

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

Volume 20 Number 61
Zoom Meeting

Held: June 2, 2020
Approved: June 9, 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 9:02 a.m. Quorum established.

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

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

Sherry Clairmont and **Jody Sias**, Tribal Members, discussed the Big Draw lease Sherry was granted that has no water or fencing for the livestock. Lands told her that the lease was going to include a stipulation regarding the water for those horses and she does not agree with taking water from her lease for the adjacent lease. There would not be a problem with the fencing if the nonmember lessee did not have horses on that lease. **Anita Matt** commented the fence should be the responsibility of both lessees so there is no trespass issue and the lease should have the appropriate water for the horses. **Carole Lankford** commented that there is a policy in place to guide the trespass issue. **Council** took the issue under advisement and will follow up with the Tribal Lands Department to come to a resolution.

Mark Couture, Tribal Lands Department, met with council to address Sherry's complaints. Sherry is not required to provide water to the adjacent lessee; she just cannot hinder the natural waterflow to the other tank. Lands will be getting a fence installed to prevent the trespass issue.

Steve McDonald, Rick Eneas, Rob McDonald, James Steele, Greg Gould,

Mark Clary, and **Jean Matt**, Unified Command Team gave an update. **James Steele** reported that the mass testing is solidifying quite well. The mass testing dates (June 17-20) and locations were finalized. The team talked about the reader boards and decided that they would keep them up through the month of June and reassess at the end of June on how much longer to keep them, if at all. There have been questions in the community why mass testing would be necessary. We need to know how the shelter in place worked. The mass testing will be open to anyone who wants to do it. Public testing is an important part of deciding how we move forward. **Mark Clary** spoke to Amy Coffman from the National Bison Range. Amy talked about following Glacier National Park's reopening plan and said they would follow what the Tribes are doing. They will have a three-phase reopening plan and are willing to do it slowly. **Chairwoman Fyant** asked how the phase two reopening fits into their plan. **James Steele** said it is the critical points of the mass testing. We have to measure that by the number of people wanting to get tested. **Greg Gould** reported that there is a solid plan in terms of the materials and personnel provided by the state, who is providing the core supplies and equipment and bringing in 20 personnel. They still need some medical providers to assist. Messaging will be critical. The issue of incentives was resolved. They are working with nonprofits to help facilitate that. There is a potential for community spread at Crow. Someone had traveled, and now there are 29 cases there. **Rod Couture** followed up on questions asked about the Boys & Girls Club. The club will reduce their feeding locations from 24 to 5, including Dixon, Mission, Polson, and Hot Springs. They are looking at possibly Arlee, if needed. They will take 50 students at Ronan and 50 at the Polson club. The summer program participants will be fed, as well. The hand sanitizer came in, and it will get dispersed to the departments within the organization and whoever needs it in the county. **Rob McDonald** commented that this testing event will be the largest testing event in the state. He is focusing on getting the word out. There will be ads in the weekly papers about the testing sites and locations. The census effort is considering throwing some of its resources towards the community event. Rob reminded the membership that today is the primary election and the polls close at 8:00 p.m. There is a remote station to drop off ballots outside the election office at the courthouse in Polson. This has been the most successful primary election event. People who did not receive a ballot in the mail can pick one up at the election office. The Lake County Election Office is the only location that ballots can be dropped off at. Unregistered voters could still register to vote in today's election. **Chairwoman Fyant** mentioned that phase two reopening begins today and we will now start seeing larger groups of up to 50 people. She is waiting for that 14-day surge from last week's graduations. She sees a lack of social distancing and masks being worn. **Mark Clary** gave a report on the flooding that is happening locally. The County Roads program is helping with the flooding areas. **Steve McDonald** informed council that the updated Incident Action Plan should be issued today.

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

Erin Irvine, Tribal Member, informed council that she resigned from her position at the Department of Human Resources Development. Erin does not want to be held responsible to pay back the educational leave hours in accordance to the educational agreement she signed. **Carole Lankford** commented that the tribal council should not be listening to personnel issues since there is a policy in place and it should be referred to Clayton Matt or the department head. She does not know if it raises to this level. Carole excused herself from this discussion since she thought it was inappropriate. Erin is here today because she thought the tribal council was the only ones that could dissolve her of that financial obligation. The agreement requires Erin to pay back the educational hours she was allotted to go to school if she was terminated or resigned from that position. Due to the reasons she resigned, she feels she should not be required to pay it back. She requested action to dissolve financial obligations for repayment for educational leave per her educational agreement due to the reasons she resigned. Erin sent a copy of her resignation letter to Clayton Matt, Patricia Courchane, the Division Manager, and the Personnel Department and has not received a response from anyone, so she requested to meet with the tribal council. The discussion continued in **executive session**. **Renee Joachim**, Personnel Department; **Rhonda Swaney**, Legal Department, and **Jami Pluff**, Policy Analyst; were present for discussion.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to put into the record that the tribal council has determined there is no valid contract in this situation due to the CSKT policy not being followed. Seconded by Anita Matt. Carried, unanimous (9 present – Carole Lankford out of the room).

Carole Lankford returned to the meeting.

Patricia Courchane and **Dana Morales**, Department of Human Resources Development, returned to council regarding her request to approve a two-year employment agreement with Christina Griffin to fill the Child Protection Specialist Trainee position. She has served in this position for the past year. The request was brought to council on May 12 and no action was taken due to council's concerns; those concerns have been addressed. Personnel is aware of the request coming in today. **Anita Matt** commented that the position requires a bachelor's degree in social work. She will be in a trainee position until she receives her degree. Charmel Gillin mentioned that the issue paper indicates it was advertised, but she said it was not advertised when she brought in this request previously. Most trainee jobs do not last that long and they have to be in a certain stage of their preparations before entering into these kinds of agreements. **Patricia Courchane** responded that Christina has an associate's degree. She has been working in this position, but her contract had expired.

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The last contract was for three years; this one is for two years. **Dana Morales** informed council that Christina only needs a few more credits to receive her degree. She is going to school on her own, so she does not have an educational agreement. **Len TwoTeeth** commented that this request came in on May 12, and there were some problems with the position description not acknowledging that this as a trainee position, and it appears the staff took care of that. These types of positions are difficult to fill.

MOTION by Len TwoTeeth to approve a two-year employment agreement, as presented, with Christina Griffin to fill the Child Protection Specialist Trainee position. Seconded by Martin Charlo. Carried, 8 for; 2 opposed (Shelly Fyant and Charmel Gillin).

Charmel Gillin, for the record, "I was opposed because I didn't get an answer to the questions I asked, so I wasn't ready to approve it."

Patricia Courchane stated that she came in as a social worker aide when she started her career. She did formal training, six months on the road, and formal testing. After she did the certification and field and book training and got certified, she moved up. In the five-year plan DHRD showed council is the same kind of post and pre-certification training so if they went anywhere off the reservation they would be certified social workers which shows they have post and pre-training and that they are book and field tested. That is why those boxes are on the organizational chart. DHRD is working on the Children's Code with Legal and is working on policy changes so we can take the Tribal Social Services Division and bring it up with legislative changes and have a team of social workers not only book/field certified, but they can go anywhere in the United States to show they are certified. That is one of the reasons she comes in saying she wants social workers at a certain amount of time away from their degree. It is a long process and has never been done here before. That is her intent for the Tribal Social Services Division.

Carole Lankford left the meeting for the next item on the agenda.

Joe Durglo, Tribal Health Department, requested approval of a modification to Consultant Agreement 20-101 with Gwen Lankford, Sapphire Strategies, Inc., to amend the compensation clause to increase it from \$50,000 to a not-to-exceed amount of \$76,400.00, due to increased activities related to COVID-19. All other terms of the agreement will remain the same. The monthly retainer covers for Gwen to work up to 80 hours per month, regardless of whether her services are used or not. Her workload is directed and evaluated by the department head and division directors. The Tribal Health Department plans to pay Gwen \$6,400 per month going forward for the remainder of the contract term.

MOTION by Bing Matt to approve a modification to the consultant

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agreement 20-101 with Sapphire Strategies, Inc. to amend the compensation clause by increasing the not-to-exceed amount to \$76,400.00. Seconded by Fred Matt. Carried, 7 for (Mike Dolson, Len TwoTeeth, Bing Matt, Fred Matt, Anita Matt, Ellie Bundy McLeod, and Charmel Gillin); 1 opposed (Martin Charlo); 2 not voting (Carole Lankford and Shelly Fyant – out of the room).

Carole Lankford returned to the meeting.

Tom McDonald, Natural Resources Department, requested approval of the 2020 SKQ Dam Fish & Wildlife Mitigation Submittals to the Department of Interior and FERC. The submittals contain the 2020 Annual Report and 2021 Work Plan.

MOTION by Ellie Bundy McLeod to approve the 2020 SKQ Dam Fish & Wildlife Mitigation Submittals to the Department of Interior and FERC, containing the 2020 Annual Report and 2021 Work Plan. Seconded by Martin Charlo. Carried, unanimous (9 present – Shelly Fyant out of the room).

Rhonda Swaney, John Harrison, Ryan Rusche, Michael Wheeler, Daniel Decker, and **Mary Price**, 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**.

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

Council **recessed** the regular meeting at 1:00 p.m. to conduct a shareholder meeting.

Council **reconvened** into the regular meeting at 1:43 p.m.

Ellie Bundy McLeod informed council that she received a request from a tribal member to put the tribal council's contact information in the Char-Koosta News. She had asked Rob McDonald to include that when he puts out the departmental information, but Rob said in the past the council did not want their contact information made public. Ellie requested a consensus of council to publish the information. **Len TwoTeeth** was not opposed to that since the tribal council needs to be available to the membership. He did not recall the council ever having a conversation about not publishing their phone numbers. The phones the council use belong to the Tribes, and the council works for the membership. There is no reason our contact information should not be public information. **Anita Matt** had no problem with it. She wants her home phone number published, in addition to her cell number because she does not always have cell service in Moiese.

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

Geoff Badenoch, Missoula Public Library Foundation, informed council that the Missoula Public Library is constructing a Time Capsule. The library will be installing a time capsule to be opened in the year 2070. The Tribes were invited to submit a letter, object or artifact to be placed in the time capsule or send a message for the future. It is a stainless-steel box that will be kept in the floor of the library until it is opened. There is a national registry of time capsules. In 50 years, the registry will contact the librarian that there is a time capsule and needs to be opened. Participation is by invitation only. He has invited some children, school librarians, elected officials, the Tribes, and the Missoulian editor to submit something. August 14 is the deadline for submissions. The council showed interest in submitting something. **Fred Matt** suggested submitting a pocket-size copy of the treaty. **Carole Lankford** suggested submitting a copy of the Tribes' vision and mission statement. Council will submit their ideas to Rob McDonald to forward to Geoff. The library construction project should be complete by late July or August. The Tribes will receive an invitation to attend the opening day ceremony.

Patricia Buffalo, Janet Camel, Katie Miller, Jody Perez, and Jami Pluff, Homeless Committee, discussed the request for proposals from qualified firms or experienced tribal members to assist with the creation and operation of a comprehensive supportive housing project and treatment center. Charmel Gillin had made some suggested edits to the RFP. Janet Camel and Patricia Buffalo pointed out some errors that needed to be corrected. The scope of work consisted of: (1) Act as coordinator to identify and assess the current homelessness issue on the reservation. (2) Complete a gap analysis of services. (3) Collect data from other tribes with successful models. (4) Work with the task force on the development of a homelessness response and prevention plan. (5) Assist the task force with land, infrastructure, and stock identification. (6) Work with CSKT staff to contract architect and engineering studies to develop facility design and site plan. The deadline to submit proposals is June 16, 2020, at 5:30 p.m. Proposals must be submitted to Jody Perez. Jody requested approval of the RFP. She asked what dollar amount the Tribes want her to put on the ICDBG-CARES grant.

MOTION by Len TwoTeeth to approve the RFP, as devised. Seconded by Anita Matt. Carried, unanimous (10 present).

Jody Perez requested the consensus of council to have her put on the application document that the Tribes would be spending at least \$1.5 million towards this project. **Rick Eneas** joined the discussion. There should not be a problem with it if the Tribes are willing and able to do that. It is not outside the scope of the priorities set by the tribal council. It was the **consensus** of council

to proceed with the \$1.5 million.

Charmel Gillin presented the Black Bear Ranch quarterly activities report. For the past month, One Heart has been working on an admissions packet for prospective residents that will benefit from the opportunities provided at the BBR. Policies and house rules are also being developed. Even with the restrictions in place to limit the spread of COVID-19, the BBR has been able to continue its preparation in anticipation for when restrictions are lifted. Client safety is its first priority. They have resolved issues with the installation and implementation of high-speed internet and phone communication. They plan to provide life skills training for clients. They have a certified pool operator, water safety instructor, mechanic, and a teacher living onsite to support the programs being developed. One Heart signed the lease and is eager for the remaining approvals necessary.

Ellie Bundy McLeod discussed a request from Skylar Joseph, Birmingham University Graduate Student, to provide assistance with her MMIW research by distributing a survey to the tribal community. **Anita Matt** asked if she has to get the survey approved by the Salish Kootenai College Institutional Review Board. Anita responded to Skylar's email and referred her to Niki Graham. **Chairwoman Fyant** did not think it met that threshold, but Ellie will follow up. Ellie would work with Rob McDonald to get the survey out to the membership. Charmel Gillin wondered if the results would be useful to our task force. Raising awareness levels is necessary and it serves the mission statement of our task force. Ellie will reach out to Skylar about receiving the results of the survey. If it meets the threshold, Mike wants it reviewed by the SKC IRB. It was the **consensus** of council to authorize the distribution of the survey.

Martin Charlo commented that in light of what happened to George Floyd while in police custody, he would like approval of a resolution affirming CSKT's commitment that violent and disrespectful treatment that degrades dignity or disregards human life will not be tolerated. Mike Dolson supported the comments, but he could not support a resolution that is based on allegations in the media.

MOTION by Fred Matt to approve the resolution affirming CSKT's commitment that violent and disrespectful treatment that degrades dignity or disregards human life will not be tolerated. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 2 abstentions (Mike Dolson and Charmel Gillin).

RESOLUTION 20-110

RESOLUTION AFFIRMING CSKT COMMITMENT THAT VIOLENT AND DISRESPECTFUL TREATMENT THAT DEGRADES DIGNITY OR DISREGARDS HUMAN LIFE WILL NOT BE TOLERATED

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

WHEREAS, on May 25, 2020, an African American man Mr. George Floyd died at the hands of four Minneapolis, Minnesota, police officers; and

WHEREAS, according to reports, one of the officers knelt on Mr. Floyd's neck for at least seven minutes while Mr. Floyd was handcuffed, lying face down on the street and begging to breathe while three other officers appeared to fail to assist; and

WHEREAS, this apparently unprovoked and intentional act of violence represents a blatant disregard for the dignity and sanctity of human life; and

WHEREAS, the actions of these four Minneapolis, Minnesota, police officers do not represent the thousands of men and women that serve and protect their respective communities with the highest level of professionalism, but their action did impact the relationships between those communities and their police departments; and

WHEREAS, this act of intolerable violence and other similar acts that have occurred across this country in recent years are unpardonable and must serve as a wakeup call to every human being that recognizes life as both a gift and a human right; **NOW, THEREFORE**,

BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby:

1. Share feelings of disbelief, sorrow, shame and anger; and
2. Recognizes that we all come from a common thread as a single human race and call on our country to recognize the value of human life.
3. Fully supports and strongly endorses peaceful unification throughout this country opposing this and similar deplorable acts of violence against persons of color and those of different ethnicity, religions, beliefs or expressions, both now and in perpetuity.
4. Hereby commits to our community that our organization does not, and will not, tolerate, nor accept in any way, the violent or disrespectful treatment of others that degrades dignity or disregards human life.

Brian Upton, Legal Department, met with council in **executive session**.

Council reconvened into **regular session**.

MOTION by Carole Lankford to send the letter to Noreen Walsh, U.S.

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Fish & Wildlife Service. Seconded by Fred Matt. Carried, unanimous (10 present).

Council discussed their schedule this week and scheduled a working meeting tomorrow from 8:00 a.m. to 10:00 a.m. to review the departmental reopening plans. The Legal Department and Personnel Department will be invited to the meeting.

MOTION by Ellie Bundy McLeod to adjourn the meeting.

Council **adjourned** at 3:59 p.m., and is scheduled to meet again on Tuesday, June 9, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Secretary