

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

Volume 21 Number 60
Zoom Meeting

Held: May 6, 2021
Approved: May 11, 2021

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

MEMBERS ABSENT: Anita Matt, Vice-Chairwoman (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 Ellie Bundy McLeod.

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

MOTION by Ellie Bundy McLeod to approve the Tribal Council Meeting Minutes for May 4, 2021, with corrections. Seconded by Charmel Gillin. Carried, unanimous (9 present).

The **agenda** was presented for approval.

MOTION by Martin Charlo to approve the agenda, with changes. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Corky Sias, Department of Human Resources Development, informed council that he needs to respond to the Montana Department of Transportation for a mandatory meeting on May 19 for new training on the new reporting system that will start on July 1. Corky needs approval to attend the meeting in Kalispell.

MOTION by Martin Charlo to approve the travel request. Seconded by Bing Matt. Carried, unanimous (9 present).

Corky Sias, Department of Human Resources Development, informed council that there is a wheelchair training for the drivers in Kalispell June 7-9. He asked

Tribal Council Meeting Minutes
May 6, 2021

if the travel request requires council action. **Chairwoman Fyant** mentioned the email she sent to Corky informing him that very soon the travel requests will be approved by department heads and there will be more information going to the department heads once it is approved.

Martin Charlo discussed the proposed tribal holidays for the July holidays coming up. Martin will follow up with the Personnel Department and report back.

Ellie Bundy McLeod gave a report on her travel. Ellie spoke in Helena for a MMIW awareness event at the capitol. Governor Gianforte and Senator Tester spoke, and Senator Daines had a written statement. The Hanna Harris family was there and spoke. Then last night she spoke at the University of Montana in Missoula for Project Beacon, which is a MMIW event they hosted. There were family members there too. There were about 100 people that attended the event in Helena and 200 in Missoula. Ellie spoke about the Tribal Community Response Plan.

Chairwoman Fyant reported that she served on the Native News Online panel with Chairman David Sickey of the Coushatta Tribe of Louisiana, who executively produced the "Somebody's Daughter" documentary and a new film called "Say Her Name" that focuses on what is described as an epicenter of the MMIWG tragedy, Bighorn County in Montana. Mary Kathryn Nagle, a partner at Pipestem Law and enrolled citizen of the Cherokee Nation of Oklahoma also served on this panel. Shelly spoke about the CSKT MMIP Work Group, our Tribal Community Response Plan and the House of the Moon empowerment and self-defense curriculum that CSKT has been involved in as part of a pilot project. Dana Hewankorn and Myrna DuMontier recently graduated as 2 of 7 Founding Facilitators in this curriculum.

Chairwoman Fyant asked Jen about tomorrow's event for a small gathering at the Bison Range. There will be a larger event for the public at a later date, but because of COVID they were trying to keep the event small. **Jennifer Trahan** said she still needs a response from Len and Anita. **Len TwoTeeth** advised that he would respond by this afternoon.

Rick Eneas, Financial Management, presented the revised tribal government organizational chart. **Carole Lankford** would like a presentation on the changes so the public is aware of those. Rick advised that Rob McDonald has a press release prepared once this is approved and there will be an article in next week's Char-Koosta News. **Martin Charlo** has a virtual district meeting next week at 6:30 p.m., and he will send out information. He invited Carole to be his co-host.

MOTION by Martin Charlo to approve the new organizational chart. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Rick Eneas, Financial Management, presented the position description for the Tribal Executive Officer position.

MOTION by Martin Charlo to approve the position description for the Tribal Executive Officer position. Seconded by Ellie Bundy McLeod. Carried, unanimous (9 present).

Rick Eneas, Financial Management, presented the policy for contract final signature authority. It streamlines the process. **Carole Lankford** asked about hiring department heads. Rick told her that it was tied directly to the organizational chart; it is the direct lines of authority within the organizational chart that would make those hiring decisions. **Mike Dolson** made some grammatical corrections to the document.

MOTION by Charmel Gillin to approve the policy for contract final signature authority. Seconded by Fred Matt. Carried, unanimous (9 present).

Rick Eneas, Financial Management, informed council that they need to appoint the staff into the Tribal Executive Officer position. **Charmel Gillin** informed the Facebook Live audience that the Personnel Ordinance addresses how positions can be filled during a reorganization.

MOTION by Charmel Gillin to authorize the chairwoman to prepare the action form to officially place Rick Eneas into the Tribal Executive Officer position. Seconded by Martin Charlo. Carried, unanimous (9 present).

Chairwoman Fyant announced that the council met with the affected staff yesterday and information will be coming out in the Char-Koosta News, as well.

Ruth Swaney, Financial Management, requested approval of a letter providing tribal comments on the fiscal year 2023 U.S. Department of Health and Human Services annual tribal budget consultation. The comments are due by May 7, 2021.

MOTION by Charmel Gillin to approve the letter, as presented, providing tribal comments on the fiscal year 2023 U.S. Department of Health and Human Services annual tribal budget consultation. Seconded by Mike Dolson. Carried, unanimous (9 present).

Marissa Basler, Salish Kootenai College, gave an update on the RADx-UP Protecting Our Community project on COVID-19 testing. They are in the process of recruiting participants for the research. Participants will complete two phone or zoom surveys and be paid for participating.

Tribal Council Meeting Minutes
May 6, 2021

Johnathan Owens, Tribal Health Department, requested approval of a consultant contract with Dana Grant in the amount of \$20,700.00 for supplemental services for mental health and collect data for the Reason to Live Native Program. The contract will be effective through May 31, 2021.

MOTION by Carole Lankford to approve a consultant contract with Dana Grant in the amount of \$20,700.00 for supplemental services for mental health and collect data for the Reason to Live Native Program, to be effective through May 31, 2021. Seconded by Charmel Gillin. Carried, 8 for; 1 abstention (Mike Dolson – don't know how much grant funding we are pursuing).

Charmel Gillin suggested that Johnathan look at the contract check list to review the boxes that are checked yes or no. It is the backup for grant documents and will indicate whether it is for a contractor or an employee. **Johnathan Owens** stated that he would have Jenny Fowler email the grant information to the council members. **Carole Lankford** asked about a meeting space for AA meetings. **Johnathan Owens** responded that Tribal Health is working on instituting a policy regarding those who are in high-risk environments for people needing meetings. He is looking to host people internally at the Tribal Health Department that need in-person counseling or interactions, and Dr. Corum is working on that policy.

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

Charmel Gillin left the meeting to go to an appointment.

Jingjing Sun, Amy Violante, Lindsey Nichols, and Niki Graham, University of Montana, discussed a manuscript for the Child Development Journal. Jingjing reviewed the Building a Space to Dream: Indigenous Children's Survivance through Community-Engaged SEL. It is anti-racism and anti-colonialism in co-creation of the program to building a space to dream, acknowledging colonization as Endemic to Society, reclaiming and celebrating indigenous identity, navigation of the sacred, and survivance as a path to wellness. Supporting children's survivance through the SEL program included wellness as collective success, expansion of positive self-concept, reciprocity as giving back to oneself, others, and nature, and multiple strategies in fighting injustice.

MOTION by Carole Lankford to approve submission of the manuscript to the Child Development Journal. Seconded by Bing Matt. Carried, unanimous (8 present – Charmel Gillin out of the room).

Brenda Richey, Extension Agent; **Dr. David Myers**, Site Director; and **Ginger Pitts-Lang**, SNAP Educator; gave a report for the Montana State University Flathead Reservation Extension Office. The office is funded by seven grants. **Dr. Myers** gave an overview of the 4-H Children, Youth & Families At Risk research

Tribal Council Meeting Minutes
May 6, 2021

grant that focuses on understanding how youth can impact mental health awareness, stigma, and suicide reduction. The goal was to get five students from each school, and they ended up with a total of 18 members from the Ronan and St. Ignatius High Schools. The meetings are held during the lunch break. An initial community survey concerning mental health awareness was conducted. In-school clubs were formed to focus on leadership development, increasing mental health knowledge, learning how to talk about the impacts of mental health and promote positive mental and physical health choices within their schools and local communities. The group would like to offer an outreach reading series for children in the summer. A leadership camp is being planned for this summer. **Ginger Pitts-Lang** gave an overview of the Supplemental Nutrition Assistance Program. In the 2020 grant cycle, \$57,883 in SNAP-ED program support was provided to the Flathead Reservation which includes one staff member at 40 hours per week, educational supplies, including food samples and other educational materials for program participants, and travel expense to get to and from community organizations through the Flathead Reservation. Ginger taught 263 classes with an average of six classes per week. Ginger taught classes on behavior change from Your Youth Understanding MyPlate series. They completed policy, systems, and environment work at various sites. **Brenda Richey** gave an overview of the 4-H National Mentoring Program. Claudia Hewston is the Site Director, and she works with adult and teen mentors with K-4 youth on a weekly basis to promote social, emotional, and academic support to younger students while developing and supporting leadership and a sense of community responsibility and generosity in older students and adults. Brenda gave an overview of the Federally Recognized Tribal Extension Program. She gave an overview of the Ag, Family Consumer Science, Youth Development, and Community Development. The Ag segment included the Western Meat School, plant disease samples processed, pesticide applicator training, National Ag Virtual Conference, quarterly producer packets, gardening 101, GITUMI – raised beds, native waters arid lands (weekly), and SARE grant – value added food products. The Youth Development segment included youth aware of mental health, ag in the classroom, poultry chicken startup, virtual National 4-H Conference, trauma informed/restorative justice OPI program, 4-H apiary entrepreneurship, and CSKT PIR Day on mental health and your classroom. The Family Consumer Science segment included GITUMI food preservation, mental health first aid, certification, national FCS virtual conference, freeze drying class, youth aware of mental health grant, indigenous foods/pathways of health, and vegetarian cooking classes. The Community Development portion included gracious space certified, community-based leadership, and cross collaboration meetings. The 2020 funding helped provide for rapid COVID-19 response. They had 4-H science on the go bags in partnership with the Boys & Girls Club. They had mask material, and Grow It Till U Make It action plan which is a food sovereignty campaign. Brenda hopes to continue the garden boxes and education this summer. She gave an overview of the well-connected communities initiative wave 2 food sovereignty grant. The Community Gardener position is

Tribal Council Meeting Minutes
May 6, 2021

vacant. Brenda would like to have a relationship with the Hot Springs School, but she has not received any response to her emails. There is money, time, and staff to hold a three-day camp for each site.

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

Bryon Miller, S&K Gaming Chief Executive Officer; **Troy Felsman**, **Pete White**, **Carole Holyan**, and **Francine Dupuis**, S&K Gaming Board of Directors; **Dan Decker**, Legal Department; requested approval to redesign S&K Gaming LLC into a holding company that would separate gaming from hospitality.

Council **recessed** the regular meeting at 11:45 a.m. to conduct an S&K Gaming LLC shareholder meeting.

Council **reconvened** into the regular meeting at 12:04 p.m.

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

Charmel Gillin returned to the meeting.

Johnathan Loevner, New Forests, Inc.; **Dawn Houle**, Sunsinger Consulting; **Velda Shelby**, Economic Development Office; **Rick Eneas**, Tribal Executive Officer; **Tony Incashola, Jr.**, **Steve McDonald**, and **Jim Durglo**, Tribal Forestry; and **Chelsea Colwyn**, Legal Department; discussed the proposal for carbon offset. Carbon offset credits represent a commitment by the landowner to maintain a specified level of timber inventory. Each eligible ton of carbon stored by the landowner equals one credit, which polluters can purchase to “offset” their emissions. Johnathan gave an overview of the California carbon market. It is the only program in the United States that was created by law. It was created in 2006 and it was extended through 2030 by a super majority vote in the California legislature. The polluters in California have to pay for their pollution. The carbon project development process takes 18 to 24 months. After the project area is agreed to with CSKT, it will be listed with the registry, a detailed forest inventory will be collected, and modeling performed. That takes six to twelve months. The project is verified by a third party. The project is reviewed by Offset Project Registry and California Air Resources Board. The first offset credits would then be issued and sold by New Forests on behalf of the CSKT. New Forests believes a carbon project on CSKT forestlands could produce between 5M and 20M carbon offset credits. The initial net payment based on estimated credits could range between \$80M and \$300M during the term of the agreement with New Forests. After the initial payment, CSKT has the option to pursue additional credits each year from annual forest growth, resulting in an estimated \$1M - \$5M each year in additional revenue. There is a potential for some permanent jobs to be created for inventory, GIS, and documentation; and the creation of some seasonal jobs to focus on data collection. The Tribes would still

Tribal Council Meeting Minutes
May 6, 2021

be allowed to harvest timber up to the annual allowable cut level in conjunction with the project. The obligations of the CSKT would be: (1) Continue to follow the Forest Management Plan. A carbon project does not prohibit access and timber harvest and traditional uses continue as usual. (2) Continue Forest Management Plan 100-year commitment to maintain a defined volume of timber in the forest. CSKT retains the option and ability to harvest the annual allowable cut, sell more offsets, or both. (3) Assume project maintenance 5 years after credits are issued. Desktop reporting each year would be required; site verification required every 6 years; and forest inventory required every 6-12 years. Obligations of New Forest would be: (1) Covers all project costs for 5 years after credits are issued. Costs include cruise design, inventory, field crews, modeling, verifications, and registration. (2) Manage all aspects of the project with in-house team of foresters specialized in tribal carbon offset projects and carbon offset sales. (3) Align the project to meet the CSKT priorities and objectives. New Forests only gets paid if CSKT gets paid. CSKT collects the vast majority of revenue beginning with the first sale, and New Forests is incentivized to achieve the highest revenue possible for the Tribes. (4) New Forests works with CSKT to ensure a smooth hand-off approach of the project after the agreement expires. New Forests has significant experience in working with a number of tribes. Velda requested direction to proceed with exploring this opportunity with the necessary technical staff.

MOTION by Fred Matt to have a team of Forestry, Legal and Economic Development to assess a partnership with New Forests and possible program development. Seconded by Bing Matt. Carried, 7 for; 1 opposed (Carole Lankford); 1 abstention (Charmel Gillin).

Chairwoman Fyant discussed the strategic planning meeting in Helena next Thursday, so there will be no council meeting that day. She asked if council would be available for a meeting on Wednesday, May 12, 2021, to conduct board interviews in the morning. Some of the council members had other meetings or plans for Wednesday already, so there were not enough council members to have a quorum. The interviews will be scheduled on a regular council meeting day.

Martin Charlo discussed upcoming holidays. **Carole Lankford** thought the ordinance indicates that the Personnel Director would make the request. Martin said this was a recommendation from the department head.

MOTION by Martin Charlo to designate the tribal floating holidays on July 6, 2021 and July 19, 2021. Seconded by Fred Matt. Carried, 8 for; 1 abstention (Charmel Gillin).

Council met in **executive session**. **Rick Eneas**, Tribal Executive Officer, joined the discussion.

Tribal Council Meeting Minutes
May 6, 2021

Council reconvened into **regular session**.

MOTION by Carole Lankford to adjourn the meeting. Seconded by Martin Charlo. Carried, unanimous (9 present).

Council **adjourned** at 2:33 p.m., and is scheduled to meet again on Tuesday, May 11, 2021, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Ellie Bundy McLeod
Tribal Council Secretary