

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

Volume 21 Number 41
Zoom Meeting

Held: March 2, 2021
Approved: March 4, 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 9:02 a.m. Quorum established.

The meeting was opened with a **prayer** by Mike Dolson.

The **Tribal Council Meeting Minutes** for February 25, 2021 were presented for approval.

MOTION by Martin Charlo to approve the Tribal Council Meeting Minutes for February 25, 2021, with corrections. Seconded by Anita Matt. Carried, unanimous (10 present).

The **agenda** was presented for approval.

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

Dan DePoe, Francis Cahoon, and Art Caye, Tribal Members, informed council that Dan has been watching something unfold since 2019 and then he found out how it was handled, and he does not agree with it. Over the years, other council members have been in trouble for the same type of reason and it was the same issue Dan had with the previous chairman. It has to do with the role and responsibility of the Tribal Council, and that is a membership issue. There has been a history of it, and it needs to be addressed. In his mind, this issue is bad because it was a council action that was dealt with and some other council members went around that council action to make something happen that was benefiting a single tribal member. Dan does not have all the information, so he asked for a formal investigation into the Lands issue. Council made an action

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and several other council members went around that action. He wanted this discussion in open session so the membership can listen to the matter. This started in 2019 and he wants it investigated into how the Tribal Lands Department handled the matter initially. Dan spoke to the people involved and they were treated unfairly by the Tribal Lands Department, and he would like that addressed too. Dan does not have all the information because the discussions end up in executive session. He requested that an investigation be done to determine any wrongdoing. People have been removed from the Tribal Council due to the same reasons. The discussion continued in **executive session**.

Council reconvened into **regular session**.

MOTION by Ellie Bundy McLeod to ask the Legal Department to do an internal investigation regarding the Caye property and Tribal Lands Department issue specifying which processes are being questioned. Seconded by Anita Matt. Carried, unanimous (10 present).

Jean Matt, Rob McDonald, and Dale Nelson, Unified Command Team, gave an update. **Jean Matt** reported that Lake County has had a total of 2,041 confirmed cases and 50 active cases. 1,964 people have recovered. There was a total of 127 hospitalizations and currently there are 3 hospitalizations. There has been a total of 27 deaths to date. Over 88,000 people have been vaccinated. Jean reminded everyone to wear a mask, wash their hands, and social distance. The new Incident Action Plan is out, and he encouraged the public and council to refer to the weekly updated plan. The State is still distributing vaccines. **Dale Nelson** reminded everyone how important masking is. Dale still has a mask supply and has been distributing them to tribal facilities. He has 200 gallons of sanitizer available if anyone needs any. Dale gave S&K Technologies some masks and gloves. **Rob McDonald** reported that Sam Sandoval, Editor of the Char-Koosta News, got a personal interview with Dr. Fauci and it was in last week's newspaper. The Char-Koosta News will provide information on where people can get the vaccine. **Martin Charlo** reminded everyone to continue to work on their mental health, get some sunshine, and exercise. We need to be cognizant of that. He thanked all the staff who are getting out these critical vaccines for our community. We are fortunate to have been allocated the number of vaccines we have every two weeks. Martin would like to provide positive information and education about getting vaccinated. **Chairwoman Fyant** reported that there is a Tribal Health Vaccine Team meeting every week to provide updates to the Tribal Council. We have a plentiful supply of vaccines coming our way. We received some extra Pfizer doses that were left over from the nursing homes. The Tribes were allocated 1,000 doses every other week. People need to contact the Tribal Health Department to get vaccinated. 29% of our user population has received the vaccine, but that number is difficult to track as people could have gotten the vaccine elsewhere. 10 percent of the 70 and older category declined the vaccine.

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We need more public information to let people know it is safe. The vaccine does not work for the California variant. There are also variants from New York, Brazil, and South Africa. Shelly received her vaccine yesterday. The second dose may have more symptoms but Shelly had COVID-19 in January, and it is worth getting vaccinated. There will be a vaccine clinic at the Arlee Community Center. Tribal members who reside off the reservation can get the vaccine through the Tribal Health Department.

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

Tony Incashola, Jr. and **Zach Underwood**, Tribal Forestry, requested approval to accept the high bid from Kendall Dupuis for the Magpie Salvage 2020 Logging Unit. Kendall was the only bidder.

MOTION by Martin Charlo to accept the high bid from Kendall Dupuis for the Magpie Salvage 2020 Logging Unit. Seconded by Bing Matt. Carried, unanimous (9 present – Len TwoTeeth out of the room).

Karen Renz, Department of Human Resources Development, requested approval to hire Anthony Peterson on a temporary employment agreement through September 30, 2021 to fill the Child Youth Trauma Services Case Manager position. The current staff member is on medical leave, so this position was advertised and there were no qualified tribal member applicants. There is six months remaining on this grant and Mr. Peterson will help closeout the grant.

MOTION by Len TwoTeeth to approve the hire of Anthony Peterson on a temporary employment agreement through September 30, 2021 to fill the Child Youth Trauma Services Case Manager position. Seconded by Anita Matt. Carried, unanimous (10 present).

Jeanne Christopher, Early Childhood Services, requested approval to hire Shandiin “Sisi” Pete on a three-year contract to fill the Cultural Specialist position. The vacancy was advertised and Shandiin was the only applicant.

MOTION by Martin Charlo to approve the hire of Shandiin “Sisi” Pete on a three-year contract to fill the Cultural Specialist position. Seconded by Len TwoTeeth. Carried, unanimous (10 present).

Jeanne Christopher thanked the council for supporting Early Childhood Services. Some of the Tribal Council members sat in on orientation and she appreciated that. **Charmel Gillin** apologized for not attending that meeting. She has attended them in the past. She could not attend because her husband got the vaccine that day.

Rhonda Swaney, Brian Upton, Ryan Rusche, John Harrison, Stu Levit, Dan Decker, Chelsea Colwyn, and Mary Price, Legal Department, requested to meet with council in **executive session** to discuss legal matters.

Council reconvened into **regular session**.

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

Shelly Fyant out of the room providing testimony to the Montana Advisory Committee to the U.S. Commission on Civil Rights regarding voting access for Native Americans in Montana.

Len TwoTeeth out of the room.

Lynn Ducharme, Natural Resources Department, discussed the Kirsch property and requested action to show interest in the property to be purchased with Bonneville Power Administration Resident Fish Mitigation funding and allow the staff to begin its due diligence. The property contains 415 acres and is located along Ronan Spring Creek and Crow Creek. 353 acres is under an existing conservation easement. The Land Committee recommended pursuing the 62 acres that are not part of the conservation easement. It was the **consensus** of council to show interest in the portion of the Kirsch property (62 acres) that is not part of the conservation easement to be purchased with Bonneville Power Administration Resident Fish Mitigation funding and allow the staff to begin its due diligence.

Jace Smith, Natural Resources Department, requested approval to enter into a contractor agreement with WWC Engineering in the amount of \$137,800 through December 31, 2023 to provide engineering and design services related to Irrigation Infrastructure Rehabilitation Projects at 31A Canal Chute and the Falls Creek Diversion. The contract was reviewed by the Indian Preference Office, Legal Department, and Contracts & Grants. **Mike Dolson** questioned the language in the scope of work and would like the designing services added. Jace will add that language to the scope of work and provide a corrected copy of the contract to the Tribal Council.

MOTION by Carole Lankford to enter into a contractor agreement with WWC Engineering in the amount of \$137,800 through December 31, 2023 to provide engineering and design services related to Irrigation Infrastructure Rehabilitation Projects at 31A Canal Chute and the Falls Creek Diversion, with the stated correction to add “designing services” to the scope of work and provide a copy of the corrected contract to the Tribal Council. Seconded by Mike Dolson. Carried, unanimous (8 present - Shelly Fyant and Len TwoTeeth out of the room).

Dan Lozar, Natural Resources Department, requested council concurrence with the DEWR recommendation to engage DJ&A with an intention to develop the scope, fees, and agreement for completing the Flathead River Pumping Plant – Topographic & Bathymetric Survey. This is the first step in a two-step process.

Len TwoTeeth returned to the meeting.

MOTION by Carole Lankford to concur with the DEWR recommendation to engage DJ&A with an intention to develop the scope, fees, and agreement for completing the Flathead River Pumping Plant – Topographic & Bathymetric Survey. Seconded by Martin Charlo. Carried, 8 for; 1 abstention (Len TwoTeeth – not present for discussion); 1 not voting (Shelly Fyant out of the room).

Mark Fiorentino and **Diane Fiorentino**, North Star Security, informed council that their tribal-owned security business is available to provide armed and unarmed protection, patrol, standing guard, and residential and business security. Mark has 17 years' experience in security and law enforcement. North Star Security is a state-licensed security company and has authority to make citizen's arrests. Mark and Diane gave an overview of their background and the businesses and events they have provided security services for. North Star Security is an Indian preference employer and an equal employment opportunity business. All the employees are drug tested and are licensed through the state. **Charmel Gillin** wanted to know if they wanted to make a proposal or just let the council know their business is available should the Tribes do an RFQ. **Jim Steele, Sr.**, Sergeant at Arms, commented it is a complicated situation with the entities having their own security. The different entities are doing different things and there needs to be a threat assessment done. Jim had developed his own proposal and wants to be involved. He recommended that Mark work with him to put something together. Jim wants Mark to bring some of our people into the fold and Rick Eneas would need to be involved in that. He was impressed with Mark's presentation.

Council reviewed their schedule for upcoming meetings this week. **Charmel Gillin** asked Jennifer to sync the council calendars.

Council met in **executive session**.

Council reconvened into **regular session**.

MOTION by Carole Lankford to adjourn the meeting.

Council **adjourned** at 2:35 p.m., and is scheduled to meet again on Thursday, March 4, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary