

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

Volume 21 Number 43  
Zoom Meeting

Held: March 9, 2021  
Approved: March 11, 2021

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

**MEMBERS ABSENT:** Fred Matt.

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; 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 Len TwoTeeth.

The **Tribal Council Meeting Minutes** for March 4, 2021 were presented for approval.

**MOTION** by Len TwoTeeth to approve the Tribal Council Meeting Minutes for March 4, 2021, with corrections. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

The **agenda** was presented for approval.

**MOTION** by Anita Matt to approve the agenda, with additions. Seconded by Charmel Gillin. Carried, unanimous (9 present).

**Council** met in **executive session**.

Council reconvened into **regular session**.

**MOTION** by Charmel Gillin to approve the letter, as corrected. Seconded by Anita Matt. Carried, unanimous (9 present).

**Jean Matt, Mark Clary, and Dale Nelson, Ed Meece, and Rob McDonald,** Unified Command team, gave an update. **Jean Matt** reported that Lake County had 3 cases yesterday, which is an improvement. There are over 113,000

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Montanans that have been vaccinated. The UCC will continue to promote vaccinations, wearing a mask, washing hands, and social distancing. There is a possibility of spread due to the number of individuals that have not received the vaccine yet. There were 10 cases reported today. There is a total of 40 active cases, 4 current hospitalizations, and a total of 27 deaths to date. Lake County had a total of 2,069 confirmed cases so far. A number of people that have been vaccinated no longer wear a mask, but it is recommended that they continue to wear one at this time. **Mark Clary** reported everything is moving along slowly. He looks forward to no further upswings in COVID cases. Masks are still required in Lake County. **Dale Nelson** reported he is still pushing the mask mandate. He got some masks for tribal facilities. Dale was vaccinated and had no major side effects. He has 200 gallons of hand sanitizer available if any departments need any. **Martin Charlo** commented we have reached a milestone as it was a year ago on March 17 we shut our doors and took a conservative approach to protect our community. We have not made any changes to our policies and procedures. We continue to do temperature checks at the door, practice social distancing, and requiring a mask. We need to continue to protect the people that have not been vaccinated yet. **Chairwoman Fyant** has been hearing from folks that got the second vaccine had adverse reactions. That is expected and that is why the clinics keep people in observation for fifteen minutes. She highly encouraged everyone to enroll in the [vsafe.cdc.gov](https://www.vsafe.cdc.gov) website. It is a research tool where they monitor reactions. We need to remember we are a unique population, and this information could be valuable to the vaccine manufacturers. Our mask mandate and other building and employee protocols are still in place. We have talked about double masking due to the contagious variants, especially the California and New York variants. We talked about social distancing, wearing a mask, and washing hands, but a CDC recommendation is to avoid large gatherings. Spring is coming up, but we are not out of the woods yet. Shelly understands everyone's sadness, anger, and depression that comes with this pandemic, but we need to learn patience, wait until 75% vaccination occurs, which is considered herd immunity, and think of the long-term. We have weekly vaccine team meetings. They will look at May 1 as the date to consider opening up some of the events. We need to remain patient for the next few months. **Jean Matt** commented that it is important to remember those we have lost to COVID-19. We need to be considerate of other people and be patient. We want to continue to do everything we can. **Rob McDonald** commented it has been business as usual. **Ed Meece** reported the City of Polson continues with the same protocols that were already discussed. He is happy to be part of this and wants to be a helpful partner.

**Maja Pederson, Mattea Grant, and Niki Graham**, University of Montana, followed up on their previous presentation on a research project regarding physical activity behaviors for older adults on the reservation. 21 interviews were conducted. The age range of participants in the survey was between the ages of 50 and 82. The barriers identified were the older adults did not feel

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comfortable going to fitness facilities. The participants felt there was no support for recreation opportunities accessible for older adults that had safe sidewalks/pathways for them to walk on. Mattea wants to develop a map for common walking places for elders that can be taken with them for each community that shows what is safe, what the distances are, whether walking with a cane is appropriate, and whether there is some shade on the path. They will return at a later date to discuss the programmatic paper.

**MOTION** by Martin Charlo to approve submission of the manuscript. Seconded by Mike Dolson. Carried, unanimous (9 present).

**Tara Matt**, Tribal Gaming Commission; **Bryon Miller**, S&K Gaming Chief Executive Officer; **Troy Felsman**, **Pete White**, and **Francine Dupuis**, S&K Gaming Board of Directors; **Shelly Cottet**, S&K Gaming Chief Financial Officer; **Sheila Matt**, KwaTaqNuk Resort & Casino General Manager; discussed a request from S&K Gaming to apply for a gaming facility license for the Big Arm property. There is a letter that needs signature to submit with the application. The discussion continued in **executive session**.

Council reconvened into **regular session**.

**MOTION** by Carole Lankford to proceed with the gaming facility license for the Big Arm Marina Casino. Seconded by Len TwoTeeth. Carried, 8 for; 1 abstention (Charmel Gillin).

*Charmel Gillin, for the record, "I would just like to have more information before making this decision, and the questions I had have not been answered yet."*

\*\*\*\*\* **Break** \*\*\*\*\*

**Melinda Charlo**, Indian Preference Office, requested approval of a project specific agreement with the Montana Department of Transportation for a 2021-2025 weed control contract that will cover five MDT aquatic mitigation sites on the reservation. The five sites are Bouchard, Johnson, Lone Pine, Peterson, and Cynthia Wood. The total amount of the contract is \$13,000.00.

**MOTION** by Anita Matt to approve a project specific agreement with the Montana Department of Transportation for a 2021-2025 weed control contract that will cover five MDT aquatic mitigation sites on the reservation. Seconded by Martin Charlo. Carried, unanimous (9 present).

**Rhonda Swaney** and **Ryan Rusche**, Legal Department; and **Dan Lozar**, Natural Resources Department; discussed the projects that they recommended to be implemented in year one that are identified in Appendix 3.6 of the compact. The

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projects were vetted by appropriate staff. Project 1. Irrigational Canal Lateral to Pipe. This project is priority 1 in Appendix 3.6. They would take the existing canals and put them into piping or a combination of piping and open the canals to assist with water loss and can be put back into the streams. It will decrease challenges with operations and maintenance on the canals in Jocko R3 (1R) and R3-0. Project 2. North Fork Jocko Division Dam and Tabor Feeder Canal Liner. This project is priority 3 in Appendix 3.6. It is likely we would use year one funds to supplement the difference. Project 3. Jocko Lower J Canal Diversion and Associated Restoration. This project is priority 7 in Appendix 3.6. This is an instream canal diversion dam that discharges into the Lower J Canal below Ravalli. It will be an instream full replacement and will include some restoration work upstream and downstream. That will be contingent upon land purchases, if any. There is a restoration component. The design will be included in the studies and implementation. Project 4. Mission Valley south of Crow Creek – Charlo Area Water Management Planning. This project is priority 1 in Appendix 3.6. It would improve operations of the Charlo area. This would hopefully be started once we have additional staff within the first year. It would be advanced as a design project. Much effort has been put into the planning effort. **Len TwoTeeth** asked if a tribal gravel source has been identified for this project. Ryan advised they are working on that, but they have not gotten a full inventory yet, so it is in the works. The noncompetitive approach for this project is for the design work by engineering firms. There will be no construction moving forward at this time.

**MOTION** by Martin Charlo to proceed with the projects identified by approaching firms and begin negotiations and bring back contracts for approval. Seconded by Anita Matt. Carried, unanimous (9 present).

**Rhonda Swaney, Ryan Rusche, Chelsea Colwyn, Brian Upton, 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**.

**MOTION** by Len TwoTeeth to approve the letter to Amy Coffman, Fish & Wildlife Service, providing recommendations for the deferred maintenance needs at the Bison Range. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

**MOTION** by Ellie Bundy McLeod to approve the letter to Don Bell, Lake County Sheriff's Office, regarding the change of landownership of the Bison Range. Seconded by Martin Charlo. Carried, unanimous (9 present).

**MOTION** by Anita Matt to approve the letter to Tom Rummel, Sanders County Sheriff's Office, regarding the change of landownership of the Bison Range. Seconded by Mike Dolson. Carried, unanimous (9 present).

**MOTION** by Anita Matt to approve the 30-day extension requested by BNSF. Seconded by Ellie Bundy McLeod. Carried, unanimous (8 present – Len TwoTeeth out of the room).

\*\*\*\*\* **Lunch** \*\*\*\*\*

**Charmel Gillin** out of the room.

**Ellie Bundy McLeod** out of the room doing an interview.

**Jody Perez** and **Katie Miller**, Salish Kootenai Housing Authority, requested an amendment to the memorandum of understanding to change the program name from Maggie Ashley Trailer Park II CARES Housing to CSKT CARES Housing; that the two homes at the KHJCC site be included in the CSKT CARES Housing program managed by SKHA; and confirmation that the intent of the homeless project is for the homes to become rent-to-own and be sold at 70% of the purchase price, as CARES Act regulations allow.

**MOTION** by Anita Matt to approve modification 1 to agreement M21-048. Seconded by Bing Matt. Carried, unanimous (7 present – Charmel Gillin and Ellie Bundy McLeod out of the room).

**Jody Perez** invited the council to a site visit of the Morning Star Apartments on March 31 at 2:00 p.m.

**Michelle Mitchell**, Tribal Education Department, requested approval of a contract with Nancy Fonicello, Ancient Artways Conservation, LLC, to begin conservation work on specific artifacts listed in the contract.

**Ellie Bundy McLeod** returned to the meeting.

**MOTION** by Carole Lankford to approve the contract, as presented, with Nancy Fonicello, Ancient Artways Conservation, LLC, to begin conservation work on specific artifacts listed in the contract. Seconded by Martin Charlo. Carried, 7 for; 1 abstention (Ellie Bundy McLeod – not present for discussion); 1 not voting (Charmel Gillin out of the room).

**Michelle Mitchell**, Tribal Education Department; **Stephanie Gillin**, Natural Resources Department; and **Dave Rockwell**; presented the final completed version of “Fire on the Land”, “Explore the River”, and “The Lower Flathead River Interactive Map”. Over the past ten years, the Tribes developed several

interactive, multi-media DVDs for students and teachers on the reservation. The DVDs were developed by using Flash. The Flash platform has since been discontinued and most computers no longer ship with DVD players, so this resource has become unavailable. The content was converted to HTML and JavaScript so these resources can be viewed on the web for the first time. Michelle requested approval to move the resources from this temporary URL to a permanent one, housed by the Tribes, thereby releasing the website to the general public and the educational community; and approval to produce and send out a press release about the project and the online availability of the resources.

**MOTION** by Ellie Bundy McLeod to move the resources from this temporary URL to a permanent one, housed by the Tribes, thereby releasing the website to the general public and the educational community; and approval to produce and send out a press release about the project and the online availability of the resources. Seconded by Mike Dolson. Carried, unanimous (8 present – Charmel Gillin out of the room).

**Vernon Finley**, Kootenai Culture Committee, provided orientation on the Kootenai Culture Committee. The KCC was working on funeral protocols before the pandemic happened. Vernon has tried to shift away from people using the elders' group for political purposes. They need to focus on important cultural things. The agenda for outside agencies is usually good and the desire is for consultation, but in looking at the Kootenai culture in general they had to realize and prioritize the things the committee needs to do in order to succeed in its mission to perpetuate the culture. The elders were always more comfortable speaking in Kootenai rather than in English. Nancy Joseph wanted to work on the language. There was a discussion that came about how the language should be taught and what should be taught. Nancy started doing some classes to learn the basics. That led to a discussion on perpetuating the language. They get a lot of requests on how to say certain things in Kootenai and the sentiment of the words. There was a focus on pronunciation, which is important. That led to where we are today with the drive of correct pronunciation and appropriate words for the situation. It became a difficult situation to teach the language. The KCC has two language consultants and an Elder Advisory Board. There are three apprentices from the first group, and five more will be hired. The plan is for the apprentices to learn the language and be able to teach it to others. When Vernon was on the tribal council, tribal member hiring was a priority to an extent that tribal members feel it is a right they have with minimum qualifications and sometimes we miss a person who would do a better job because departments are forced to hire a tribal member. The motivation to learn and the work ethic behind it is a critical part of what he is looking for. The Elder Advisory Committee is made up of elders and provide cultural input. Information Technologies upgraded their Wi-Fi. Vernon developed protocols for use of the hall. He has a "family only" requirement for funeral services at the hall. The community always

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participated in those events, but he has been trying to get the family to hold the funeral elsewhere to prevent community spread of the virus. Trying to maintain our culture and being safe has been an eye-opening experience and a gray area. Gina Big Beaver is Vernon's assistant. Marvin Salway was hired as the Equipment Technician. He is responsible for the building and kitchen area, vehicles, and making sure everything stays up to par. There were some maintenance issues that they had been waiting for the Maintenance Department to respond to, so those were shifted over to Marvin. Chris Tenas was hired as a Botanist to replace Susie Antiste. The Historical Records/NAGPRA Coordinator position has been placed on hold during the pandemic. The Preservation Office and the Salish Pend d'Oreille Culture Committee have provided assistance on any NAGPRA issues that have come up. Language is the number one priority. The Computer Specialist position has not been filled yet. There is an elders' meeting tomorrow via zoom. Vernon expanded the Elder Advisory Committee to 20 individuals to make sure every family in the community is represented. When he has to let people go, those people will go to the tribal council and it is important for the council to have a discussion with Vernon about the decisions he makes. **Len TwoTeeth** mentioned that they had talked to the Preservation Office about some cultural items that were stored at Salish Kootenai College. There were discussions with the Elder Advisory Committee and the majority of the elders agreed to have those items taken back and reburied. He asked if Vernon had that discussion recently with the elders if they still want to go that direction. **Vernon Finley** responded that their opinions have not changed. They were there for a purpose and they should be returned. They felt those things from The People's Center were taken back; they are not supposed to be stored in glass cases. Those things need to be returned to where they belong. The pipes were made to be used, not to be stored in a glass box somewhere. **Chairwoman Fyant** told him that the Army Corps of Engineers will be hiring someone on a year contract to do an inventory of those items. **Len TwoTeeth** commented that the ownership was brought up and the Army Corps of Engineers said they own those items. They gave us a period of time to get a place for those items. He wants everyone to work together to get done what needs to be done. **Carole Lankford** asked Vernon about a rumor regarding when he worked at the KCC and ran for council. She was told he took the documentation or files that he was working on even though it was a tribal grant. Anything the Tribes sign off on belongs to the Tribes. She hopes we have an inventory for everything that has been done and that nobody thinks it belongs to them. Carole is worried some of those things will leave. **Vernon Finley** responded that he was not aware of that rumor. He was working on the language lesson and made sure all the materials were there on his computer. All the information he developed stayed with the Culture Committee and he did not take any of it. Those rumors happened because when he came on there was some staff that were displeased about his selection and resigned. He was told those people took boxes of documents with them when they left, but he does not know if that is true. It is important to digitize documents and store them in multiple locations so the information is

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never lost. It would be good to get everything catalogued. Vernon will be interviewing the 29 candidates for the Apprentice vacancies next Monday and Tuesday. Vernon can send council the zoom information if they want to participate in tomorrow's elders' meeting.

\*\*\*\*\* **Break** \*\*\*\*\*

**Charmel Gillin** returned to the meeting.

**Council** met in **executive session**.

Council reconvened into **regular session**.

**MOTION** by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 3:39 p.m., and is scheduled to meet again on Thursday, March 11, 2021, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Ellie Bundy McLeod  
Tribal Council Secretary