's recommendations for a reduction of campsites made available for use and reduce the length of stay from fourteen days to seven days, to become effective on Monday. Seconded by Mike Dolson. Carried, 7 for; 2 opposed (Len TwoTeeth and Bing Matt); 1 abstention (Ellie Bundy McLeod).

***Ellie Bundy McLeod**, for the record, "My abstention is due to being out of the room during the presentation by Rich and Lester."*

Martin Charlo commented on the mask mandate across the reservation, and he encourages everyone to wear a mask during times when social distancing is not possible, be sure to wash hands, and stay home. Martin is under a fourteen-day quarantine right now. He will advocate to people to mask up to protect our people and set the example. **Fred Matt** was happy to see the Governor take that stance. We were getting attention in the media and folks were challenging us on

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what we could do on the reservation, so it was good to see the Governor step up. It was very timely.

Council met in **executive session** to conduct interviews for the Tribal Health Department Head vacancy. **Melanie Piedalue**, Personnel Department, was present for interviews.

Council reconvened into **regular session**.

MOTION by Anita Matt to invite Mr. Owens to take a tour of our facility and participate in a part two interview. Seconded by Martin Charlo. Carried, 6 for (Anita Matt, Martin Charlo, Mike Dolson, Ellie Bundy McLeod, Shelly Fyant, and Charmel Gillin); 4 opposed (Carole Lankford, Fred Matt, Len TwoTeeth, and Bing Matt).

***Martin Charlo**, for the record, "If there are any other applicants from the recruiting, interview them as well."*

Melanie Piedalue informed council that the recruiters email her about any applicants they want to be considered, and she forwards that information to the Tribal Council. The recruiters are the ones who contact her when they find someone for us to hire. They will continue recruiting until we notify them that we hired someone. Personnel has been asked in the past who is paying for the travel expenses. Since he is traveling from Washington, she asked if the Tribes, Tribal Health Department, or Mr. Owens is responsible to pay that expense. **Len TwoTeeth** thought it should be the recruiter's expense to do the tour under the recruiter contract. Melanie explained that the recruiter is not even paid anything until the person satisfies their one-year probationary period.

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

Rick Eneas, Financial Management, discussed proposed office space changes and provided an update on the building protocols that the Tribal Council put in place in response to COVID-19. Access to the entry into tribal buildings with separate exits, where possible, would be limited. There would be social distancing and do not enter restricted areas signage and wayfinding arrows. There will be check-in stations with touchless thermometers, touchless sanitizer dispensers, disposable masks, and attendants. Germ shields will be installed in the facilities. The areas with high amounts of traffic already have the germ shields installed. The HVAC will have professional cleaning in the ducts and components. They are bidding to have it all done at once in the buildings. In addition to cleaning, 600 air cleaning units were ordered. Tribal Health is the highest priority and will receive 200 units. The units will be installed in each individual space. Building cleaning protocols was discussed. We had a positive case that involved someone that was in our buildings. The protocols to handle

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that situation is to follow the CDC guidelines which state once the infection is identified, close the areas that are relevant for 24 hours. That may include the entire building or just a portion of a building, depending on how much access that person had, and then it is fully disinfected. The maintenance team uses a disinfectant sprayer from the ceiling to the floor. After that, the employees that are not required to quarantine can re-enter the building. This has been done to 4 tribal buildings (two in Polson, one at the Tribal Complex, and one at Fire Control). All the carpets are cleaned on a rotating basis. In accordance with the employee protocols policy, badges are now required to help identify visitors and employees within the buildings. Masks are and will continue to be provided to all employees. They are required to wear them in public spaces and private spaces where social distancing is not feasible. Everyone has individual hand sanitizer bottles and they supply enough for each employee. There are face shields that can be used in place of a face mask. The Governor has an exception from wearing a face mask for specific groups (children under the age of 5 and those medically unable to) and the Tribes did not address that in its protocols. There needs to be a decision made on whether we follow the Governor's directive or our own. **Chairwoman Fyant** mentioned that there would be a department head meeting scheduled for next week and they will have discussions about reopening again. Rick commented that we are providing as safe as possible areas for the employees to return to work.

Council **recessed** the regular meeting at 1:51 p.m. to conduct an S&K Gaming shareholder meeting.

Council **reconvened** into the regular meeting at 2:30 p.m.

Laurence Kenmille, Enrollment Office, requested to meet with council in **executive session** to discuss enrollment issues. **Alyssa Moran**, Tribal Member, joined the discussion.

Council reconvened into **regular session**.

MOTION by Len TwoTeeth to approve by resolution the blood quantum correction of Ashley Charmaine Hewankorn, contingent upon the corrections. Seconded by Carole Lankford. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 20-133

AUTHORIZING THE BLOOD QUANTUM CORRECTION OF ASHLEY CHARMAINE HEWANKORN WITH DNA RESULTS DETERMINING THE NATURAL FATHER TO BE LEWIS JAMES QUEQUESAH (203-U008150)

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

WHEREAS, Ashley Charmaine Hewankorn is the natural daughter of Geraldine M. Hewankorn (203)-UO05618, who is 15/16 and was born on 04/12/1958; and

WHEREAS, The Confederated Salish & Kootenai Tribes' original Constitution states if you were born to a member who was a resident of the Reservation, and in Resolution No. 17-131, amending the DNA Testing Policy to include avuncular testing (Auntie and Uncle) and half-sibling for the purpose of enrollment with the acceptable results for this test results return with a 90% or greater; and

WHEREAS, documentation from HT Services Lab Corporation shows that Ashley Charmaine Hewankorn is 99.99% a full sibling to Randall Lewis Quequesah, who is the natural son of Geraldine M. Hewankorn and Lewis James Quequesah; **NOW, THEREFORE**,

BE IT RESOLVED, by the Tribal Council of the Confederated Salish & Kootenai Tribes authorizes the blood degree correction of Ashley Charmaine Hewankorn to include the blood quantum of her biological father Lewis James Quequesah (203)-UO08150; and

BE IT FINALLY RESOLVED, by the Tribal Council that any descendants whose blood quantum be corrected and made eligible for enrollment shall not receive back tribal dividend payments.

Laurence Kenmille asked council to consider amending the policy to accept the long form birth certificate in electronic form if it was sent from the Department of Vital Statistics. We can go online and pay for it from the Department of Vital Statistics, and they will send us an electronic copy of the original birth certificate. Enrollment would wait for the original to be given to them from the parent. **Chairwoman Fyant** was open to changing the procedures to allow for that.

Chairwoman Fyant told Laurence that she saw several times the Lake County Licensing Department not accepting Tribal IDs as proof of enrollment. They lost the CIB on file and wouldn't accept someone's tribal ID. **Laurence Kenmille** explained that he does a disk listing all tribal members, and he just delivered it to the Department of Motor Vehicles a month ago so they have the updated reservation list of membership. A CIB is required every year. **Anita Matt** has heard the same complaints from several people having the same problem. She asked if the Tribal ID questions were resolved, because they wouldn't accept a Tribal ID in Missoula with different vendors. Shelly thought maybe this is the case in these situations is those people just moved home and they had an off reservation address prior. Before we give them a on reservation CIB they have to change their address to the reservation with Enrollment. Laurence said he

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just gave them one in June. The supervisor requested an updated disk at the end of the year. Anita said the person she was talking about has lived here for a long time. They just would not accept her Tribal ID. Anita will visit with Laurence offline and give him her name so they can get it figured out.

MOTION by Len to adjourn the meeting. Seconded by Martin Charlo. Carried, unanimous (10 present).

Council **adjourned** at 3:20 p.m., and is scheduled to meet again on Tuesday, July 21, 2020, at 9:00 a.m.

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/sgnd/

Ellie Bundy McLeod
Tribal Secretary