

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

Volume 21 Number 28
Council Chambers, Pablo, MT

Held: January 14, 2021
Approved: January 19, 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.

The meeting was opened with a **prayer** by Len TwoTeeth.

The **Tribal Council Meeting Minutes** for January 12, 2021 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for January 12, 2021, with corrections. Seconded by Mike Dolson. Carried, unanimous (10 present).

The **agenda** was presented for approval.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Martin Charlo. Carried, unanimous (10 present).

Tony Incashola, Jr. and **Steve McDonald**, Tribal Forestry, requested approval of a three-year noncompetitive contract with Jim Durglo to provide services for NEPA projects and serve as the facilitator of the Forest Management Plan revisions. Tony Harwood was contracted last year for a two-year term, so he is still under contract.

MOTION by Carole Lankford to approve a three-year noncompetitive contract with Jim Durglo to provide services for NEPA projects and serve as the facilitator of the Forest Management Plan revisions. Seconded by Fred Matt. Carried, unanimous (10 present).

Brian Upton, Legal Department, discussed housing at the Bison Range. Amy Coffman brought to our attention that the Fish & Wildlife Service has an employee in one of the residences and planned on having another employee move in this week. Amy wanted clarification on that issue. There are also three conservation workers that would staff the Visitor Center that planned to stay in the bunk house. They stay in the residences on a month-to-month basis. **Council** had no problem with them staying in the residences on a month-to-month basis during this transition period. Brian informed council that with respect to the MOU approved on Tuesday, a change was made on how the continued staffing is characterized. It is not a very substantive change. It strikes our reference to the Service staffing the Bison Range for normal operations. Brian is getting feedback on whether they can get the MOU signed today; he would like to get the MOU executed as soon as possible. Brian will provide the updated language to the Tribal Council for review. The homes are insured by the Tribes and he will verify that with Rick Eneas. Brian has a call scheduled with the Bureau of Indian Affairs and Fish & Wildlife Service at 10:00 a.m. today. Brian will return for a status report later today.

Michelle Mitchell, Tribal Education Department, requested approval to apply for a SAMHSA grant for the fiscal year 2021 Project AWARE funding to provide mental health services and have student-led support for the MMIP work in the school districts in Ronan, Polson and St. Ignatius. The deadline to submit the grant application is February 15, 2021. TED can apply for up to \$1.8 million per year for five years.

MOTION by Martin Charlo to approve by resolution submission of the SAMHSA grant for the fiscal year 2021 Project AWARE. Seconded by Carole Lankford. Carried, 10 for; 0 opposed; 0 not voting.

RESOLUTION 21-030

RESOLUTION AUTHORIZING THE TRIBAL EDUCATION DEPARTMENT TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

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

WHEREAS, The U. S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration has published a request for proposals under the Advancing Wellness and Resiliency in Education State Education Agency Grant Program; and

WHEREAS, the Tribal Education Department is the authorized Tribal Education Agency of the Confederated Salish and Kootenai Tribes; and

WHEREAS, the Tribal Education Department, on behalf of the Confederated Salish and Kootenai Tribes, desires to focus on partnerships and collaboration between state and local systems to promote the healthy development of school-aged youth and prevent youth violence;

NOW THEREFORE, BE IT RESOLVED, that The U. S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration be requested to make available a grant, pursuant to the terms of the request for proposal, to the Tribal Education Department; and

BE IT FURTHER RESOLVED that the Chairwoman of the Tribal Council or her delegated representative is authorized to execute the transactional documents necessary to administer the grant on behalf of the Confederated Salish and Kootenai Tribes.

Elizabeth Talbert, Tribal Social Services, requested approval to hold a workshop for the Ksanka Language app and offer tribal employees cultural leave to attend the workshop that is scheduled for March 24-25, 2021 for 2.5 hours. The workshop will be limited to 10 participants and held via zoom. **Martin Charlo** would like 30-minute Kootenai Language lessons offered via zoom. Elizabeth advised that either Randall Kenmille or his father might be able to do that. **Chairwoman Fyant** advised that cultural leave is granted by the Culture Directors.

MOTION by Martin Charlo to approve the workshop for the Ksanka Language app. Seconded by Anita Matt. Carried, unanimous (10 present).

Martin Charlo informed Elizabeth that she could ask for a change of duty, which may be an option instead of cultural leave. **Elizabeth Talbert** can return to council with a detailed list of participants.

Tabitha Espinoza, Natural Resources Department, requested approval of modification 1 to agreement number 20-081 with Dennis Lichtenberg, to increase compensation by \$8,000.00, for an additional scope of work to transfer 25 years of data to the database. **Carole Lankford** asked why we are turning over our data to the Environmental Protection Agency. We should retain that data. Tabitha explained that the data was recorded at the end of each grant period and a report was produced analyzing the data. We have that internally and reported to the EPA. The program was fully grant funded and there was staff turnover during that time. It will get a system in place to follow in the future. We maintain the rights to the data and can set rights on who can access our data. We could organize it internally if the Tribes do not want to turn the

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data over to EPA. Carole thought that would be a legal question.

MOTION by Charmel Gillin to approve modification 1 to agreement number 20-081 with Dennis Lichtenberg, to increase compensation by \$8,000.00, for additional scope of work to transfer 25 years of data to the database. Seconded by Martin Charlo. Carried, unanimous (10 present).

Rick Eneas, Financial Management; and **John Neiss**, Facilities Maintenance; requested approval of a contract with R&R Building Productions in the amount of \$62,500.00 for the cleanup and demolition of The People's Center. There was one other tribal member bid. R&R is a tribal preference bidder and was the low bidder. **Charmel Gillin** asked if any work order changes are covered by the insurance. She asked how this bid compared to the other bid since the Indian Preference Office fee is not factored into the cost. John said the insurance allocated \$119,000.00 for the cleanup. The other tribal member bidder was still higher than R&R, even including the IPO fee. Rick commented that any change orders would be scrutinized, and he would work with the insurance company and contractor to determine if it would be an allowable cost. If R&R's bid included the Indian Preference fee, it would still be the low bid. **Martin Charlo** wanted to include the Indian Preference Office fee in the bid and accept the low bid. Both bidders are tribal members.

MOTION by Martin Charlo to accept the low bid from R&R Building Productions and include the 3% Indian Preference fee of \$1,875 to the bid. Seconded by Bing Matt. Carried, 9 for; 1 opposed (Len TwoTeeth).

Rick Eneas, Financial Management; and **John Neiss**, Facilities Maintenance; informed council that Wilbert Michel, Jr. and Boe Miller are working under emergency hire contracts, which are set to expire soon, and he wants to move them to FTE status to fill open positions on the Facilities Maintenance organization chart.

MOTION by Carole Lankford to approve the transfer of Wilbert Michel, Jr. and Boe Miller to FTE status to fill open positions on the Facilities Maintenance organization chart. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

Rick Eneas, Financial Management; and **John Neiss**, Facilities Maintenance; met with council in **executive session**.

Council reconvened into **regular session**.

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

Jody Perez, Salish Kootenai Housing Authority; **Velda Shelby** and **Janet**

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Camel, Economic Development Office; **Ann Miller**, Tribal Defenders Office; requested approval of the memorandum of understanding between Salish Kootenai Housing Authority and CSKT for the permanent supportive housing program that will be operated at the Morning Star Apartments. Rental assistance will be provided to the tenants. SKHA will assist with eviction enforcement. The Tribal Defenders Office will be the recipients of the applications and will screen the applications to ensure they are good applicants for the program. The tenant will enter into a lease agreement with the property management company.

MOTION by Martin Charlo to approve the memorandum of understanding between Salish Kootenai Housing Authority and CSKT for the permanent supportive housing program that will be operated at the Morning Star Apartments. Seconded by Fred Matt. Carried, unanimous (10 present).

Len TwoTeeth requested an update on the properties that were purchased in Missoula. **Jody Perez** advised that the purchase never went through due to the financing being a problem. The CARES funds had to be spent by December 30, 2020 initially and it was considered prepaid rent.

Jody Perez, Salish Kootenai Housing Authority; **Velda Shelby** and **Janet Camel**, Economic Development Office; **Ann Miller**, Tribal Defenders Office; has completed the memorandum of understanding between the Salish Kootenai Housing Authority and CSKT for the manufactured homes at Maggie Ashley Trailer Park II. It was recommended that the Tribal Lands Department be the contact for those, so the memorandum of understanding will come back for approval at a later date. Jody wants to begin advertising the Maggie Ashley Trailer Park II CARES Housing Program.

MOTION by Carole Lankford to begin advertising the Maggie Ashley Trailer Park II CARES Housing Program. Seconded by Anita Matt. Carried, unanimous (10 present).

Jody Perez will send the complete packet for council review and return to council the last week of January.

Craige Couture, Law & Order; **James Steele, Sr.**, Sergeant at Arms; and **Leroy Black**, Security Office; requested to meet with council in **executive session** to discuss security issues. **Clayton Matt**, Tribal Services, was present for discussion.

Craige Couture, Law & Order, requested to meet with council in **executive session**.

Council reconvened into **regular session**.

Pete White, Tribal Credit, provided orientation on the Tribal Credit program. The program was formed in 1936 to help tribal members who could not access capital for their farms. Loan products include personal short-term loans up to \$7,500.00; educational loans for unmet need; mortgage loans up to \$400,000.00 for a 30-year term (fee simple, improvements on CSKT lease lots, individual trust, and home equity); business and agriculture loans up to \$400,000.00; and CSKT enterprise loans. There is a three-person Credit Committee that is appointed by the Tribal Council for a three-year term whose responsibility is to review applications and approve/deny long-term loans. Anita Matt and Carole Lankford are the tribal council representatives that serve on the Credit Review Committee. Tribal Credit has seen a decrease in the number of loans. There are currently 1,632 short-term loans amounting to \$7,410,717.18; 500 long-term loans (mortgage, business, agriculture), amounting to \$37,797,450.23; and 187 education loans, amounting to \$1,756,297.68 in loan receivables. There was one fire contractor that took out a bridge loan. There is a total of 3 foreclosed properties being advertised for sale to the membership. There are 2 in Ronan and 1 in Polson. Program goals for 2021 include presenting a new Plan of Operation to the Tribal Council for approval; continue to update and upgrade the digital platform; build upon internal controls in key areas of accounting, compliance, lending, and customer service; build capacity of staff through cross-training; improve collaboration with applicable CSKT departments and programs to create synergy between tribal entities and departments; and update outdated processes to streamline operations. **Martin Charlo** asked why the insurance costs cannot be included in the loan payments. Pete explained that it is a capability Tribal Credit can do but it was never written in the Plan of Operations. It is included in the new Plan of Operations and can be implemented once the new plan is approved by the council. Ongoing special projects include updating software capabilities to provide more online services such as online statements, online payments, and fillable online applications; update the Plan of Operations; professional development for staff; create an integrated financial literacy program for credit counseling; education loan forgiveness and grant program. **Anita Matt** asked if the Credit Committee has looked at lowering the interest rates. Some mortgage loans are at 5 percent and others are at 7 percent. The short-term loan interest rate is at 12 percent. Pete explained that the mortgage loans at the 7 percent interest rate are the old loans. People could apply to refinance their loan at the 5 percent interest rate. Tribal Credit will always have a higher interest rate since lending agencies sell their loans and Tribal Credit keeps the loan in-house. He wants the ability to review the interest rates in April and October. The short-term loans are an unsecured debt and will always have a higher interest rate. The delinquency rate is a contributing factor. The hours of operation for Tribal Credit are Monday through Thursday from 9:00 a.m. to 4:30 p.m. Due to COVID reasons, they encourage payments by telephone instead of in person.

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Brian Upton, Legal Department, requested to meet with council in **executive session** to discuss a legal matter.

Council reconvened into **regular session**.

MOTION by Fred Matt to adjourn the meeting.

Council **adjourned** at 12:04 p.m., and is scheduled to meet again on Tuesday, January 19, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary