

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

Volume 20 Number 75
Zoom Meeting

Held: July 23, 2020
Approved: July 28, 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 9:01 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for July 21, 2020 were presented for approval.

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for July 21, 2020, with corrections. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (9 present).

Charmel Gillin joined the meeting.

Chairwoman Fyant informed council that Sean Mesteth passed away and his stepfather Allen Pierre asked permission to use the Arlee Community Center. Shelly explained to him that Benny McDonald, Maintenance Worker, asked her the day Tony came out with the memo closing the Longhouse if they could do the same thing at the Arlee Center. She said yes, and told him to work through John. She let Allen know that. Ralph Foster has counseled people to have services at the funeral home or individual homes. Allen is aware of those, but Shelly told him that she would bring it up to the Tribal Council since there was no official council action closing the centers. **Len TwoTeeth** wanted to support the families as much as possible and he does not want to deny use of the center.

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Len supported the request. **Charmel Gillin** asked if we are managing the buildings or are the departments managing them. The Arlee Center is requesting to follow the same recommendation as the Longhouse. **Ellie Bundy McLeod** commented that if we are not making a space available for people to hold services, even if it is in their home, it is less likely they will have hand sanitizer and social distancing would not be possible. She wondered if we could select one site that we allow families to use and have it monitored heavily. **Chairwoman Fyant** thought if the Tribal Council authorizes use of a building then we should fog it after use. **Bing Matt** said this is a tough call and people need a place to go to be with their loved ones they have lost. The family should have a place to hold their wake. **Fred Matt** commented that unfortunately there is no good scenario with this pandemic, but by recent history we know that funerals have been a place where people have contracted the virus. There have been families that put off their services until it is safe to do so. We have had some situations where they could track back the people who contracted the virus by attending a funeral.

Fred Matt left the meeting.

Anita Matt thought it would be difficult to social distance if the service was held at the home. **Shelly Fyant** commented if we allow use of the Arlee Community Center, then we should allow use of the Longhouse because that building was designed for those types of gatherings. **Ellie Bundy McLeod** commented that if we allow use of the center, then we should do a deep cleaning afterwards. We are putting an added burden on families during a tough time. **Martin Charlo** had understood the closure of the Longhouse was due to the number of elders who work there being at risk to contract the virus. There are other options in St. Ignatius other than the Longhouse. Opening up the Arlee Center does not require the opening of the Longhouse. It was the **consensus** of council to authorize use of the Arlee Community Center for the service.

Tony Incashola, Jr., Tribal Forestry, requested approval to hire ShiNaasha Pete on a three-year contract to fill the Forester I position.

MOTION by Ellie Bundy McLeod to approve the hire of ShiNaasha Pete on a three-year contract to fill the Forester I position. Seconded by Carole Lankford. Carried, unanimous (9 present – Fred Matt out of the room).

Tony Incashola, Jr., Tribal Forestry, requested approval to hire Zachary Underwood on a three-year contract to fill the Forester I position.

MOTION by Ellie Bundy McLeod to approve the hire of Zachary Underwood on a three-year contract to fill the Forester I position. Seconded by Anita Matt. Carried, unanimous (9 present – Fred Matt out of the room).

Mark Couture, Tribal Lands Department; **Tony Incashola, Jr.** and **Joe Vanderburg**, Tribal Forestry; presented a request from Pyramid Lumber to modify the existing permit for a revocable permit to construct a 200-foot access road in the State section from the Tribal section. There would be a \$600 road use fee assessed and a \$5,000 performance bond to get the road recontoured and seeded after the project.

MOTION by Ellie Bundy McLeod to approve the modification to the existing road permit for Pyramid Lumber to construct a 200-foot access road in the State section from the Tribal section, with a \$600 road use fee assessed and a \$5,000 performance bond to get the road recontoured and seeded after the project. Seconded by Bing Matt. Carried, unanimous (9 present – Fred Matt out of the room).

Tony Incashola, Jr. and **Ron Swaney**, Division of Fire, requested approval of a letter of support to the Bureau of Indian Affairs Northwest Regional Office to pursue additional funding for the Mission Valley Type 2 Initial Attack Crew. This is the only crew that has been off the reservation for a fire summit in the last decade. This program helps build the expertise and train the next generation coming into the Division of Fire.

MOTION by Bing Matt to approve a letter of support to the Bureau of Indian Affairs Northwest Regional Office for the Mission Valley Type 2 Initial Attack Crew funding request. Seconded by Len TwoTeeth. Carried, 7 for; 2 abstentions (Shelly Fyant and Carole Lankford – due to family relation); 1 not voting (Fred Matt out of the room).

Tony Incashola, Jr. and **Ron Swaney**, Division of Fire; and **John Neiss**, Facilities Maintenance; requested approval of a change order to the R&R Building Productions contract to increase the amount by \$341,170 to meet the final costs of the project. Division of Fire received funding to build a facility and it is near completion. The original bid was \$2,625,500 but that did not include paving or landscaping, which increased the costs to \$2,849,900.

MOTION by Carole Lankford to approve the change orders associated with the Division of Fire facility to increase the amount by \$341,170 to meet the final costs of the project. Seconded by Len TwoTeeth. Carried, unanimous (9 present – Fred Matt out of the room).

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

Chauncey Means, Natural Resources Department, requested approval of a modification to consultant agreement 20-082 with APG Consulting, LLC to increase compensation to \$11,600. The contract ends September 2020. The amount of data took more time to decipher which is the cause of the increased

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amount.

MOTION by Anita Matt to approve the modification to consultant agreement 20-082 with APG Consulting, LLC to increase compensation to \$11,600. Seconded by Martin Charlo. Carried, unanimous (9 present – Fred Matt out of the room).

Gregory Wilson, Natural Resources Department, gave an update on the pending modification to the Crow Dam Spillway modification project Area 3 CSKT/SOD 19-01. The contractor was excavating the hillside above the reservoir and exposing an area that is going to support the concrete structure within the reservoir. As they were excavating down to the lowest elevation, they discovered a gravel layer a couple feet thick. It was unforeseen.

Gregory Wilson, Natural Resources Department, requested approval of modification 8 to contractor agreement 17-090 with Stantec Consulting. On July 7, 2020 Greg received approval to extend the contract through December 2021, but he did not clarify that he needed approval of modification 8.

MOTION by Martin Charlo to approve modification 8 to contractor agreement 17-090 with Stantec Consulting. Seconded by Mike Dolson. Carried, unanimous (9 present – Fred Matt out of the room).

Council wished Bing Matt happy birthday. **Charmel Gillin** wished Myrna DuMontier happy birthday. **Len TwoTeeth** wished Jimmy Auld happy birthday.

Council provided a public service announcement encouraging the membership to wear a face mask and social distance during this pandemic. **Martin Charlo** informed council that Lake County reported its first COVID-related death this morning.

Mike Dolson announced he would be holding a district meeting at the Hot Springs Community Center on July 31, 2020, at 5:00 p.m. There will be social distancing and masks.

Martin Charlo invited the Facebook Live audience to volunteer their services to help with the Pablo community garden.

Sandra Boham, Salish Kootenai College, requested a letter of support for a grant that SKC will submit to the Native American Research Centers for Health for research and understanding better how to serve local tribal community and perpetuate our cultural resources. She needs Tribal Council approval to submit the grant. It would create a Northwest Indigenous One Health Center to establish collaborative relationships with the SKC STEMS Department and Tribal Departments and establish collaborative relationship with the Tribes.

MOTION by Martin Charlo to approve a letter of support for the Native American Research Centers for Health grant. Seconded by Anita Matt. Carried, unanimous (9 present – Fred Matt out of the room).

Council **recessed** the regular meeting at 10:35 a.m. to hold an S&K Technologies shareholder meeting.

Council **reconvened** into the regular meeting at 12:09 p.m.

Fred Matt returned to the meeting.

Council discussed their upcoming meeting schedule. The department head meeting was changed to Wednesday afternoon. **Chairwoman Fyant** will send out the telework agreement, the building protocols, employee protocols, and a department head survey this afternoon. **Bing Matt** asked if there a reopening date set yet. Shelly hopes to determine that at the department head meeting. If employees are allowed to telework, they will need to give up their office space. The survey asks the department what their obstacles and challenges are. Shelly has been receiving complaints that people are not getting returned calls and nobody is present to answer the telephones. She asked the department heads to address that and what their solutions are. Shelly has received concerns from employees not wanting to return to work because of health issues and childcare concerns. Those issues will need to be worked out in the departments. **Anita Matt** discussed the phone system and people cannot get into the tribal buildings. People are having a hard time communicating with the tribal offices and she wants it addressed at the department head meeting. **Bing Matt** has received concerns from employees about the safety of themselves and their families if they come back to work. Shelly commented that it is a great concern to bring back people in a group setting and the more information we have the better.

Ellie Bundy McLeod has received several complaints about the Mission Valley Power employees having to use their PTO to get tested or when they are asked to quarantine for 14 days. It seems unfair with all the other employees not having to do that. One of those employees was in direct contact with someone who tested positive for COVID-19. The employee got tested and told by the clinic to quarantine and the employee was required to use PTO. Mission Valley Power does not recognize COVID leave. If people are required to use their PTO they would rather go to work. It will only take one employee not wanting to use PTO to go to work and infect the entire organization. **Carole Lankford** has received the same complaints. Mission Valley Power employees are under Ordinance 69-C so she does not understand why the Personnel Ordinance is not being followed. She would like the Tribal Council to send a letter to the Utility Board and ask them to reconsider policy. MVP adopted the Personnel Ordinance. **Anita Matt** has received the same calls from MVP employees. She suggested the employee

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to appeal the issue with the Utility Board. It does not seem fair because the employee was exposed at work. Those employees are put into jeopardy by going to work. **Martin Charlo** explained that those employees can apply for leave sharing to the Coronavirus Committee if they have a doctor's note that they are required to stay out of work for two weeks and then they are covered by the COVID closure leave. **Chairwoman Fyant** advised that the Tribal Council would continue these discussions next week. MVP and SKHA have governing boards of directors. We have a separate pandemic employee plan.

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

Council **adjourned** at 12:35 p.m., and is scheduled to meet again on Tuesday, July 28, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

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Ellie Bundy McLeod
Tribal Secretary