

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

Volume 21 Number 44
Zoom Meeting

Held: March 11, 2021
Approved: March 16, 2021

MEMBERS PRESENT: 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.

MEMBERS ABSENT: Shelly Fyant, Chairwoman (Testifying at the Montana Legislature on HB 2 and USDA Consultation).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Donna Durglo, Recording Secretary; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:01 a.m. Quorum established.

The meeting was opened with a **prayer** by Ellie Bundy McLeod.

The **Tribal Council Meeting Minutes** for March 9, 2021 were presented for approval.

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

The **agenda** was presented for approval.

MOTION by Ellie Bundy McLeod to approve the agenda, with additions. Seconded by Charmel Gillin. Carried, unanimous (9 present).

Laurence Kenmille and **Chasity Haynes**, Enrollment Department, presented a request for council to approve the DNA result from Labcorp which is a reputable firm so that we could process and application, It didn't go through normal channels but Council has previously accepted DNA results that did not go through regular channels that we have, The State of Montana is the ones that collected the results they know the process and are a organization that knows how to collect and be secure in the relationship to the collection of the DNA, **Anita Matt**, and this did go through the enrollment committee last week? **Laurence Kenmille**, it went through the enrollment on Monday, this is one that

there wasn't any question about that it was an acceptable application. **Martin Charlo**, asked Laurence when you said this didn't go through the normal process, are you saying this jumped ahead of other requests, or? why is this one being brought and what's the urgency? **Laurence Kenmille**, the urgency is that is been here and we finally got the total application done. We were missing some items to begin with but those have been taken care of internally one of the thing that we needed to do was that normally we have the DNA result sent directly to us, from the processing agency this one was done a while back that is why its going through us directly but it was collected by a reputable agency and processed through a recognized firm which is Labcorp which we also use from time to time. **Jami Pluff**, Martin I turned in application a months ago, with all the documentation and I was told to go to council which I did two weeks ago, so I talked to Chasity and I made sure that I told her that I was not trying to jump through any hoops, um Chairwoman Fyant was the one that requested that this come through council because it had gone through the enrollment committee on Monday.

MOTION by Len TwoTeeth to approve and accept the DNA results from Labcorps so that Enrollment can process the application for enrollment for Mason James Hales. Second by Charmel Gillin Carried, 1 abstain Martin Charlo I missed that section of the enrollment committee on Monday.

Winona Tanner, Tribal Court, request for approval of a resolution and a grant submission, regarding the CASA program the resolution would authorize the submission of a grant to the **Children's Justice Act Partnerships for Indian Communities**, which is OVC, purpose area #6, it's a CTAS grant under the Department of Justice and that grant is to support the **CSKT CASA-GAL Program**, and the funding amount would be \$450,000 for a three year project. to start on October 1, 2021 and shall expire on September 30, 2024.

MOTION by Martin Charlo to approve to submit an application and approve the resolution entitled: **Children's Justice Act Partnerships for Indian Communities**. OVC, purpose area #6, with corrections Seconded by Carole Lankford, Carried unanimous.

RESOLUTION 21-41

Resolution authorizing the Confederated Salish and Kootenai Tribes, Tribal Court to submit an application in response to the funding announcement entitled: Children's Justice Act Partnerships for Indian Communities, OVC, Purpose Area #6 of the Coordinated Tribal Assistance (CTAS), Department of Justice, FY2021 Competitive Grant

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

WHEREAS, the Confederated Salish and Kootenai Tribes (CSKT) are committed to seeking resources for children, youth and families as they work toward healthy lifestyles and stable families; and

WHEREAS, the Tribal Council and leadership encourages cross collaboration between departments, not only to minimize cost, but to improve service outcomes to individuals and families; and

WHEREAS, the Tribal Court is soliciting funding in the amount of \$450,000 for a three year project under the Children's Justice Act Partnerships for Indian Communities, OVC, Purpose Area #6 of the Coordinated Tribal Assistance (CTAS), Department of Justice, FY2021 Competitive Grant. This grant will be administered by CSKT and used to provide continued support for the CSKT CASA Program (Court Appointed Special Advocates) who will provide support to children and ensure their best interests are addressed; and

NOW, THEREFORE, BE IT RESOLVED the Tribal Court in collaboration and support with the CSKT CASA/GAL Program to submit a grant Children's Justice Act Partnership for Indian Communities, OVC Purpose Area 6, of the Coordinated Tribal Assistance (CTAS), Department of Justice, FY2021.

BE IT FURTHER RESOLVED, the Tribal Council of the Confederated Salish and Kootenai Tribes supports the submission of the grant in Purpose Area 6, Children's Justice Act Partnerships for Indian Communities Program proposal documents and authorizes the Tribal Chair and her designated representative to negotiate and sign all documents and execute this submission on behalf of the Tribes.

Johnathan Owens, Tribal Health, **Rhonda Hendren**, Tribal Health, request the approval to hire Rhonda Hernandez, on a 3-year contract renewal, they did advertise and felt she was best qualified, and requesting an increase in pay to have her in line with the other folks in if we continue to employ her. (Rhonda Hendren was unable to join)

Johnathan Owens, Tribal Health, **Brian Crawford**, Tribal Health, presenting for approval MOD1 **Rocky Mountain Tribal Leaders Council** with a **Grant** for Disease Control Tribal Public Health Capacity-Building and Quality Improvement Umbrella Grant. This grant was awarded \$166,000, it was brought up from \$65,000 they had some extra funds this is more or less to build a, it's a building Capacity grant, to build up the 10 principals of environmental health including Public health and community outreach is mainly the basis of this grant. It will serve the community in many ways such as disaster preparedness communication, education outreach with the environmental health. And it will assist in hiring a technician that will help me with this endeavor, it's a 1 year grant. **Mike Dolson**, I'm confused about this whole agreement, it says its and

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agreement but Brian you are calling it a grant. Is it a grant application, who has the grant Rocky Mountain Tribal Leaders, and why would we be informing people in Sonoma County? **Brian Crawford** that was a typo, I did catch that was a changed by actually the contact person is Mitsy Hern, and actually this was a CDC grant, that was given to **Rocky Mountain Tribal Leaders Council**, and disbursed to tribes with in the Billings area office. **Mike Dolson**, I am confused on what the scope of work is. **Brian Crawford**, the scope of works is mainly to be based around COVID -19, education and awareness, and possible future similar pandemics and disaster preparedness, which in the area that falls within environmental health.

MOTION by James Matt to approve to enter in agreement between the Rocky Mountain Tribal Leaders Council and CSKT, with Corrections Seconded by Carole Lankford, Carried unanimous.

Johnathan Owens, Tribal Health, **Rhonda Hendren**, Tribal Health request approval to hire Rhonda Hernandez she was the best qualified out of the 5 that were selected. This is a 3-year contract, this position was advertised and she was the best qualified person, her current rate is Level 16, Step 5, we would like to put her in line with the other staff in this position at Level 16, Step 6.

MOTION by Martin Charlo to approve to hire Rhonda Hernandez on a 3-year contract, with the increase from Level 16, Step 5 to Level 16, Step 6. Second by Carole Lankford, Carried unanimous.

Johnathan Owens, Tribal Health, **Chelsea Klienmeyer**, Tribal Health, request to renew a contract with Barbara Malia Kipp, she has been working with us for two years, she fills the position of Community Health Care Manager for the Pablo Team, and has been essential with our COVID response would like to renew her contract for 3-years with an increase in rate of pay. **Ellie Bundy McLeod**, so this one was not re-advertised is that correct? **Chelsea**, correct this one was not advertised. **Ellie Bundy McLeod**, can you explain why. **Chelsea**, right now she has been essential in filling the roll of nurses, and nurses are very difficult to come by at this time, and we feel like to provide the continuity and continue the COVID response, it was in our best interest to renew her contract.

MOTION by Carole Lankford to approve the request that Tribal Health is making, with the recommendations with Barbara Malia Kipp, non-member for 3-years with an increase in rate of pay. Seconded by Martin Charlo Carried, 1 oppose, Ellie Bundy McLeod, (I absolutely have no qualms with Malia's qualifications I think she may be one of the strongest nurses that we have there, for me it is strictly about being consistent with what I have done in the past for others, she may have very well have been the most qualified person if it were advertised, but I think with being consistent with the advertising getting and

then selecting her if being the only one most qualified at that point, at least going through the process is helpful for me.)

Ellie Bundy McLeod out of the room meeting on a call with the Rocky Boy Tribal Council about our PCRCP.

Hank Conko-Camel, DHRD/ TCSEP, **Annette Brown**, DHRD, TCSEP, requesting approval of the Tribal Child Support Enforcement Programs Policy and Procedures the updates to be approved, the P & P manual, for all that's new to the council before we began this journey this grant for Tribal Child Support, the date we opened: July 2012, we received our first approval for the P & P the Policies and Procedures manual and that was in 2012, in 2013 we opened our doors, with child support program with approval through Tribal council and the Federal level, and when we opened in 2013 it was a Federal criteria that your policies were reviewed and updated every 4 years if needed. So 2013 and then in 2018 we began the process in reviewing the Policies and Procedure, the review team was created and that consisted of Rhonda Swaney, Lana Page, the TCSEP case workers, TCSEP Finance, the TCSEP attorney, and myself as the project director, we were all part of the review team. **Mike Dolson**, Hank what were the changes and why? I didn't notice that there wasn't any highlighting to show me what the changes were so I am wondering what the changes are from the original and why? **Hank Conko-Camel**, of course there were several minute changes, just updates of names and misspellings, we reorganized the entire document so that it would flow better, more things were highlighted to the guidelines, if you were wanting me to send something else I can. Updates to percapita holds.

MOTION by Mike Dolson to approve the revised TCSEP Policy and Procedures Manual Seconded by Len TwoTeeth, Carried, unanimous (Ellie Bundy McLeod, out of the room.

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

Mark Couture, Tribal Lands Department, requested to meet with council in **executive session** to discuss land issues. **Tom Johnson**, Tribal Services; and **Jami Pluff**, Policy Analyst; were present for discussion.

Council reconvened into **regular session**.

Mark Couture, Tribal Lands Department, requested permission to advertise a tribally owned house (former Schneider house) in the Big Draw area with a 1.5-acre homesite.

MOTION by Len TwoTeeth to approve the advertisement of the tribally owned house in the Big Draw area with a 1.5-acre homesite. Seconded

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by Fred Matt. Carried, 7 for; 1 opposed (Bing Matt); 1 not voting (Ellie Bundy McLeod out of the room).

Mark Couture, Tribal Lands Department, requested permission to advertise a tribally owned house (former Brown Ranch) for bid in the Niarada area with a 1.5-acre homesite.

MOTION by Carole Lankford to approve the advertisement of the tribally owned house for bid in the Niarada area with a 1.5-acre homesite. Seconded by Len TwoTeeth. Carried, unanimous (8 present – Ellie Bundy McLeod out of the room).

Mark Couture, Tribal Lands Department, requested permission to advertise for a one-year rental a tribally owned house located in Hot Springs. Lands would require the first and last month's rent or the first month's rent plus a security deposit.

MOTION by Charmel Gillin to approve the advertisement for a one-year rental a tribally owned house located in Hot Springs. Seconded by Mike Dolson. Carried, 7 for; 1 abstention (Bing Matt); 1 not voting (Ellie Bundy McLeod out of the room).

***Bing Matt**, for the record, "I think the rent is a little too high there. He said there was \$300-\$350 rent. Given that much of a hike, especially for a tribal member, is quite a bit of money, so I think the rent there should be looked at a little more."*

Mark Couture, Tribal Lands Department, presented a request for a 45-day revocable residential lease for the former McDonald house in Polson. Lands recommended that the individual be required to cover all utility costs and rent or go with a 45-day lease with a requirement that the lessee pay no rent but pay all utilities only. Options discussed were: (1) extend a 3-month residential lease agreement with renter paying all utilities and rent; (2) extend a 3-month residential lease agreement with renter paying all utilities; (3) extend a 3-month residential lease agreement with the current terms of no rental or utilities payment; (4) deny request; and (5) hold further discussion.

MOTION by Len TwoTeeth to go with a 45-day lease agreement. Seconded by Fred Matt. Carried, unanimous (8 present – Ellie Bundy McLeod out of the room).

Mark Couture and **Holly Hitchcock**, Tribal Lands Department, discussed a right of way easement issue that was discussed at the February 22 Land Committee meeting. It is the former Linda Morigeau easement. Kimberly and Clayton Walters are requesting an easement assignment to access the property

they are purchasing. The Land Committee recommended approval. In 2014, Linda Morigeau was granted a 25-year easement with a 25-year renewal option. It is a 55-foot portion of an existing driveway on tribal land. \$360 was the appraised value that Linda paid in 2014.

MOTION by Len TwoTeeth to approve the easement assignment from Linda Morigeau to Kimberly and Clayton Walters, under the current terms. Seconded by Martin Charlo. Carried, 7 for; 1 abstention (Mike Dolson); 1 not voting (Ellie Bundy McLeod out of the room).

Mark Couture, Tribal Lands Department, requested approval of the bids for three range units. This was the second cycle they did for bids. It was presented in the Land Committee meeting. Range Units 11, 39, 40, and 53 were advertised for bid. Range Unit 40 received no bids. Mark requested clarification on one of the bids. There is a mix of a member and nonmember on this range unit. In accordance with policy, if a nonmember and tribal member team up, that tribal member loses their preference and is considered a nonmember bidder. The current lessee could meet that bid if council wishes to allow them to use that option. If a nonmember has the bid, that person can meet the high bid if the high bidder is another nonmember. **Len TwoTeeth** suggested that the council not take action on that yet. He wanted the Lands staff to call the tribal member and tell them the bid deposit was not included and ask if that was something they intended to do. If so, then reject the bid. It could have just been an oversight and he does not want to deny a tribal member use of the property. **Charmel Gillin** asked if the suggestion is that the department reaches out to try to garnish a qualified bid. If that is the case, then she wanted to know if that is something that happens in other cases. She has not heard of this kind of approach before. Mark responded, no, they do not do that. It would set precedence and waive policy to choose the tribal member. Lands does not have authority to do that. It would have to be under a council directive. Mark is following the bidder standards in place. He does not contact bidders to find out why their bid packet is incomplete. The nonmember bidder met the minimum AUM payment and was the only qualified bidder. If the current lessee is not a qualified bidder, they award it to the next best bid. Lands recommended accepting the bids for Range Units 11, 39, and 53.

MOTION by Mike Dolson go with the recommendation of the Lands Department and accept the bids, as received, for those three bids. Seconded by Martin Charlo. Carried, 7 for; 1 opposed (Len TwoTeeth); 1 not voting (Ellie Bundy McLeod out of the room).

Mark Couture, Tribal Lands Department, requested approval of the 2021 spring bid advertisement. There are 94 ag leases, and a total of 16,000 acres. There are 69 tribal leases and 27 leases are irrigated.

MOTION by Len TwoTeeth to approve advertisement of the 2021 Spring Bid. Seconded by Mike Dolson. Carried, unanimous (8 present - Ellie Bundy McLeod out of the room).

Mark Couture, Tribal Lands Department; and **Brenda Richey**, MSU Extension Office/FRTEP Agent; discussed a request Brenda received from Chris Stanbrook from the Indian Land Tenure Foundation and Native American Agriculture Fund for agents to participate in a ripple mapping project. It is a project requesting them to gather a small group of people from different jobs in the community to report back on the importance of having the FRTEP office on their reservation to seek permanent funding. An IRB would be in place for those interviews. Options presented were: (1) approve the request for the MSU Extension Office/FRTEP Agent to pool a small number of reservation residents to gather information the program; (2) deny the request; and (3) hold further discussion. The Lands staff recommended approving option 1. **Anita Matt** wants to participate in the survey. **Carole Lankford** suggested that they reach out to the IRB to find out if approval is required. Brenda spoke to Stacey Sherwin at SKC and was instructed to present it to the tribal council first. **No action taken.** Council directed that the request be presented to the Salish Kootenai College IRB prior to any council action.

Mark Couture, Tribal Lands Department, met with council to provide orientation on the Lands Department.

Anita Matt left the meeting to testify to the USDA Consultation.

Ellie Bundy McLeod returned to the meeting.

Mark Couture, Tribal Lands Department, continued the presentation to provide orientation on the Lands Department.

Heather Cahoon, University of Montana, provided an overview of the American Indian Governance & Policy Institute, a Native-led research entity and think tank located at the University of Montana. The current project is Tribal Public Policy Needs Assessment for the purpose to assess existing research and data collection needs of tribal governments as they relate to the development of tribal-level policies to address the social determinants of health in their communities. The feedback thus far is meth use (Fort Peck); child abuse, elder abuse, and other social issues (Fort Peck); educational attainment and related issues (Fort Peck); labor force trends and conditions (Fort Peck); factors driving unemployment and economic conditions (CSKT); housing “best practices” (CSKT & possibly Little Shell); suicide (Fort Belknap); sexual assault (Fort Belknap); and culture as prevention (Little Shell). These findings will help establish the AIGPI’s research agenda for the next decades.

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

Anita Matt returned to the meeting.

Dan Lozar, Natural Resources Department; **Tom Carlson**, USGS; and **Jackie Monge**, **Andre Sampier**, and **Michael Shillen**, NV5; and **Cindy Thatcher**, 3DEP Representative; discussed a project and gave a presentation on the USGS 3D Elevation Program and what access the lidar vendor may need to tribal lands. Lidar is light detection and ranging. It is collected by high-altitude aircraft. An onboard sensor records reflections of a pulsed laser beam as billions of individual points. Point cloud represents a 3D model of the earth surface. Lidar products include Lidar point cloud and digitation of elevation model. They showed council some slides of lidar applications. Lidar benefits include supports a broad range of applications and decisions that depend on elevation data; flood risk management; infrastructure and construction management; natural resource conservation; agriculture and precision farming; water supply and quality; wildlife management, planning and response; geologic mapping; forest, river and stream management; aviation safety; and archeological studies. They provided the project overview and deliverable examples, discussed the importance of ground control, the approach to control operations, the project schedule, and requested permission for ground access as soon as it can be arranged. Time is of the essence for the best data integrity. Anita Matt advised that there is a process for them to go through to get access to tribal lands, and she referred them to Dan Lozar for assistance with the process to get permission for the permitting.

Dan Lozar, Natural Resources Department; **Jacquelyn Smith**, **Scott Johnston**, **Miki Lloyd**, and **Stephanie Brannenburg**, Montana Department of Transportation, requested to meet with council in **executive session**. **Rob McDonald**, Communications; and **Tom Johnson**, Tribal Services; were present for discussion.

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

Rick Eneas, Financial Management; and **Renee Joachim**, Personnel Department; requested to meet with council in **executive session** to discuss personnel matters.

Rick Eneas, Financial Management, requested to meet with council in **executive session** to discuss personnel/departmental matters.

Council reconvened into **regular session**.

MOTION by Ellie Bundy McLeod to adjourn the meeting.

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Council **adjourned** at 4:46 p.m., and is scheduled to meet again on Tuesday, March 16, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary