

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

Volume 21 Number 27
Council Chambers, Pablo, MT

Held: January 12, 2021
Approved: January 14, 2021

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

MEMBERS ABSENT: Shelly Fyant, Chairwoman (Testifying/Personal Time Off); and Ellie Bundy McLeod, Secretary (Testifying/Personal Time Off).

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 Carole Lankford.

The **Tribal Council Meeting Minutes** for January 7, 2021 were presented for approval.

MOTION by Len TwoTeeth to approve the Tribal Council Meeting Minutes for January 7, 2021, with corrections. Seconded by Carole Lankford. Carried, unanimous (8 present).

The **agenda** was presented for approval.

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

Diana Grant; George Ducharme and Holly Hitchcock, Tribal Lands Department; discussed a request from Diana for an easement for the driveway that she has been using for 40 years. Her father sold his land to the Tribes in 1980 and she did not anticipate a problem with this easement. Diana is selling this parcel of land to a tribal member and needs access to the land. The buyer is going to put a home there for her family. It would be a single resident access. **Holly Hitchcock** explained that the road is platted through a homesite that is leased to the Salish Kootenai Housing Authority and SKHA has future plans to develop the site. The contract allows for council to grant an easement through

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there if they choose to. The SKHA Director is not in favor of the request because SKHA plans on developing that site. On December 28, 2020 it went to the Land Committee and the Tribal Council took action on January 5, 2021 to deny the request for access through our lot on the east boundary of Pache and the west boundary of Diana's property. Diana informed council that she does not have access to Terrace Lake Road. **Carole Lankford** suggested that Lands work with SKHA to take another look at this request and provide options. **No action taken.** Council directed that this be brought back to the Land Committee.

Justin DuMontier requested to meet with council in **executive session** to discuss a land issue. **George Ducharme** and **Holly Hitchcock**, Tribal Lands Department, were present for discussion.

Council reconvened into **regular session**.

Jean Matt, Ed Meece, Dale Nelson, Rob McDonald, Chelsea Kleinmeyer, and Lisa Shourds, Unified Command Team, gave an update. **Chelsea Kleinmeyer** reported that Lake County has a total of 1,803 confirmed cases, 111 active cases, and 3 hospitalizations. Vaccines are underway and they are currently in the State's plan 1-A, which is frontline health care workers and long-term care facilities. Lake County assigned the long-term facility, and the staff and patients were vaccinated. They are getting private dentists and others vaccinated and working with a dialysis center. THD is vaccinating elders aged 70+. THD has a full day of vaccines set for Wednesday and Thursday (160 appointments). They are also vaccinating 20 in Hot Springs. THD is reserving 20 vaccines to give to homebound people across the reservation. Next week THD will receive another allocation, but they do not know how many yet. They plan to vaccinate outside the THD walls on Thursday and will do clinics in Polson and Mission. Polson is slated to be at the KTN conference room and Mission is slated to be at the Community Center Gym. More information will come out soon about how to set up an appointment and what the target population is for the next round of vaccinations. People can call THD to set up an appointment. Chelsea will work with Gwen to get a number out for vaccines and schedule appointments. It will be a new phone number that will be set up. **Jean Matt** reported that the logistics have been complicated and the team continues to work on that. They look forward to vaccinating as many people as possible. **Charmel Gillin** asked about the volunteers that are needed. Chelsea will need a lot of help for people to give immunizations and navigation when a patient shows up for a scheduled appointment to take their temperature and get them checked in, make sure they get to the right spot to the vaccinator, and then escort them to the recovery area. People who are interested can call her at the Tribal Health Department or email her at Chelsea.Kleinmeyer@cskthealth.org to sign up for a shift. **Ed Meece** asked Chelsea to let him know if they need additional volunteers and he will try to find some staff to volunteer. **Jean Matt** informed council that the white house between CSKT and Mission Valley Power will be out of commission for a period

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of time. They are looking at other opportunities. **Dale Nelson** reported that the Makana Mask Company is offering to provide 250 high tech 3D masks and those should be here by tomorrow. Makana has requested that the CSKT do some kind of PR work with the Tribal Council about receiving the masks. Dale will work with Martin and Rob to do something on that. Dale has delivered masks to various tribal departments. **Jean Matt** advised that the team is paying attention to the legislature and paying attention to the finance folks. Rob McDonald is in contact with the team and getting information out to the public, along with the message for people to wash their hands, social distance, and wear a mask. Even after people get the vaccine, they need to be diligent for 90 days afterwards. **Chelsea Kleinmeyer** commented that after people receive both vaccines, they are asked to continue to wear a mask. There is a lot that is still unknown as far as how long the vaccine will work and if they can still transmit the virus to others. **Martin Charlo** has distributed masks to the council members. Masks will be available for individuals in the at-risk category or those who want to wear that N-95 mask. Anyone wanting one of those masks needs to contact their council representative or go to the front desk at the new complex and the masks will be left with the door monitors. **Ed Meece** reported that the city had the opportunity to offer the vaccine to first responders and continue to work through that process. City Hall will reopen tomorrow. They reviewed their procedures with the staff, installed plexi-glass and have sanitizers on hand. **Carole Lankford** asked if there was a plan for the schoolteachers to get vaccinated or if they are just included in the general population. Jean thought the teachers were included in Phase 1-B. He will verify that information with Chelsea and report back. **Martin Charlo** asked Jean to find out if we could ask to get our Head Start Teachers vaccinated since they have direct contact with our children. **Jean Matt** will follow up with Chelsea and report back.

Tony Incashola, Jr. and **James Lozeau**, Tribal Forestry, requested approval to purchase capital equipment for the tribal greenhouse including a walk-in cooler, upgrade the water system, fertilizer and mixer, shade house and heater kits, green house beds, polycarbonate sheets, and other materials needed to upgrade greenhouse facilities. The purchases and upgrades will be funded from carry over funding from the BIA in the amount of \$171,000.

MOTION by Carole Lankford to authorize the purchase of capital equipment for upgrades to the Green House. Seconded by Martin Charlo. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Mike Durglo, Preservation Office, requested approval to submit an application for the BIA Youth Initiative Program Grant for fiscal year 2021. Mike asked who the delegate and alternate is for the Native American Fish & Wildlife Society. **Anita Matt** directed Jennifer Trahan to follow up on the membership fees.

MOTION by Carole Lankford to approve submission of an

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application for the BIA Youth Initiative Program Grant for fiscal year 2021. Seconded by Martin Charlo. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Lynn Ducharme, Natural Resources Department, discussed the Darlington property, containing 80 acres, located along Crow Creek.

MOTION by Carole Lankford to show interest and begin due diligence and approval to enter into a buy/sell agreement at the appraised value. Seconded by Charmel Gillin. Carried, unanimous (7 present – Len TwoTeeth out of the room).

Jace Smith, Natural Resources Department, requested authorization to move forward to develop a scope of work with WWC Engineering to get a contractor agreement in place. It was advertised for three weeks and he worked with the Indian Preference Office, but there were no tribal member respondents. The contractor's agreement will come back for council approval at a later date.

MOTION by Fred Matt to approve working towards a contractor's agreement with WWC Engineering. Seconded by Bing Matt. Carried, unanimous (7 present – Len TwoTeeth out of the room).

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

Steve Love, Charlo School District, presented the Indian Education Report. Out of 256 students, only 20 students did the offsite education. The students have Friday as an option to meet face to face with their teacher. They also do zoom meetings and phone calls with the teacher, and the teacher does home visits with the students. None of the offsite education students were enrolled tribal members. Two of them were descendants. The tribal population chose to come to in-person school. The Elementary school did not miss any days and the high school had some staff in quarantine and had to close for a week. Masks are required and the school has desk shields for the students. An extra janitor was hired to do additional cleaning. No native students chose to participate in the ACT this year. Keeping track of the two Native American students that chose to do online schooling has been the biggest challenge, especially when they do not log into their Google Classroom account.

MOTION by Martin Charlo to accept the report from the Charlo School. Seconded by Bing Matt. Carried, unanimous (8 present).

Michelle Mitchell, Tribal Education Department; and **Stephanie Iron Shooter**, Office of Public Instruction; discussed a project, a resolution to participate in a proposal, and a request for a letter of commitment regarding mental health care services. There would be a wraparound school facilitator for grades 6-9 at the

Ronan School system. They would like to expand the program to 12 schools throughout the state of Montana.

MOTION by Bing Matt to approve a letter of commitment for the program. Seconded by Fred Matt. Carried, unanimous (8 present).

Rhonda Swaney and **Brian Upton**, Legal Department, requested approval of a letter from Chairwoman Fyant to Don Bell, Lake County Sheriff's Office; and Tom Rummel, Sanders County Sheriff's Office; informing them of the passage of Public Law 116-260, in which Congress restored the National Bison Range to federal trust ownership for the CSKT, and that Lake County and Sanders County should treat and handle the Bison Range lands like any other federally-held trust lands on the Flathead Indian Reservation.

MOTION by Charmel Gillin to approve the letter to Lake and Sanders County Sheriff's Offices. Seconded by Martin Charlo. Carried, unanimous (8 present).

Rhonda Swaney and **Brian Upton**, Legal Department, requested approval of a letter to Lake County Commissioner Bill Barron regarding the Lake County tax assessment issue. On January 5, 2021, Commissioner Barron sent a letter acknowledging our correspondence about not paying solid waste fees for trust parcels. He asked if the Tribes would be paying fees for lighting districts. The letter states that the Tribes will continue to pay fees associated with Special Improvement Districts but will not pay any solid waste disposal assessments.

MOTION by Martin Charlo to approve the letter to Commissioner Bill Barron. Seconded by Fred Matt. Carried, unanimous (8 present).

Rhonda Swaney, Jordan Thompson, John Harrison, Brian Upton, Dan Decker, Stu Levit, and Ryan Rusche, Legal Department, requested to meet with council in **executive session** to discuss legal matters. **Rick Eneas**, Financial Management, was present for discussion.

Council reconvened into **regular session**.

MOTION by Fred Matt to approve the Memorandum of Understanding between the U.S. Fish & Wildlife Service, the Bureau of Indian Affairs, and the Confederated Salish and Kootenai Tribes on Transition Activities for the National Bison Range. Seconded by Bing Matt. Carried, unanimous (8 present).

Council reviewed a Judicial Services Contract for Daniel Tenenbaum to serve as Attorney Associate Justice for the Appellate Court for a three-year term. Justice Tenenbaum's swearing-in will be rescheduled for a different date when he is

available.

MOTION by Len TwoTeeth to approve by resolution the Judicial Services Contract with Daniel Tenenbaum to serve as Attorney Associate Justice for the Appellate Court for a three-year term. Seconded by Fred Matt. Carried, 8 for; 0 opposed; 0 not voting.

RESOLUTION 21-029

A RESOLUTION TO ENTER INTO A JUDICIAL SERVICES CONTRACT WITH DANIEL TENENBAUM

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

WHEREAS, the Confederated Salish and Kootenai Tribes of the Flathead Reservation wish to enter into a contract with Daniel Tenenbaum to provide judicial services needed for the administration of the Confederated Salish and Kootenai Tribes Court of Appeals' authorized activities contained in Ordinance 103-A, as amended, the CSKT Laws Codified; **NOW, THEREFORE**,

BE IT RESOLVED that beginning January 12, 2021, Daniel Tenenbaum shall act as Associate Attorney Justice of the Confederated Salish and Kootenai Tribes Court of Appeals providing services in accordance with the terms and conditions of the contract attached hereto.

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

Patrick Matt, Jr., Department of Human Resources Development Families First Program; **Pastor Levi Lusko** and **Jennie Lusko**, Fresh Life Church Organization; **Brad Buls**, Church Chief Financial Officer; **John Mark Cramer**, Operations Pastor; met with council. The church made a sizeable donation of \$50,000 to the Families First supportive services program to provide assistance to the tribal membership. The tribal council members thanked them for the donation that will benefit our tribal membership.

Martin Charlo announced that he is holding a district meeting via zoom Facebook at noon tomorrow. **Anita Matt** asked him to send council the link to the meeting.

MOTION by Carole Lankford to adjourn the meeting. Seconded by Martin Charlo. Carried, unanimous (8 present).

Council **adjourned** at 1:20 p.m., and is scheduled to meet again on Thursday, January 14, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary