

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

Volume 21 Number 26
Council Chambers, Pablo, MT

Held: January 7, 2021
Approved: January 12, 2021

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; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:00 a.m. Quorum established. **Bing Matt** is at a medical appointment and will join the meeting later this morning.

The meeting was opened with a **prayer** by Charmel Gillin.

The **Tribal Council Meeting Minutes** for January 5, 2021 were presented for approval.

MOTION by Carole Lankford to approve the Tribal Council Meeting Minutes for January 5, 2021, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

The **agenda** was presented for approval. **Chairwoman Fyant** commented on the domestic terrorism that occurred at the Capitol building yesterday. She talked about having additional security and the message from the Montana Equity Project encouraging people to not engage with such groups. **Fred Matt** was glad Shelly brought this up and he would like further discussion.

Anita Matt received a request from the Inter-Tribal Ag American Indian Foods Program for a list of Indian producers to include in a directory for people that want Indian products. She said it could come from the Tribal Lands Department. **Chairwoman Fyant** asked Anita to work with Jennifer Trahan, copy Clayton Matt on that, and have the Tribal Lands Department respond.

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

Rick Eneas, Financial Management, requested approval of a resolution for an extension of time for individuals to complete their second round COVID relief payments until December 31, 2021, as a result of the use of Coronavirus Relief Funds that the Tribes were granted in the bill that was signed.

MOTION by Mike Dolson to approve the resolution approving an extension of time to complete the COVID Relief 2 payment. Seconded by Charmel Gillin. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 21-027

RESOLUTION APPROVING EXTENSION OF TIME TO COMPLETE COVID RELIEF 2 PAYMENT

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

WHEREAS, Resolution 21-011 was approved on November 17, 2020, that authorized a COVID Relief 2 payment to be paid for applications received by December 30, 2020, to eligible CSKT members; and

WHEREAS, the Office of Financial Management has determined, due to the extension of the deadline for using Coronavirus Relief Funds from December 30, 2020 to December 31, 2021, that allowing additional time for eligible CSKT members to submit applications for the COVID Relief 2 payment is appropriate; and

WHEREAS, payments will continue to be disbursed to eligible CSKT members who met the criteria and submit an application for funding until all eligible CSKT members, who were also eligible for the December 2020 per capita distribution, and who are living at the time of the COVID Relief 2 disbursement, or until December 31, 2021; and

BE IT RESOLVED that the Office of Financial Management is authorized to disburse the COVID Relief 2 payments to eligible CSKT members as previously stated; and

BE IT FURTHER RESOLVED that the eligibility criteria for the COVID Relief payments remains consistent with those requirements identified in Resolution 21-011.

Ellie Bundy McLeod discussed the council appointments to the Montana Advisory Council on Indian Education. Ellie was appointed as delegate and Mike Dolson is the alternate. Ellie has taken on the State Task Force role and she would like Mike to serve as the delegate.

MOTION by Martin Charlo to appoint Mike Dolson as the delegate to the Montana Advisory Council on Indian Education. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 1 abstention (Mike Dolson).

RESOLUTION 21-028

RESOLUTION APPOINTING DELEGATES TO THE MONTANA ADVISORY COUNCIL ON INDIAN EDUCATION

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

WHEREAS, the Montana Advisory Council on Indian Education (MACIE) has been established by the Board of Public Education and the Office of Public Instruction to act in an advisory role to them in matters affecting the education of students in Montana; and

WHEREAS, the Confederated Salish and Kootenai Tribes place a high value on education of the Tribal membership; and

WHEREAS, under the Bylaws of MACIE, Article I, the Confederated Salish and Kootenai Tribes are entitled to representation;

NOW, THEREFORE, BE IT RESOLVED that the Tribes appoint Tribal Councilman, Michael Dolson, as delegate and Tribal Council Martin Charlo and Michelle Mitchell, CSKT Tribal Education Department Head as alternates.

Jennifer Trahan asked if there will be an alternate appointed to MACIE. **Charmel Gillin** commented that the council had previously discussed getting staff members appointed as delegates and alternates to organizations. **Chairwoman Fyant** pointed out that Michelle Mitchell is listed as the alternate in the resolution. **Martin Charlo** volunteered to be the tribal council alternate.

MOTION by Anita Matt to appoint Martin Charlo as the tribal council alternate to MACIE. Seconded by Fred Matt. Carried, 8 for; 1 abstention (Martin Charlo).

Adriana Fehrs, Department of Human Resources Development, requested approval of a contractor agreement in the amount of \$15,000.00 with Dana Grant through September 30, 2021 to provide grant evaluator/technical writer services for the Home Visiting program. The service was advertised and Dana was the only bidder.

MOTION by Carole Lankford to approve a contractor agreement in

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the amount of \$15,000.00 with Dana Grant through September 30, 2021 to provide grant evaluator/technical writer services for the Home Visiting program. Seconded by Martin Charlo. Carried, unanimous (9 present).

Patricia Courchane, Department of Human Resources Development, requested approval of the DHRD Application for Services. This application will consolidate all forms, which will be less paperwork for people to fill out for services.

MOTION by Ellie Bundy McLeod to approve the DHRD Application for Services. Seconded by Martin Charlo. Carried, unanimous (9 present).

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

Jeanne Christopher, Early Childhood Services, requested approval of a temporary employment agreement with Shandiin “Sisi” Pete through September 30, 2021 to fill the Cultural Specialist position. There are additional Cultural Specialist positions being advertised. Sisi could apply for the position being advertised and if selected she could be hired on FTE status. **Melanie Piedalue**, Personnel Department, explained that there are different benefits involved in an FTE employee and a TEA employee.

MOTION by Martin Charlo to approve a temporary employment agreement with Shandiin “Sisi” Pete through September 30, 2021 to fill the Cultural Specialist position. Seconded by Charmel Gillin. Carried, unanimous (9 present).

Sandra Boham, Salish Kootenai College, requested approval of a resolution to support SKC’s application for a Native American Career and Technical Education Program grant from the US Department of Education through 2021-2026. The grant will provide funding in the amount of \$480,000 per year to support Medical Assisting, Dental Assisting, Phlebotomy, C.N.A., Digital Design Technology, IT, and a new one-year transfer certificate in Programming/Computer Science. **Mike Dolson** commented that the resolution contains a clause with a different request, and he cannot support this resolution as written. **Charmel Gillin** would like further review and clarification of that clause. **Council** thought it would be cleaner to just remove that clause.

MOTION by Ellie Bundy McLeod to approve the resolution supporting SKC’s application for a Native American Career and Technical Education Program grant from the US Department of Education through 2021-2026 and strike the last therefore, be it resolved clause in the resolution. Seconded by Martin Charlo. Carried, 8 for; 0 opposed; 1 abstention (Charmel Gillin).

Rhonda Swaney, Dan Decker, Michael Wheeler, and Lana Page, Legal

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Department, discussed the legality of making the COVID-19 vaccination a requirement for all tribal employees. The Equal Employment Commission stated that the vaccine is only authorized for emergency use at this time and that it cannot be mandated. We could strongly encourage employees to get vaccinated and then discuss further once the vaccine obtains FDA approval. It would need to be tracked who got the vaccine, and there would be exceptions to the mandate for various reasons. A waiver could be signed but it would have no legal standing.

James Steele, Sr., Leroy Black, and Matt Howard, Security, requested to meet with council in **executive session** to discuss security issues.

Carole Lankford left the meeting for the remainder of the day to attend a funeral.

Council met in **executive session**.

Tony Incashola, Jr., Steve McDonald and **Joe Vanderburg**, Tribal Forestry; **Francis Cahoon, Dan DePoe** and **Elizabeth Courville**, Tribal Forestry Advisory Committee Applicants; met with council in **executive session** to go over orientation for the Forestry Advisory Committee roles/responsibilities. **Melanie Piedalue**, Personnel Department, was present for discussion.

Council reconvened into **regular session**.

MOTION by Charmel Gillin to appoint to the Forestry Advisory Committee for a two-year term, effectively immediately, Forestry staff rotating through the department head Tony Incashola, Jr., Steve McDonald, and Joe Vanderburg; and the applicants showing interest today Dan DePoe, Liz Courville, and Fran Cahoon; and Tribal Council representatives Mike Dolson and James “Bing” Matt. Seconded by Anita Matt. Carried, unanimous (8 present).

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

Bing Matt joined the meeting.

Council recognized the Flathead Tribal Police staff. The National Law Enforcement Appreciation Day is on January 9 each year. This day was triggered by a chain of events in 2014 when a police officer was involved in a crossfire shooting in Missouri. The holiday was designated to show appreciation to law enforcement. The staff members that were recognized were Benjamin Asencio, Nelson Bigsam, Christian Charette Haynes, Travis Christopher, Lester Clairmont, Jessica Courville, Casey Couture, Craige Couture, Jesse Drennan, Brenda Dumont, Edward Dumont, Louis Fiddler, Karen Fisher, Vernon Fisher, Gregory Funke, Brian Fyant, Alicia Gray, Cheyenne Haynes, Thomas Haynes, Bonnie Hewankorn, Eneas Inmee, Desmond Joseph, Jr., Barbara Kenmille,

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Joseph Matt, William Mesteth, Montana Morigeau, Nickie Nicholas, Derian Parker, Dakota Paul, Phillip Paul, Richard Sheehan, and Orsino Walker. **Ellie Bundy McLeod** stated that she would just like to extend her thanks as well, to you gentleman, your officers, your detention staff, and your dispatchers for all that you do on a daily basis. She knows that in working with MMIP this past year and a half, you have always made yourselves, and other officers, available to attend meetings and answer questions. You have made this issue a priority and that can clearly be seen by your active participation with our local CSKT MMIP Work Group, with the drafting of our Tribal Community Response Plan, and with the creation of a department position dedicated to all missing persons cases. In addition, your communication to council regarding updates of missing is always provided without question when asked. And, of course, we know that there will always be community members who wish not to work with law enforcement for whatever reason. Your ability to recognize that, respect that, and set egos aside in the best interest of that demographic and consider alternative solutions to receive tips or information related to MMIP is applauded. Other tribal communities don't have the luxury of that same kind of cooperation and she hears it over and over again. So, she is proud of the fact that we serve as an example of a strong cooperative team. We certainly accomplish a lot more by working together in this effort. So, thank you for that. She would also like to commend them for the amazing work they did to resolve the homicide of Mr. Bill Conko. Our community had family and friends hurting and unable to find peace for the years his case remained unsolved. The expedient and thorough investigation done by you and your officers gave them that much needed peace. It was a prime example of your team working together as a well-oiled machine. The job you do is not an easy one, as Chairwoman Fyant, pointed out. You put lives on the line with every call you are dispatched to. Despite that, you demonstrate professionalism under the most trying of circumstances; embody patience when others would have long since walked away, demonstrate humanity toward people who some may have felt deserved none; and you show dedication to duty time and time again as the clock ticks long past the end of your scheduled workdays. She thanked them for all that they do for us, and for our communities. Please understand that we acknowledge that what you do means so much more than what we can convey in a simple gift card or meal. **Charmel Gillin** thanked them for everything they do and for always building the team stronger. She appreciates the leadership that is there. **Martin Charlo** thanked them for going above and beyond. Martin has great respect for law enforcement. **Anita Matt** echoed what the council has said. She appreciates the time the staff put aside to participate in meetings. They have empathy; she appreciates them saying the prayer for us every day in the prayer group. **Ellie Bundy McLeod** gave Craige and Louis a gift from the Tribal Council. **Chief Couture** is honored to serve our people. Law enforcements takes their jobs seriously. He stated that we have the best staff in the state and even the nation, and he is proud of his staff. **Captain Fiddler** was appreciative for the recognition, and he will pass along the kind gratitude and appreciation to the

staff. **Chairwoman Fyant** thanked them for all they do in keeping our reservation safe and healthy.

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

Fred Matt discussed the Mission Ambulance not having a crew. He will follow up.

Lowell Hochhalter, Founder & Executive Director of the LifeGuard Group, informed council that January is the National Human Trafficking Awareness Month and January 11th is National Human Trafficking Awareness Day. There is a disproportionate amount of Native American boys being trafficked in the United States. Over the past few years, the number of countries that have taken steps to implement the foremost international agreement in this area “the UN Protocol against Trafficking in Persons” has doubled. The number of convictions is increasing, but not proportionately to the growing awareness and size of the problem. Sexual exploitation is by far the most commonly identified form of human trafficking at 79%, followed by forced labor at 18%. There is a disproportionate number of women involved in human trafficking not only as victims but also as traffickers. There has been an increase in women being involved in trafficking. Female offenders have a more prominent role in present-day slavery than in most other forms of crime. Most trafficking nationally or regionally is carried out by people whose nationality is the same as that of their victims. The scope of human trafficking worldwide is 40,300,000. Ten years ago, the numbers were under 20 million. Human trafficking in the United States is estimated to be between 2,500,000 to 3,500,000. 700,000 children in the United States are being trafficked. The average age of a human trafficking victim in the United States is 26 years old. The average age of a teen enters the sex trade in the United States is between the ages of 12-14 years old (age 12 for boys and age 13 for girls). The type of trafficking in Montana during 2015 was hospitality (restaurants/hotels) and traveling sales crews. There were 21 human trafficking cases reported in 2015, and in 2017 there were 121 contacts made. There has been a huge growth in pornography. Montana is one of five states that familial trafficking is the number one avenue for human trafficking (some type of relative is the trafficker by being the buyer or seller). In 2019, the number of cases increased by 12 and the number of contacts decreased. Parents have sold their children just to pay bills. Human trafficking is a form of modern-day slavery and has been a federal crime since the passage of the Trafficking Victims Protection Act of 2000. Sex trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age. Labor trafficking is defined as the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion, or in which the person induced to perform such an act has

not attained 18 years of age for bondage or slavery. The AMP Model was explained as Action: induce, recruits, harbors, transports, or obtains; Means: force, fraud, or coercion; Purpose: commercial sex or labor/services. Minors induced into commercial sex are human trafficking victims, regardless of whether force, fraud, or coercion is present. Regarding human trafficking and Native American Women and Girls, the threat of human trafficking by focusing on sex trafficking of American Indians and Alaska Natives are some of the most vulnerable. American Indian women represent 24% of the prostitution arrests in Hennepin County, Minnesota, which is 12 times their representation in the county's population. Approximately one-third of the women arrested for prostitution in Anchorage, Alaska were Alaska Natives, although Alaska Natives make up only 16 percent of the state's population. The heightened vulnerabilities in Native American women and girls include historical trauma, lack of tribal jurisdiction, homelessness, hyper sexualization by media, poverty, neglect and abuse, drug and alcohol addiction, and runaway. **Chairwoman Fyant** thanked Lowell for the work he does on this issue. She reminded people of the importance if they see something, they need to say something. They could be instrumental in someone's recovery or rescue. **Mr. Hochhalter** discussed the rescue home base project and the fundraising efforts to acquire the property in the Bitterroot. People can donate on the GoFundMe page or go to the LifeGuard Group's website at thelifeguardgroup.org to make a donation. All donations will go towards the acquisition of that property.

Rhonda Swaney and **Brian Upton**, Legal Department; **Rich Janssen**, **Tom McDonald** and **Dan McClure**, Natural Resources Department; presented for consideration emergency hunting, fishing and recreation regulations for the Bison Range. **Charmel Gillin** suggested adding the prohibition of the collection of any artifacts that might be found. Brian suggested that the regulations be approved today as is and he could bring back something to address that at a later date.

MOTION by Martin Charlo to approve the emergency hunting, fishing and recreation regulations for the Bison Range. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

**Hunting, Fishing and Recreation Regulations for the Bison Range
(Formerly the National Bison Range)**

Any person entering or using any Bison Range (BR) properties will comply with the Special regulations set forth.

- 1) The Flathead Reservation Conservation Permit does not allow access to the Bison Range. The BR is a pay to enter fee use area only. Visitors are to report to Visitors Building to pay for access.

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- 2) Carrying, possessing, or discharging firearms, fireworks, or explosives on the BR is prohibited unless specifically authorized by the Tribal Council.
- 3) The use or possession of cross bows, bows and arrows, air guns, spears, gigs, or other weapons on the BR is prohibited except as may be authorized by the Tribal Council.
- 4) Disturbing, hunting, fishing, injuring, spearing, poisoning, destroying, collecting or attempting to disturb, hunt, fish, injure, spear, poison, destroy or collect any plant, animal (parts) or fish on the BR is prohibited except by special permitting by the Tribal Council.
- 5) Engaging in hunting or fishing activities on the BR is prohibited.
- 6) The BR is open during daylight hours only, weather and road conditions permitting. Closing times vary seasonally and are posted at the entrance gate and at the visitor center. It is unlawful to enter areas that are posted closed or gated closed unless authorized.
- 7) The use of motorized vehicles off designated open roads within the BR is prohibited.

Brian Upton gave an overview of the call today regarding the transfer/transition of the Bison Range. The memorandum of understanding for the transition is being drafted.

Rhonda Swaney and **John Carter**, Legal Department, discussed reapportionment. It was agreed by council that there be no more than two representatives in each district at one time. The at-large council representatives' constituents would be the entire membership. The at-large council representatives could join district meetings with another district. The at-large council representatives would have the same rights, duties and responsibilities of the other council representatives and have the ability to serve as chair or vice-chair of the Tribal Council. The Tribal Constitution and Bylaws and Tribal Election Rules would be the relevant documents. John will prepare a draft document and present back for further discussion and direction.

MOTION by Charmel Gillin to restate her motion to add Brad Morigeau to the Forestry Advisory Committee. Seconded by Anita Matt. Carried, unanimous (9 present).

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

Fred Matt followed up on the Mission Ambulance service. Polson Ambulance is a for-profit service. Mission is a volunteer ambulance service. They discontinued it because they could not afford the insurance for the service. Polson Ambulance includes Ronan and they said they would provide the service to St. Ignatius. They took the ambulance and stationed it somewhere else. Stuart suggested to Fred that maybe the Tribes could help them get the resources for the insurance.

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Arlee Ambulance is a volunteer ambulance service. **Ellie Bundy McLeod** advised that it is operated by Polson Ambulance, but there is still an ambulance stationed in St. Ignatius. **Bing Matt** informed Johnathan Owens today that there is no longer an ambulance service in St. Ignatius and asked if Tribal Health could get involved in getting an ambulance service in Mission. It would be good for the community to have an ambulance service in Mission.

Anita Matt sent out an email regarding the request from the Inter-Tribal Agriculture Council. Anita had asked the Tribal Lands Department to update their producer list.

Anita Matt informed council that she responded to a water issue regarding Mr. Auld. Mr. Auld's request was sent to the Salish Kootenai Housing Authority.

MOTION by Martin Charlo to adjourn the meeting.

Council **adjourned** at 3:07 p.m., and is scheduled to meet again on Tuesday, January 12, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary