

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

Volume 21 Number 14
Council Chambers, Pablo, MT

Held: November 17, 2020
Approved: November 19, 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.

MEMBERS ABSENT: Abby Dupuis, Recording Secretary.

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; Jami Pluff, Policy Analyst and Donna Durglo, Recording Secretary.

The meeting was called to **order** at 9:02 a.m. Quorum established.

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

The **Tribal Council Meeting Minutes** for November 12, 2020 were presented for approval.

MOTION by Len TwoTeeth, to approve the Tribal Council Meeting Minutes for November 12, 2020, with corrections. Seconded by Mike Dolson Unanimous (2 abstain, Carole Lankford, Shelly Fyant)

The **agenda** was presented for approval.

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

Dennis Webster, request for executive session. Ron Swaney from Fire control also present. Rick Eneas also present for discussion.

Return to regular session

Jean Matt, Mark Clary, Rob McDonald/ Lisa Shourds, Chelsea Kleinmeyer, Unified Command System, update. There are two companies that have vaccines available THD is getting ready for the storage, numbers are increasing, there are 3 schools on the reservation that do not have cases at this time. Equipment delivery will be slower during this holiday season, **Len TwoTeeth**, how do we address the mask compliance with the local businesses? **Mark Clary**, there isn't enough staff to go out and enforce the mandate. **Fred Matt**, suggested more public service announcements.

Cheryl Finley, BIA Superintendents Office, Introduction of the New Superintendent, Shana Radford.

Patricia Courchane, DHRD, Contract approval. Consultant agreement with National Native Children's Trauma Center, (Lisa Stark) for 1 day a week, to work with the Child Protection committee, with Tribal Grant fund, and Consultant agreement with Public Safety Alliance, (Nick Ramos), Live streaming.

MOTION by Martin Charlo to approve a contract with National Native Children's Trauma Center. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

MOTION by Anita Matt to approve a consultant agreement with Nick Ramos, Seconded by James "Bing" Matt, Carried, unanimous (10)

Scott Johnson, NRD, Requesting to enter into a non-completive negotiation with design consultant, TD & H Engineering.

MOTION by Martin Charlo, to approve to enter into a non-completive consultation with TD & H Engineering agreement. Seconded by Anita Matt. Carried, unanimous (10 present).

Greg Wilson, SOD, requesting to enter a MOU with Montana Bureau of Mines and Geology for assistance for the maintenance of the Flathead Seismic Monitoring System and to interpret and collect data from the system not to exceed the amount of 24,900.

Len TwoTeeth, how many other Seismic sites and early warning monitoring systems are out there in the Northwest? Are we the only one, or are there other tribes doing this? **Greg**, very good question Councilman TwoTeeth, I don't have the exact number there are other sites within Montana, one site is over in Stillwater near Billings, I would have to get you more information on those sites, right now on the reservation are 7 sites but there are other sites in Montana and within the USGS network. **Len**, so in regards to these specific sites that you are referring to how close is the nearest one to SKQ dam? **Greg**, it would be, Jette

Lake is the nearest one, then further south is Ferry Basin. **Len**, okay thank you.

MOTION by Ellie Bundy McLeod, to approve to enter into a MOU agreement with Montana Bureau of Mines and Geology. Seconded by Martin Charlo. Carried, unanimous (10 present)

Shelly Fyant, Carole Lankford left meeting to attend AMERIND meeting.

Jace Smith, requesting Amendments, Amendment 1 To Agreement Between CSKT and the Bureau of Reclamation Technical Service Center regarding scoping study for the repair or replacement of the Flathead Pumping Plant on the Flathead Reservation agreement No. 20-037 to increase the Non-to-Exceed amount to \$500,00.

Len TwoTeeth, just for clarification the original contract that was executed last year was for \$100,000 and you're asking for an additional \$400,000 or not to exceed the \$400,000? **Jace Smith**, that is correct. **Len TwoTeeth**, okay and just briefly explain the scope of work. **Jace Smith**, the scope of work was originally was for a half of dozen bureau of reclamation employees, Councilman TwoTeeth to come up and do an onsite visit to the plant last December And with that we got an onsite assessment and in January, and then there were some delays with COVID and actually I just started on October 5th and so stuff was delayed and didn't happen on the timeline as originally presented to you guys last year, additionally what that onsite assessment revealed that there were some additional studies that needed to be done which would have not just exceeded beyond the original not to exceed this number is a lot more scoping meeting that we had the dollar amounts are required to have all these technical people doing their job has exceeded the original agreement put into place last year. **Shelly Fyant**, and this is through Bureau Funding? **JaceSmith**, yes I believe this is through BIA funding. **Charmel Gillin**, I see this as Monumental, for anybody that has been out to that Flathead plant, is really monumental.

MOTION by Charmel Gillin, to approve modification to contract with the Bureau of Reclamation Technical Service Center agreement No. 20-037 to increase the Non-to-Exceed amount to \$500,000. Seconded by Anita Matt. Carried, unanimous (10 present)

Tom McDonald, Monte Mills, John Harrison, Tom France, NRD – FWRC/UM Law School/National Wildlife Federation, Inter-Tribal Bison herd, **Tom McDonald**, the history starts at the beginning of the year where we gave a brief presentation of this project with, (Monte's Students from the UM) **John harrison**, Tom pretty much summarized why we are here today materials start on page 35 of the council packet the draft report that was finished by the National Wildlife federation and clinic is on page 41 and there is a draft letter

Tribal Council Meeting Minutes
November 17, 2020

that the National Wildlife Federation the Indian Law Clinic would like to present to Secretary Burnhart to begin a dialog of the possibility on the intertribal bison herd that is on page 36. **Monte Mills**, introducing some students and colleague (Keke Stark, Joy Barber, Emily Bolen and Seth Benia) Seth will present memo a summary of the information we would like to provide to council as a heads up. **Seth Benia**, if I can direct your attention to page 38 of the packet we provided there is a Memorandum that basically that sums up why we are here today, if you like I can provide a brief synopsis of what this memorandum entails or I can read for you which ever. **Shelly Fyant**, I think you can give us a synopsis, **Seth Benia**, update of the research of the Margery Hunter Brown Indian Law Clinic (MHBILC) and the National Wildlife Foundation (NWF) di and the report they report that they prepared on the potential path to reintroducing an intertribal herd of bison on the Charles M. Russell National Wildlife Refuge....clinic prepared a letter, **Tom France**, department of interior has been engaged in buffalo issues, last year Secretary Burnhart the bison working group issues an interim report That committed the department of interior to working with the tribes and others to restore buffalo at a landscape level, the report we came out with we believe.....

Shelly Fyant, reestablishing buffalo herd within the exterior of the Flathead reservation has been my long time vision for food sovereignty, for our tribe as well as reestablishing that cultural connection you know, we have so much to learn from the buffalo and I think those ties were somewhat severed, in our reservation aura and you know with the fencing off of the Bison Range and the taking of that land and we still have those connections and I know if we were to establish a herd locally that cultural connection could be reestablish and that knowledge would come just naturally but I know that we defiantly Support the work, of the Rocky Mountain Tribal Leaders initiative I think we would be interested drafting a letter to the Rocky Mountain Tribal Leaders in support of this.

Len TwoTeeth, appreciate the discussion we are having, .I appreciate them for coming in today and keeping this project moving forward.

Rhonda Swaney, Dan Decker, Jordan Thompson, Legal, update, Jordan requesting contract with Kanji and Katzen, for legal and policy review for food security that along with resolution. They wrote food assessment program. Would finish the end of December

Shelly Fyant, question are they going to be developing policy or just reviewing

Tribal Council Meeting Minutes
November 17, 2020

our current policies?

Jordan Thompson, we could, my understanding of what we are planning to do and this could change but would be to do an analyses and assessment over all policies and laws and then the University of Arkansas they have hundreds and hundreds of pages of recommended laws and they can look at that and implementing new ones.

Shelly Fyant, are we still in the loop with the NCAI tribal food sovereignty advancement initiative that the original food sovereignty committee had attend that first session ...

Jordan Thompson, not sure if we are in the loop but we could be in the loop. Do you know if they are still doing those?

Shelly Fyant, they have had some webinars, the person to contact at NCAI is Marlene Wakefield, she is the head of that....funding source is the cares act.

MOTION by Martin Charlo, to approve contract with the Kanji and Katzen PPL, Seconded by Fred Matt. Carried, unanimous (8 present) 1 abstain (Charmel Gillin) Carole Lankford absent.

Ryan Rusche, requesting contract, with renew DOWL engineer for water rights litigation, and water rights settlement, same scope of work

MOTION by Martin Charlo, to approve contract with DOWL the Seconded by Anita Matt. Carried, (7 present) Carole Lankford absent, 2 abstain (Charmel Gillin, Mike Dolson)

Rhonda Swaney, request to meeting in executive session.
Jordan Thompson clarification. **Rick Eneas**, also included in the conversation.

Shelly Fyant, left meeting

Carole Lankford, rejoined meeting

Return to regular session

Alex, Eckshein, Malik Diaw, Heather Sobrepena, Cheryl Parker Rose,
WebEx, Meeting CFPB. Listening session

Mark Clary, Commissioners, Jean Matt, Unified Command Strategic planning with County Commissioners, city has more authority to carry out the State mandate on the mandatory mask, set up another meeting for next Tuesday November 24, 2020 at 10:00 a.m.

Rick Eneas, OFM, requesting for Approval of resolution for 2nd COVID Emergency Relief Payment.

MOTION by Charmel Gillin, to approve resolution for 2nd COVID Emergency Relief Payment. Seconded by Ellie Bundy McLeod. Carried, unanimous

RESOLUTION 21-010

RESOLUTION APPROVING ADDITIONAL CORONAVIRUS EMERGENCY RELIEF PAYMENT TO INDIVIDUAL TRIBAL MEMBERS

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

WHEREAS, the Confederated Salish and Kootenai Tribes received funding under the CARES Act Coronavirus Relief Fund; and

WHEREAS, the Tribal Council has determined that significant hardships continue to be experienced by the Tribe and its members as a result of the COVID-19 pandemic; and

WHEREAS, the Tribal Council authorizes the Office of Financial Management to determine the remaining amount available within CSKT's allocation of the CARES Act Coronavirus Relief Fund to provide an additional emergency relief payment to individual tribal members in accordance with the CARES Act Coronavirus Relief Fund requirements; and

WHEREAS, the payments shall be disbursed in accordance with the requirements of the Tribal General Welfare Exclusion Act of 2014 in order

BE IT FURTHER RESOLVED that the Director of Financial Management is the designated official to implement the CARES Act Coronavirus Relief Fund payments to individual tribal members as approved by the Tribal Council and he/she is authorized to establish processes and procedures for disbursement and accounting of funds.

Tribal Council Meeting Minutes
November 17, 2020

Jami Pluff, Policy Analyst, requesting, approval MOA, for Grassroots organizations, some of these are second requests, Arlee CDC/ FCA for the amount of \$104,500, SKC, in the amount of \$ 25,000, One Heart in the amount of \$39,500, and NARSS in the amount of \$27,000.

MOTION by James “Bing” Matt, to approve MOA with Arlee CDC/FRCA up to the mount of Arlee CDC \$44,500 and \$60,000 for FRCA Seconded by Martin Charlo.

3 For (James “Bing” Matt, Martin Charlo, Shelly Fyant), 8 against. (Mike Dolson, Anita Matt, Charmel Gillin, Len TwoTeeth, Carole Lankford, Ellie Bundy McLeod, Fred Matt) does not carry

MOTION by Carole Lankford, to approve MOA with SKC in the mount of \$25,000. Seconded by Anita Matt. Carried, unanimous,

MOTION by Carole Lankford , to approve MOA with One Heart in the mount of \$39,500. Seconded by Len TwoTeeth. Carried, unanimous,

MOTION by Charmel Gillin, to approve MOA with NARSS in the mount of \$27,000. Seconded by Ellie Bundy McLeod. Carried,

Janet Camel, Homelessness discussion, have agreements with SKHA being looked at for the purchased made and two trailers coming in tonight, SKHA will be doing inspections on the Starlite.

Shelly Fyant, Miranda Burland, Education, WSU Board appointment, previously occupied by Myrna Dumontier, Motion by Carole Lankford to appoint Martin Charlo as Native American Advisory Board (NAAB) representative, Seconded by Mike Dolson carried unanimous. Motion by Anita Matt to nominate Mike Dolson to sit as the representative on the WSU Native American Health Sciences Tribal Advisory Board. Second by Fred Matt, carried.

MOTION by Anita Matt to adjourn the meeting.

Tribal Council Meeting Minutes
November 17, 2020

Council adjourned at 3:55p.m., and is scheduled to meet again on Tuesday,
November 3, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary