

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

Volume 20 Number 43  
Council Chambers, Pablo, MT

Held: March 5, 2020  
Approved: March 17, 2020

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

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; Tom Johnson, Council Support; 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 Carole Lankford.

The **Tribal Council Meeting Minutes** for February 27, 2020 were presented for approval.

**MOTION** by Anita Matt to approve the Tribal Council Meeting Minutes for February 27, 2020, with corrections. Seconded by Fred Matt. Carried, 7 for; 3 abstentions (Ellie Bundy McLeod, Bing Matt and Fred Matt).

The **agenda** was presented for approval. **Chairwoman Fyant** added discussion on travel restrictions due to the coronavirus. Shelly is having Rick look into employee travel to see where they are going and will bring that back this afternoon.

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

**Chairwoman Fyant** discussed the strategic planning scheduled for tomorrow and she will be attending a funeral. Council agreed to reschedule.

**John Neiss**, Facilities Maintenance, requested approval of placement of the white house from Ronan. By the laundromat is the cheapest location to move it to due to the site already having water, sewer and a transformer. Francine Antoine requested clarification of where the laundromat is located. She asked if

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the building would be utilized. Martin Charlo explained it is located north of the complex in Pablo. John Neiss showed Francine the map of its location. Shelly advised that no decision of use has been made yet. There had been discussion of moving Sylvia's Store to the white house and remodel the Sylvia's Store building into office spaces. The white house is 30x40 and has two office spaces and a conference space. It is expensive to move it. It is not really worth using it for office space since the building is so small. If council decides to move it, an RFP would be advertised to get it moved. John got a bid from Able to move it to Pablo. There is going to be a cost and process to get the permits and move the power lines to get the house out of Ronan. Charmel Gillin thought MDT was paying the cost of the move. John clarified it did not include the white house. It was the two doublewides that MDT agreed to give to the Tribes and pay for the move since they were going to demolish those trailers. There will be a cost of at least \$3,000 more if we move it to Pablo. Fred Matt thought it would make more sense to move it to the lot in Ronan. **Len TwoTeeth** recommended demolishing the house.

**MOTION** by Martin Charlo to move the white house to the lot specified in Pablo by John Neiss and proceed as we were. Seconded by Charmel Gillin. **MOTION NOT CARRIED**, 3 for (Martin Charlo, Charmel Gillin and Shelly Fyant); 7 opposed (Carole Lankford, Len TwoTeeth, Mike Dolson, Fred Matt, Anita Matt, Ellie Bundy McLeod, and Bing Matt).

*Charmel Gillin, for the record, "I believe if we're wanting to use it for office space, in my opinion it would be best to have it centralized in Pablo. We could expand it by adding a basement."*

*Anita Matt, "It's an opportunity for a tribal member to get the contract."*

**Council** agreed to have further discussion about it at the chairwoman's meeting.

**Ellie Bundy McLeod** inquired about the status of the HVAC system at The People's Center. They thought it would be completed within six weeks and they have heard nothing in the last two weeks. **John Neiss** is working with Dallas on it right now.

**Rob McDonald**, Communications, requested approval to apply for two mini grants for the census count efforts. One grant is for \$5,000 through the Montana Nonprofit Association.

**MOTION** by Anita Matt to approve the mini grant through Montana Nonprofit Association for \$5,000. Seconded by Fred Matt. Carried, unanimous (10 present).

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**MOTION** by Ellie Bundy McLeod to approve submission of a \$2,500 grant through the NCAI. Seconded by Martin Charlo. Carried, unanimous (10 present).

**Mark Couture**, Tribal lands Department, requested approval of the 2020 Agricultural Spring Bid advertisement.

**MOTION** by Fred Matt to approve the 2020 Agricultural Spring Bid advertisement. Seconded by Carole Lankford. Carried, unanimous (10 present).

**Mark Couture**, Tribal Lands Department, provided an update on Ken Camel's request. The building site structurally is not sound enough to do boxing classes. It would be okay for storage. Lands had discussed a revocable permit but since it's only for storage it could be set at a no rental fee until he finds another location. Phase one has been done on remediation. It has lead paint onsite. The inspector is checking to see if it is okay to use for storage with lead paint. Lands would try to find another place for his storage if that is a problem. Ken could be charged no rental fee until the assessment comes back. Anita questioned our liability if he puts his stuff in there and something happens. Mark explained that all revocable permits say they have to have insurance and the Tribes are not liable. Charmel asked about the term. Mark said it is usually one year but can be set at any term rate. Revocable permits can be changed at any time. Charmel said the ultimate goal is to operate the club so we need to figure out how to help him with a location for his business.

**MOTION** by Charmel Gillin to approve a six-month permit for Ken Camel's Boxing Club for the stated location on Sixth Avenue East in Polson for storage of equipment only as the approved use of that location at a rate of \$1. Seconded by Ellie Bundy McLeod. Carried, unanimous (10 present).

**Clayton Matt**, Tribal Services/Tribal Health Department; **Veronica Matt**, Tribal Health Department; discussed a grant that requires her to hold an event in October and April. She wants to hold a resiliency and wellness conference combined. Veronica requested approval of a speaking engagement agreement with Native Wellness Institute. There will also be a sexual assault and domestic violence walk.

**MOTION** by Anita Matt to approve the contract with Native Wellness Institute. Seconded by Fred Matt. Carried, unanimous (10 present).

**Veronica Matt** and **Melanie Smith** would like a change of duty so employees can attend the conference. **Charmel Gillin** commented that the last change of duty request that came to council required a list of employees attending. Veronica would have a sign-in sheet to verify employees that attended. Charmel suggested having a preregistration to attend and then bring back the list of

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employees who are attending. **Clayton Matt** will set a deadline to register and have the employees get supervisor approval, and then bring back for final approval.

**MOTION** by Len TwoTeeth to grant a change of duty, with supervisor approval. Seconded by Carole Lankford. Carried, 9 for; 1 abstention (Charmel Gillin).

**Charmel Gillin** asked Clayton to visit with Dallas Fleming about use of the contract checklist form because the way it is filled out it would lead us to a temporary employment agreement rather than a contract. **Clayton Matt** will follow up with Dallas.

**Chairwoman Fyant** followed up on an earlier meeting on coronavirus. We were going to have posters in the bathrooms and she has not seen any in the bathrooms and wondered what is the holdup. Clayton did not know if there is a holdup; he saw Brian going in the bathrooms this morning putting posters in there. Shelly wants all hands on deck and get it done. THD staff could assist with hanging posters if necessary. We are discussing travel restrictions and need to be serious about this. Martin asked if Clayton was working with S&K Gaming about the gaming establishments. **Clayton Matt** will follow up. Shelly said council talked about pulling in the corporations for these discussions.

\*\*\*\*\* **Break** \*\*\*\*\*

**Council** scheduled the strategic planning session for March 20.

**Jim Durglo, Ronda Howlett** and **Rhonda Whiting**, Salish Kootenai College Board of Directors, met with council in **executive session**.

**Ryan Rusche**, Legal Department, met with council in **executive session** to provide a legal update.

Council reconvened into **regular session**.

**Filip Panusz**, Arlee Rehabilitation Center, discussed a proposal to collaborate on delivering a series of 4 spay/neuter clinics spanning from June through August of 2020 and requested a venue and support with advertising and disseminating information. Mr. Panusz gave a progress report on the Center and requested the council's blessing for the project, programs and efforts to identify a site on tribal land, negotiating an agreement where ARC would provide a holding facility, vet services, and support for enforcement efforts if a tribal animal ordinance is ultimately adopted. ARC would also be providing animal assisted social and emotional learning and therapy services to the tribal community. He requested a directive for the Lands Department to assist them. There will be a

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fundraising event at the Red Lion to help fund the clinics. He would like to have 50 acres of tribal land in Arlee for a facility. **Tara Irvine**, Tribal Lands Department, did not realize he was asking for 30 to 40 acres, so he would need to visit with the Lands Department about that. Lands identified possible locations for the spay/neuter clinics. Filip requested a directive for advertising in the Char-Koosta News, and help with printing flyers and posters. He visited with Rob McDonald and was told it would require a council directive. It was the **consensus** of council for Lands to investigate possibilities and bring back options. Filip discussed the need to have an ordinance. **Martin Charlo** suggested donating the cost of printing the flyers. The request for advertising would need to go to the Budget Committee. **Wilbert Michel** told council they need to get their priorities straight. Instead of donating land to this cause, they need to consider all the tribal members that are homeless and need a place to live. **Council** clarified that they do not donate tribal land.

\*\*\*\*\* **Lunch** \*\*\*\*\*

**Council** participated in an all tribes conference call with the White House Office of Intergovernmental Affairs and United States Department of Health and Human Services regarding the Coronavirus Disease 2019 (COVID-19) for tribal and urban Indian organization leaders to provide updates, preparedness efforts, and US Public Health Service Commissioned Corps officer deployments.

\*\*\*\*\* **Break** \*\*\*\*\*

**Carole Lankford** left the meeting for the remainder of the day to participate in Drug Court.

**MOTION** by Martin Charlo to have our communication director send out a letter to employees/corporations that we are limiting nonessential travel to the locations specified in the announcement until further notice. Seconded by Charmel Gillin. Carried, 8 for; 1 abstention (Fred Matt).

**Dan DePoe** and **Francis Cahoon**, Tribal Members; **Tony Incashola, Jr.** and **Joe Vanderburg**, Tribal Forestry; discussed Dan's request for the small loggers/woodcutters to resume employment in the woods and secure a long-term solution to obstacles within the current logging system. **Fred Matt** questioned where the disconnect is since Forestry has a process in place for the woodcutters to work. Tony Incashola, Jr. is following the regulations which allows for \$15,000 in stumpage and total of two permits amounting to \$25,000. He has tried to work with the loggers and has worked with Tribal Credit and the mills. They are required to bid, and that is the problem. They can find small permits and are in the process of getting four of them right now, and another two were sent over today. The IDT teams finds these areas. They have put several small sales and permit sales. The old small permit sales are not the same as they used

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to be due to being required to follow the CFR. **Anita Matt** asked why the loggers are not bidding on sales. Dan is a businessman and he looks at planning out jobs. He wants all loggers to work and does not want it to be cutthroat. People would be a fool to put money into the system the way the program works right now. He wants a good opportunity and system for the people. People have to have money coming in all the time to be a logger. Tony explained that Forestry is required to put it out for bid to get fair market value for tribal resources. An enterprise is the other option.

**Francis Cahoon** sees many problems about what Tony is saying and he can prove that if council wants to look at his evidence. The permit system is not set up to maintain a job throughout the year and that makes no sense. The BIA did an audit and the biggest violators in the logging aspect came from one major permittee that was found to do some negligent stuff, but the majority of the complaints was the big loggers. He doesn't understand why those big loggers are still working when they are the ones cutting the wildlife corridors, through the creeks, and out of bounds. The small loggers were not the ones doing things wrong. Tony talked about best value, but yet the Tribes do not require the best price for the agricultural leases, housing rates, and the Dairy Queen rental property, in addition to giving money for people to travel to Spokane to go to basketball tournaments. The majority of revenue comes from big white guys. Council should give the tribal members the opportunity to work. Tony explained that sales could not be negotiated because the CFR prohibits that. Francis disagreed with that statement and said they could get around that regulation by CatExing. Tony clarified that the nonmember contractors are required to follow the Indian Preference policy and hire at least fifty percent tribal members. Leonard Michel offered comments on his observations. The Roads program BIA funding could be used to fix roads so the tribal member small loggers would not need to do that. It is not fair for the council go behind closed doors and renege on the agreement that was reached with the loggers without the membership being in that meeting.

**Len TwoTeeth** thinks it is unfortunate that some people think the tribal leaders are taking sides on this matter. We represent the entire membership, including the 8,000 tribal members that the timber belongs to. Council has been dealing with this matter ever since the audit where we were told we need to fix the permit system because it is jeopardizing our other programs. He acknowledged that the decision made was based on the ownership of this timber belonging to 8,000 tribal members who depend on us to manage this resource. We cannot forget who we work for. **Chairwoman Fyant** understood the feasibility study for the enterprise is looking at value added products and how to get tribal members to work and she requested the status of that report. Tony said it is going through legal review right now. Council visited with the superintendent and regional director about changing the CFR. It is a rulemaking process they need to go through and they are getting the Inter-Tribal Timber Council involved.

**Charmel Gillin** reviewed the corrective action plan from the 2016 audit report. She thinks things are headed in the right direction. The back to work request was presented two weeks ago. There have been many meetings and there is no shortness of debates and disagreements that happen, but we never get to the point of there being a solution. She is not here to advocate for one side or the other; her job is to find a solution to move forward. Charmel is in favor of having an advisory board. Tony commented that the department works on restoration and habitation, but yet every time he comes up here he is asked how much revenue is he bringing in. Forestry does as much as they can to work with the loggers.

**MOTION** by Fred Matt to create an Advisory Board that makes recommendations to Tribal Council concerning Tribal Forestry's small loggers/woodcutters permitting and, if applicable, any CSKT Forestry Enterprise(s) possibly created in the future. The Advisory Board shall consist of two Tribal Council members, two Tribal Forestry employees, two small loggers, and two woodcutters; be charged with developing a socio-economically sound system to ensure a future in small logging and woodcutting on the Flathead Indian Reservation; ensure that Tribal Forestry policies uphold the CFR and FMP mandate to manage the collectively-owned tribal timber resources in a way that promotes individual tribal member economic opportunity along with generating revenue for the tribal government; help Tribal Forestry comply with the above mentioned CFR and FMP policies, as well as with the Tribal Use Management Plan. Mike Dolson and Bing Matt volunteered to serve as the council delegates and Fred Matt will serve as an alternate. Seconded by Charmel Gillin. Carried, unanimous (9 present).

**Len TwoTeeth** left the meeting for the remainder of the day.

**Willie Keenan, Randy Ashley, Frank Acevedo, and MaryRose Morigeau** met with council to provide orientation on the Natural Resources Department.

**Randy Ashley** discussed the Volkswagen settlement trust fund and the need to submit beneficiary forms. There was no set aside for tribes. The committee got \$55 million set aside for tribes, but we need to submit some beneficiary paperwork.

**MOTION** by Ellie Bundy McLeod to approve the application to be a beneficiary for the Volkswagen settlement trust fund and require legal review. Seconded by Martin Charlo. Carried, 7 for; 1 abstention (Shelly Fyant).

**Tabitha Espinoza, Ryan Evans, Tom McClure, and Martin Zobel** continued orientation on the Natural Resources Department.

**Anita Matt** left the meeting for the remainder of the day.

**Martin Zobel** continued orientation on the Natural Resources Department.

**Randy Ashley**, Tribal Gaming Commissioner, informed council he and Les Trahan are scheduled to go on travel next week and asked if the travel restrictions affect them. **Council** advised that yes, all nonessential travel has been canceled due to the coronavirus. There is a presumed confirmed case in Colorado. We have some tribal employees on travel in Denver. Council will check with Dr. Corum about the required quarantine of travelers.

**Mike Dolson** and **Bing Matt** volunteered to be on the small logger advisory committee.

**MOTION** by Fred Matt to adjourn the meeting.

Council **adjourned** at 5:48 p.m., and is scheduled to meet again on Tuesday, March 10, 2020, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Ellie Bundy McLeod  
Tribal Secretary