

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

Volume 21 Number 16
Council Chambers, Pablo, MT

Held: November 24, 2020
Approved: December 1, 2020

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

MEMBERS ABSENT: Carole Lankford (COVID-19).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; 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 Fred Matt.

The **Tribal Council Meeting Minutes** for November 19, 2020 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for November 19, 2020, with corrections. Seconded by Anita Matt. Carried, unanimous (8 present).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Mike Dolson. Carried, unanimous (8 present).

Bing Matt joined the meeting.

Chad Cottet, Steve Dupuis, Bud Moran, and Kathryn Martin, S&K Technologies, discussed pursuing the sale of the Adelos shares. Adelos is the company that SKT does not fully own; they are the majority shareholder at 89% of the shares. SKT was its support services corporation. The company was losing money. The sale was finalized last Friday and there will be a 90-day transition period. SKT received a check for \$4.2 million. The next board meeting will take place on December 4 and the board will discuss its cash position and

what this does as they finish the audit. The Adelos employees went with that sale, so it was a clean break.

Rhonda Swaney, Dan Decker and **Brian Upton**, Legal Department, requested to meet with council in **executive session** to discuss a legal matter.

Council reconvened into **regular session**.

MOTION by Ellie Bundy McLeod to approve a letter responding to Lake County regarding property tax bills that Lake County recently sent to some tribal member trust landowners. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Ellie Bundy McLeod to publish a notice in the Char-Koosta News regarding the property tax bills that Lake County recently sent to some tribal member trust landowners. Seconded by Anita Matt. Carried, unanimous (9 present).

Jean Matt, Gale Decker, Mark Clary, Ed Meece, Bill Barron, Scott Beggs, Rob McDonald, and **Lisa Shourds**, Unified Command Team, gave an update. **Jean Matt** reported that there are currently 1,181 confirmed cases in Lake County and 240 active cases. There have been 9 hospitalizations and 12 deaths to date. There are 12 local schools that have been affected by COVID. Lake County still has beds available. **Mark Clary** reported that the Lake County offices have been dealing with staff being on quarantine. People are required to wear a mask in order to enter the courthouse. **Bill Barron** reported that the county buildings require masking. There are monitors at the front door. There is one entry and two exits. The county offices have a couple people on quarantine right now. **Ed Meece**, Polson City Manager, informed council that the City Hall remains closed to the public. People must have their temperature taken if they do make entry into the building. There are 9 Police and City Hall staff that are either positive for COVID-19 or on quarantine, which is one-third of their staff. Outside meetings are restricted and staff interactions are limited as much as possible. **Gale Decker** mentioned that it seems to have helped having the Motor Vehicle Division shut down for a few days, which got rid of the lines of people in the courthouse to have title work done. It will be an issue for a few days. **Bill Barron** met with Diana from Environmental Health yesterday. Diana told him she spoke to the businesses that had complaints filed against them and she educated them. There were two grocery stores that had more than one complaint filed against them. Businesses can control themselves, but the government cannot close them down for failing to follow the safety guidelines.

Chairwoman Fyant reported that the CSKT has 15 employees who tested positive for COVID-19 and 96 on quarantine. The Tribes are the largest employer in Lake County, and our numbers are higher. We talk about wearing masks and

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social distancing every day, but yet there are still people in the public and in businesses without wearing a mask. The Tribes have protocols in the buildings that require a mask and social distancing. We are doing what we can, but we are in this community spread stage and not sure how to get a handle on it. Montana is in the top 3 or 5 for case numbers per 100,000. We were one of the last four states in the nation to have any cases in the beginning. We need to lower our number of cases. Shelly wondered if the county and cities would be amenable to enforcing a curfew. The Tribes lost two tribal members to COVID-19 last week. **Martin Charlo** commented that he tested positive for COVID-19. He was unaware that he had it and he was out in the community. The conversation about masking is important. Martin is very diligent and none of his contacts came back positive. That says a lot about masking. He wears a mask, sanitizes, and avoids people as much as possible. The person he shares an office with tested negative. We are in a position of leadership to lead by example. He appreciates the work with the businesses. The Tribes are doing the same thing. We, as governments, need to push education on this virus. There is a funeral for a tribal member today, and it pains him not being able to attend. He is avoiding large crowds and does not want to jeopardize other people's health and safety.

Bill Barron thinks that is a great message to get out to the people. Martin has been thinking about how to frame that; hopefully people will hear. Martin will tell his story to many people. Martin thought he would be the last person to get COVID, but even with his diligence and being careful, he still got it. It is a vicious virus that is literally hunting us. Every day he thinks about the people we have lost. **Charmel Gillin** appreciates everyone coming together for this important update. The last time we spoke to the Lake County Commissioners, she brought up in what way can we agree and be unified and the points of our unification. She asked about the methods the County Health Director is promoting for the county and city governments in regard to contact tracing and quarantining. The issue of contact tracing and quarantining for the CSKT, as far as how we manage our employees and departments, has been difficult to manage because we had entire departments and programs shutting down. From what she can gather, it does not sound as though the county courthouse has experienced that and the city has. She was curious whether the Lake County Health Director and the Tribal Health Director, as components of the Unified Command Center, have a standard procedure and are we all recommending the standard that leads to quarantine. That is something to help manage the community spread, especially coming into the holiday season. Martin's testimony of how he unknowingly walked through this for a while and had the odds on his side, she does not know if that is an anomaly or not, but quarantining is a huge part of managing the community spread.

Ed Meece commented they had experienced some confusion. There were some first responders who tested negative for COVID and told to quarantine and some

that tested positive and were told they could continue to respond to calls, so long as they wore PPE. They have letters clearing people to return to work as soon as 5 days and some are cleared after 14 days. They are playing it as safe as possible and having people quarantine for 14 days. There is one first responder that must be available to respond, if necessary, because the Fire Department is short-staffed right now. **Bill Barron** explained they are following Emily's lead when they tell them that people need to quarantine, stay at home, or return to work. The process was explained to them on why some people come back early after testing positive and some quarantine for a longer period of time. **Mark Clary** will get that information posted on the website on why they do certain things. It is not that easy to understand, but they have a method for how they do it. Emily is in daily contact with the Tribal Health Department so they can be on the forefront of this. **Charmel Gillin** would like to have more banner messages in the Char-Koosta News and other outlets, such as the Mission Valley Power reader boards, to make sure people see the messages. **Rob McDonald** reported that the focus on communication is shifting the messaging to some three-minute videos about wearing your mask, watch your distance, and wash your hands. The messaging is posted on the Lake County and UCC websites. **Jean Matt** informed council that the website has a list of 19 ways to self-care during quarantine, information on what quarantine versus isolation means, and a list of definitions.

Len TwoTeeth commented on the news that 100 doctors were dispatched to Montana, and he asked if any of them would be in our local hospitals. Jean advised they were dispatched to Eastern Montana last week since Billings and Bozeman were facing bigger problems. He will follow up with Chelsea to see if they plan on moving them to our area. **Mark Clary** stated they are placed in the major hospitals in the state right now. **Anita Matt** was aware of some stores that are meeting customers at the door and discouraging them from entering the business if they do not have a mask on. It would help with the spread of the virus if we could get other businesses to do that, as well. **Fred Matt** wanted to know what the advantage of having a curfew would be and if that is effective. **Chairwoman Fyant** explained that it prevents community spread. It is similar to a shelter in place like what Browning has where people can only go out two days a week, specifically for grocery shopping. It is like what they have talked about doing nationally to shut down the whole country for two weeks to curb the case numbers. That is the concept behind it. The CSKT is working with Montana State University and Salish Kootenai College on a grant. We are looking at a lot of community outreach, additional testing, and the importance of staying home this holiday weekend to prevent community spread and limiting gatherings to only household members. The Tribal Health Department did some videos. One is about telehealth and the other one is explaining the importance of contact tracing and quarantining. We get reports of people quarantining not staying home and going on trips or being out in public. Not everyone has access to Schoology or the Incident Action Plan, but we all need self-care and need to boost

our mindset. She suggested to Rob that it is something we could put in a story to be published in the Char-Koosta News. **Bill Barron** told council that the county employees get their health insurance from the Montana Association of Counties and they instituted telemedicine to their membership, so that is now available to those employees.

Len TwoTeeth informed council that they need to look at the Transit system. The program is still operating and going off the reservation, and he suggested limiting it to transporting within the reservation boundaries only.

Johnathan Owens and **Jessi Cahoon**, Tribal Health Department, requested approval to hire Melissa Gilleard on a three-year contract to fill the Lead Pharmacist position. The vacancy was advertised, and two candidates were interviewed. Melissa was not one of the candidates, so she would be promoted into this position. **Charmel Gillin** commented that we have the capability to create a registry of tribal members qualified for positions so they can be made aware of any openings in the Tribal Health Department. **Chairwoman Fyant** will suggest that to the Tribal Education Department. **Ellie Bundy McLeod** suggested a one-year contract since we are aware of some tribal members who feel that they were not given an opportunity to apply. **Jessi Cahoon** wants to make sure she has qualified employees in her division that are committed to working here. She promotes tribal member hires, but it is unethical to ask non-tribal members to uproot their families to come work here for one year.

MOTION by Charmel Gillin to approve the hire of Melissa Gilleard on a three-year contract to fill the Lead Pharmacist position. Seconded by Bing Matt. Carried, unanimous (9 present).

Johnathan Owens and **Jessi Cahoon**, Tribal Health Department, requested approval to move Kyle Johnson from a Fill-In Relief Pharmacist to the Staff Pharmacist position on a three-year contract. **Chairwoman Fyant** commented that we have two tribal member pharmacists working at the Crow Agency that may want to move home and she asked if there was a position for them at Tribal Health. Jessi explained that she could put them in fill-in positions until she figures out if productivity requires additional staff. **Charmel Gillin** requested clarification if the relief position was advertised and now Jessi wants to move him into the Staff Pharmacist position without advertisement, and if she felt there was a qualified tribal member to fill it she would have reached out to them. Jessi confirmed that is correct.

MOTION by Charmel Gillin to approve the hire of Kyle Johnson on a three-year contract to fill the Staff Pharmacist position. Seconded by Martin Charlo. Carried, 8 for; 1 opposed (Mike Dolson).

Anita Matt asked whether these positions will be advertised when the contracts

with the non-tribal members expire. **Chairwoman Fyant** clarified that in accordance with the Personnel Ordinance the positions are required to be advertised.

Johnathan Owens and **Jessi Cahoon**, Tribal Health Department, requested approval to purchase capital equipment by a noncompetitive bid from TemPure Scientific consisting of 2 cold storage units for the COVID vaccine. The Tribal Health Department is working with the State to get the vaccine, which requires ultra-cold refrigeration.

MOTION by Fred Matt to authorize the purchase of capital equipment by a noncompetitive bid from TemPure Scientific consisting of 2 cold storage units for the COVID vaccine. Seconded by Martin Charlo. Carried, unanimous (9 present).

Johnathan Owens and **Milissa Grandchamp**, Tribal Health Department, requested approval to hire Jamie Lawrence on a one-year temporary employment agreement to fill the PRN position to be used as a fill-in when necessary.

MOTION by Len TwoTeeth to approve the hire of Jamie Lawrence on a one-year temporary employment agreement to fill the PRN position to be used as a fill-in when necessary. Seconded by Anita Matt. Carried, unanimous (9 present).

Johnathan Owens and **Tammy Matt**, Tribal Health Department, requested approval to renew a two-year contract with Mariah Dempsey to fill the Community Health Guided Care RN position. The contract includes a pay increase due to increased duties associated with the increased workload because of COVID.

MOTION by Martin Charlo to renew a two-year contract with Mariah Dempsey to fill the Community Health Guided Care RN position, including a pay increase. Seconded by Bing Matt. Carried, unanimous (9 present).

Johnathan Owens, Tribal Health Department, requested approval of a revised organizational chart to move box 1069 from the Health & Wellness Division Director to Grants Manager under the supervision of the department head. An existing employee would be moved into the position without advertising. That employee has already been doing those duties. The new position that was created will be advertised.

MOTION by Charmel Gillin to approve the revised organizational chart to move box 1069 from the Health & Wellness Division Director to Grants Manager under the supervision of the department head. Seconded by Anita Matt. Carried, unanimous (9 present).

Chairwoman Fyant directed Johnathan Owens to add the organizational chart review to the next Health Committee meeting agenda scheduled for December 21, at 1:00 p.m.

Len TwoTeeth discussed turkeys for the membership. Dana Hewankorn identified a resource giving away turkeys. Dana picked up the turkeys and delivered them on her own time. It is important to acknowledge when our tribal members step up to help the membership, especially during this pandemic. Len thanked Dana for doing that.

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

Diane Matt, Department of Human Resources Development, requested approval to hire William Ashley on a one-year temporary employment agreement as a Home Care Giver for his father. **Mike Dolson** asked why there is a pay difference between the contracts. Diane explained that one of the Care Givers is a Certified Nurse's Assistant.

MOTION by Ellie Bundy McLeod to approve the hire of William Ashley on a one-year temporary employment agreement as a Home Care Giver for his father. Seconded by Mike Dolson. Carried, unanimous (8 present – Len TwoTeeth out of the room).

Diane Matt, Department of Human Resources Development, requested approval to hire Serena Crofoot on a one-year temporary employment agreement to fill a Home Care Giver position.

MOTION by Anita Matt to approve the hire of Serena Crofoot on a one-year temporary employment agreement to fill a Home Care Giver position. Seconded by Bing Matt. Carried, 8 for; 1 abstention (Len TwoTeeth – not present for discussion).

Diane Matt, Department of Human Resources Development, requested approval to hire Lisette Wells on a one-year temporary employment agreement as a Home Care Giver for her grandmother.

MOTION by Charmel Gillin to approve the hire of Lisette Wells on a one-year temporary employment agreement as a Home Care Giver for her grandmother. Seconded by Mike Dolson. Carried, unanimous (9 present).

Kelly Parker, Department of Human Resources Development, requested approval of a noncompetitive contractor agreement with Donetta Klein in the amount of \$42,000.00 to provide grant writing and evaluation services. **Chairwoman Fyant** stated that the CASA program was discussed with the

department head and Patricia had agreed to provide that service under Donetta's grant-writing services. Kelly will make sure it is added to the scope of work. **Charmel Gillin** asked how and when a tribal member can get involved in doing this kind of work for the Tribes. She would like tribal members given this opportunity. **Mike Dolson** commented that the scope of work is vague. He asked how the contract is paid out and how many hours Donetta works. Kelly explained that Donetta is paid by invoice on a monthly basis for work performed. Kelly reviewed the scope of work and stated that the CASA program is already included in the contract.

MOTION by Martin Charlo to approve a noncompetitive contractor agreement with Donetta Klein in the amount of \$42,000.00 to provide grant writing and evaluation services. Seconded by Anita Matt. Carried, unanimous (9 present).

Greg Spahr, Cash Flow & Investments, requested approval of a resolution updating signature authority for the Tribal Investment Accounts established at LPL Financial, due to staffing changes.

MOTION by Charmel Gillin to approve by resolution new signature authority for the Tribal Investment Accounts established at LPL Financial. Seconded by Mike Dolson. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 21-013

RESOLUTION PROVIDING NEW SIGNATURE AUTHORITY FOR THE TRIBAL INVESTMENT ACCOUNTS ESTABLISHED AT LPL FINANCIAL DUE TO STAFFING CHANGES

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

WHEREAS, it has become necessary due to staffing changes to update the listing of employees with signature authority for the accounts previously established by the Confederated Salish & Kootenai Tribes at LPL Financial (listed on p. 2); and

NOW, THEREFORE, BE IT RESOLVED, signature authority is given to the following as authorized signatures on behalf of the Tribes:

Rick Eneas	Director of Financial Management
Zachary Conko Camel	Accounting Manager
Lance Friedlander	General Ledger Manager
Greg Spahr	Investment Manager

AND NOW, THEREFORE, BE IT RESOLVED, signature authority is rescinded as authorized signatures on behalf of the Tribes from:

Dallas Abbott	Contracts and Grants Manager
Clayton Matt	Director of Tribal Services
John Whitworth	Investment Manager
Wanda Salomon	General Ledger Manager
Monica Sue Lawson	Assistant Comptroller
William E. Bjarko	Tribal Comptroller

BE IT FURTHER RESOLVED, this resolution shall continue forth and when delivered to said institution will continue until written notice to the contrary is duly served on said institution.

CSKT Accounts Established at LPL Financial:
3804-4724 Federal Contracts & Grants
4268-0685 IHS S/G Earmarked Funds
5131-6190 BIA S/G Earmarked Funds
6287-3119 BIA Self Gov
6584-9535 IHS Self Gov

Greg Spahr, Cash Flow & Investments, requested approval of a resolution updating signature authority for the Tribal Investment Accounts established at TD Ameritrade, due to staffing changes.

MOTION by Anita Matt to approve by resolution new signature authority for the Tribal Investment Accounts established at TD Ameritrade. Seconded by Ellie Bundy McLeod. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 21-014

RESOLUTION PROVIDING NEW SIGNATURE AUTHORITY FOR THE TRIBAL INVESTMENT ACCOUNTS ESTABLISHED AT TD AMERITRADE DUE TO STAFFING CHANGES

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

WHEREAS, it has become necessary due to staffing changes to update the listing of employees with signature authority for the accounts previously established by the Confederated Salish & Kootenai Tribes at TD Ameritrade (listed on p. 2); and

NOW, THEREFORE, BE IT RESOLVED, signature authority is given to the following as authorized signatures on behalf of the Tribes:

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Rick Eneas	Director of Financial Management
Zachary Conko Camel	Accounting Manager
Lance Friedlander	General Ledger Manager
Greg Spahr	Investments Manager

AND NOW, THEREFORE, BE IT RESOLVED, signature authority is rescinded as authorized signatures on behalf of the Tribes from:

John Whitworth	Investment Manager
Dallas Abbott	Contracts and Grants Manager
Clayton Matt	Director of Tribal Services

BE IT FURTHER RESOLVED, this resolution shall continue forth and when delivered to said institution will continue until written notice to the contrary is duly served on said institution.

CSKT Accounts Established at TD Ameritrade (as of 11/16/2020)

<u>Account #</u>	<u>Title</u>
866-617936	Dedicated Trust Funds
	Enterprise Dividend
489-382492	Fund
487-843721	Water Rights
	Kerr Stock
489-382429	Reintroduction
492-601748	Kerr Restoration
489-382260	Kerr FWIS
489-382575	ARCO O&M
492-602065	Investment Fund
489-382706	Local Revenue
492-602181	Economic Develop
492-601920	Tribal Credit
489-382663	Recreation Fund
492-601299	IHS Third Party
487-843666	Tribal Transportation
489-382157	IDC Pool
489-381934	M&I Reserves
	MVP Emergency
489-382045	Reserves
495-866821	Elder Assistance
495-866795	Hospitality
495-866975	Purchased R C
495-866535	Early Childhood Services

John Carter, Legal Department; and **Renee Joachim**, Personnel Department; discussed training for the new Personnel Ordinance 69-D. The ordinance is ready to be implemented. The Personnel Department needs to do some training with the department heads and managers. The major material change that departments will be affected by is the grievance process. John offered to assist with that, if needed. **Chairwoman Fyant** commented that we still need to discuss benefits and review the Internal Auditor's report on the grievance and disciplinary portions of this draft ordinance. **Renee Joachim** plans to do virtual training with the department heads and program managers. **John Carter** commented that the gist of the Internal Auditor's report was training, and that is already in the plans. Other recommendations from the Internal Audit pertained to grievances. Vina Little Owl had recommended that employees be allowed to discuss their personnel matter with the Tribal Council prior to filing a grievance and that old grievances should be allowed to be reopened. John believes those two recommendations are problematic. The primary comment in the public comments was to keep the Tribal Council out of the personnel process and leave it to the people involved. Vina had a third comment that some staff in the Personnel Department should be involved in pre-grievance discussions. That is not a good idea. It can muddy the waters, add confusion, and potentially add a third defendant to any subsequent lawsuit that may come out of it. **Chairwoman Fyant** advised that the Internal Auditor is scheduled to review her recommendations with the Tribal Council at 3:15 p.m., if John would like to attend that meeting. John stated that he would not be available this afternoon, so he will send the Tribal Council a memo explaining the concerns he has with her recommendations.

Rhonda Swaney and **Stu Levit**, Legal Department, gave an update on the BiOp litigation that affects the water. The litigation has been ongoing for many decades and involves the Endangered Species Act and salmon. The CSKT intervened many years ago. There is a sixty-day notice of their intent to sue. The litigation will go into its next phase. Stu will keep council posted on the status of this case.

Rhonda Swaney and **Stu Levit**, Legal Department, informed council that on December 11 there is a meeting by the Montana Board of Environmental Review regarding selenium in the Kooacanusa. This will be the final hearing. There is a bill being drafted by the northwest legislators seeking to overturn the legislative action. Stu will get comments from the Tribal Council for that meeting. Stu will participate in a strategic planning meeting next week with the Environmental Protection Agency and the Department of Environmental Quality on how to get through the final step.

Rhonda Swaney, **Dan Decker**, **Michael Wheeler**, **Stu Levit**, and **John Harrison**, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Tony Incashola, Jr., Tribal Forestry, requested approval of a resolution to create a Forestry Advisory Committee. The committee will make recommendations to the Tribal Council concerning Tribal Forestry's small logger and woodcutter permitting. The Advisory Committee shall consist of two Tribal Council members, two Tribal Forestry employees, two small loggers, and two woodcutters.

MOTION by Len TwoTeeth to approve by resolution the creation of a Forestry Advisory Committee to make recommendations to the Tribal Council concerning Tribal Forestry's small logger and woodcutter permitting. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 21-015

RESOLUTION CREATING FORESTRY ADVISORY COMMITTEE

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

WHEREAS, the Tribal Council, as primary governing body of the Flathead Nation, 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, an Advisory Committee will be created that will make recommendations to Tribal Council concerning Tribal Forestry's small logger and woodcutter permitting; and

WHEREAS, the Advisory Committee shall consist of two Tribal Council members, two Tribal Forestry employees, two small loggers, and two woodcutters; and

WHEREAS, every two years the Tribal council will select two small loggers and two woodcutters after receiving letters of interest to serve a term of two years; and

WHEREAS, compensation for the Advisory committee will follow guidelines outlined in CSKT Resolution 03-100; procedure guidelines Section 2 (c) stating compensation for advisory and public service boards may vary; and

WHEREAS, the Advisory Committee will be charged with assisting in developing a socio-economically appropriate system to ensure a future in small logging and woodcutting on the Flathead Indian Reservation; help ensure that Tribal Forestry practices uphold the Code of Federal Regulations, Forest Management Plan, Timber Use Policy and CSKT Forestry Mission Statement to provide sound environmental stewardship to preserve, perpetuate, protect and enhance natural resources and ecosystems; and help ensure the collectively-owned tribal timber resources are managed in a way that promotes individual tribal member economic opportunity along with generating revenue for the Tribal Government and protecting wildlife and natural resources;

WHEREAS, Tribal Forestry is designated and authorized rulemaking authority for the implementation and development of the Advisory Committee, subject to Tribal Council approval.

THEREFORE, BE IT RESOLVED, that the Tribal Council of the Confederated Salish and Kootenai Tribes hereby approves the creation of the Forestry Advisory Committee.

Pete White, Tribal Credit, followed up on previous discussions regarding the CSKT fire equipment contractors having issues with getting paid from the Forest Service or the Bureau of Indian Affairs and whether Tribal Credit can assist them. Tribal Credit would be able to do a bridge loan for them. Tribal Credit could shuffle the security agreement to the Forest Service and take payment directly from them. An application and signed security agreement would be required. The bridge loan would be a zero fee and zero interest type of loan, but they must be in good standing with Tribal Credit. The Bureau of Indian Affairs Wildlife Fire Analyst and Fire Control was on last week's call. Pete has not heard back from them yet. Right now, he knows one of these contractors that needs help. Pete needs to know the dollar amount in order to figure out the security agreements. It would be for an assigned payment.

Martin Charlo reminded the Facebook Live audience to do their best to stay safe this holiday weekend, wear a mask, wash their hands, social distance, and get tested if people feel any symptoms. Martin thanked everyone who reached out to him when he had COVID. Martin wished everyone a safe weekend.

Velda Shelby, Economic Development Office, requested approval of the CSKT Business Relief Grants for tribal member businesses, for a total amount of \$326,378.00. As of today, the State let out an additional \$75 million tranche for adaptation to any business who thinks they can spend it by December 30, 2020.

MOTION by Len TwoTeeth to award a business relief grant to Herak Enterprises, owned by Roxana Colman-Herak, in the amount of \$21,850.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Len TwoTeeth to award a business relief grant to Water People Tours, owned by Keya Birdsbill, in the amount of \$5,300.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Doran Dumont, owned by Doran Dumont, in the amount of \$25,400.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Charles R. & Julie M. Wall, owned by Julie Wall, in the amount \$28,700.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Ellie Bundy McLeod to award a business relief grant to Jocko Valley Consulting, LLC, owned by Roberta Steele, in the amount of \$20,394.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Ellie Bundy McLeod to award a business relief grant to Little Montana, LLC, owned by Guy Hill, in the amount of \$30,000.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Anita Matt to award a business relief grant to Darren Thomas, owned by Darren Thomas, in the amount of \$19,153.00. Seconded by Mike Dolson. Carried, unanimous (9 present).

MOTION by Len TwoTeeth to award a business relief grant to Cahoon Wildland Fire and Timber, owned by Francis Cahoon, in the amount of \$26,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Martin Charlo to award a business relief grant to Salon 10, owned by Lorie Green Payment, in the amount of \$11,704.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Charmel Gillin to award a business relief grant to Home Floor Covering, Inc., owned by Gary Green, in the amount of \$30,000.00. Seconded by Mike Dolson. Carried, unanimous (9 present).

MOTION by Ellie Bundy McLeod to award a business relief grant to Studio 93, owned by Theresa Tenney, in the amount of \$11,500.00. Seconded by Charmel Gillin. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Daniel R. Cahoon, owned by Daniel Cahoon, in the amount of \$22,500.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

MOTION by Anita Matt to award a business relief grant to Schocks Mission View Dairy, owned by Paula Schock, in the amount of \$30,000.00. Seconded by Mike Dolson. Carried, unanimous (9 present).

MOTION by Mike Dolson to award a business relief grant to Salish Language Specialists, owned by Naomi Billedeaux, in the amount of \$13,877.00. Seconded by Martin Charlo. Carried, unanimous (9 present).

MOTION by Anita Matt to award a business relief grant to Lozars Total Screen Design, Inc., owned by Steve Lozar, in the amount of \$30,000.00. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Seth Makepeace, Natural Resources Department, requested approval to authorize a joint funding agreement with the US Geological Survey in the amount of \$31,600.00 for fiscal year 2021 to maintain natural flow stream measurement and water temperature gages and maintain the CSKT-USGS Cooperator program. The CSKT has had a joint funding agreement with the USGS since 1982, which has benefited the program with training, quality assurance, and maintenance of natural streamflow gages.

MOTION by Anita Matt to approve the joint funding agreement with the US Geological Survey in the amount of \$31,600.00 for fiscal year 2021 to maintain natural flow stream measurement and water temperature gages and maintain the CSKT-USGS Cooperator program. Seconded by Martin Charlo. Carried, unanimous (9 present).

Craig Barfoot, Natural Resources Department, discussed a memorandum of understanding for fish passage at the Thompson Falls Dam and requested approval of amendment 1 to the memorandum of understanding to continue the Fisheries program participation in and voting status on a technical team that directs the annual spending of bull trout downstream mitigation monies for the Thompson Falls Hydroelectric project through 2025. Other voting members on the technical team include the US Fish & Wildlife Service; Montana Fish, Wildlife & Parks; and Northwest Energy.

MOTION by Mike Dolson to approve amendment 1 to the memorandum of understanding to continue the Fisheries program participation in and voting status on a technical team that directs the annual spending of bull trout downstream mitigation monies for the Thompson Falls Hydroelectric project through 2025. Seconded by Anita Matt. Carried, unanimous (9 present).

John Harrison, Legal Department; and **Tom McDonald**, Natural Resources Department; discussed the IBMP. The next meeting is scheduled for December 2, 2020, via zoom. Starting in January, the Yellowstone Park will be the host for the following year. CSKT was the host this year. The Nez Perce will be hosting next Wednesday. Buffalo restoration and management will be discussed at that meeting. The Natural Resources Department has given out 313 tags so far. About two dozen folks signed up for the Beattie Gulch hunt, which takes place in January. There needs to be a Game Warden on the ground for that hunt. We coordinate the hunt in December and do weekly calls. The Montana Fish, Wildlife & Parks hosts those calls. John discussed the Cotton Environmental Law Center case that is in the Montana Federal Court. It is similar to the Neighbor's case; they want to redo the bison management in Yellowstone. That case is sitting, but not much has happened on it. Both cases were briefed. Tom reported that some bison tested positive; CSKT took them and gave them to the tribal jail and Elders program. The Yakama Tribe was interested in getting buffalo from us through the transfer program. The Blackfeet Tribe is interested in it, as well. The meeting agenda includes a proposal for the gut pile to be gathered up and disposed of in a collective bin to go to a landfill in Gallatin County. It may be a voluntary program to be funded from a nonprofit organization.

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

Vina Little Owl, Internal Auditor, reviewed the internal audit she conducted on the revised Ordinance 69-D and gave an overview of her independent review and recommendations. Vina was able to listen to John Carter's presentation this morning, and she explained her recommendations. Recommendation No. 1. There is a strict policy revision to not allow the grievant to seek council guidance. She finds an improvement to be implemented to allow employees to be able to come to council to request guidance. Employees should be allowed appropriate time for them to reach out to the Tribal Council to discuss their concerns. A transition phase to adapt to the new changes should be allowed. The role of the Tribal Council would be to provide the grievance policy in paper form and inform the employee that they can file a grievance with the Personnel Department. Employees should not lose their right to a grievance by contacting Tribal Council. Vina would like to seek responses from John Carter and Renee Joachim. She would like to have a meeting with them, because she believes there was some misunderstanding on what her recommendations were. Recommendation No. 2. The recommendation to provide training to managers and employees was embraced by management. Recommendation No. 3. Offer the Internal Auditor the opportunity to come back in six months to one year to test the implementation of the revisions to see if any loose ends need to be tied after implementation of the new ordinance. **Chairwoman Fyant** informed Vina that the council discussed training this morning so everyone would know the ordinance changes and new grievance policy. That is something we need to do

better. She does not know if there is a formal training process set up for new managers and department heads. There needs to be a better job at orientation. The council needs to schedule a benefits meeting. **Chairwoman Fyant** directed Jennifer to update the council calendar.

Vina Little Owl, Internal Auditor, discussed the CSKT Coronavirus Relief Fund Compliance Audit plan. The Office of Inspector General is doing spot check audits on transactions, plans, and ensuring adequate documentation is there. In terms of compliance, they leave those requirements up to the CSKT. The supplement comes in two parts. August 18 was the first one with disbursements from Treasury that created more programs. An addendum for the supplement will be coming by the end of November. With that new supplement, we will have compliance requirements needed. Her concern is that the CARES Act funding was needed for emergency response. With that, some compliance pieces are not applicable. She wanted that guidance prior to jumping into a full compliance audit. Vina has been formulating a plan to approach the audit. She will be reaching out to the grassroots organizations and tribal member businesses to gather the documentation on what they spent the money on in compliance with the criteria in response to the pandemic. Vina requested approval of a letter she drafted to Senator Tester advocating support of SB 4898 to extend the December 30, 2020 deadline to September 30, 2021. **Rhonda Swaney** does not think the letter is necessary; it is already contained in several bills. **No action taken.** Vina will pull a sample of internal transactions of what CSKT has spent with the CARES Act funding to make sure the documentation is there. She will report back to council once that is done.

Council met in **executive session**.

Council reconvened into **regular session**.

Council **adjourned** at 3:10 p.m., and is scheduled to meet again on Tuesday, December 1, 2020, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary