



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL



Special Session June 22nd, 2023 Resolution Index

Condensed by, Kelli Tonasket, Executive Office Assistant

Present: Jarred-Michel Erickson, Cindy Marchand, Karen Condon, Norma Sanchez, Dustin Best, Shar Zacherle, Roger Finley, Alison Boyd-Ball, Joseph Somday, Cody Peone, Andrew Joseph Jr., Tyler Zacherle-Boyd, Mel Tonasket

Delegation/Leave:

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<i>2023-457.nrc.fish 10-Signature</i>	To accept Amendment #1, in the amount of \$97,000.00 increasing WDFW contract #21-18219, Resolution 2021-588, account 725721. Additional funding to the contract will need to be spent by June 30, 2023. No additional dollars required. No Indirect. Chairman or designee authorized to sign all documents pertaining to this contract.	10 FOR (JS, AB, JME, CM, KC, AJ, SZ, NS, CP, TZB) 0 AGAINST 0 ABSTAINED Rationale: Timelines and funding to be spent by June 30, 2023.
<i>2023-458.m&b.hhs 10-Signature</i>	To accept CHC Health Program I.H.S. 638 AFA Contract# 248-96-0001 amendment #3, Recurring FY23 Pay Act & Inflation Funds, increasing the 6605 by \$70,919.28 bringing the total budget to \$4,494,367.12. Chairman or designee to sign all pertinent documents.	10 FOR (NS, AJ, MT, SZ, JS, JME, CM, CP, RF, TZB) 0 AGAINST 0 ABSTAINED Rationale: Request 10-signature due to time constraint.
<i>2023-459.m&b.hhs 10-Signature</i>	To approve the no-cost extension for the Empire Health Aging Health Coaching (896220). The no-cost extension is for \$121,935.00. Chairman or designee to sign all pertinent documents.	10 FOR (NS, AJ, MT, SZ, JS, JME, CM, CP, RF, TZB) 0 AGAINST 0 ABSTAINED Rationale: Request 10-signature due to time constraint.
<i>2023-460.cdc 10-Signature</i>	To accept and approve grant funding from Washington State University Extension Office, for the amount of \$47,117.00 for digital equity plan work being completed by Bigfoot Communications, LLC.	10 FOR (AB, MT, AJ, NS, KC, CM, JME, JS, RF, SZ) 0 AGAINST 0 ABSTAINED

	Chairman or Designee to sign all related documents.	Rationale: Timelines.
2023-461.m&b.hhs 10-Signature	To amend Resolution 2023-424 to approve retention stipends to Behavioral Health Staff up to \$5,000.00 to each employee that follows under HCA K4131-Amendment 15 criteria. The employee must sign a 1-year contract with the Colville Tribal Behavioral Health/San Poil Treatment Center to receive the incentive.	12 FOR (NS, AB, AJ, TZB, JME, CM, JS, MT, RF, DB, SZ, CP) 0 AGAINST 0 ABSTAINED
2023-462.m&b.hhs	To accept budget modification #1 to Washington State DOH Contract TRB27699 to increase contract amount by \$6,150.00 for the WIC program. Chairman or designee to sign all required documents.	Rationale: Timelines. 12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-463.m&b.e&e	To enter a collaborative agreement with Grand Canyon University that benefits Colville Tribal Students, Employees, and Spouses with discounted tuition rates, extended credit hours per term, and quarterly local outreach.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-464.m&b.e&e	To accept award funding modifications and allocate the dollars to Student Grant Awards for Colville Students enrolled in post-secondary institutions.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-465.m&b.e&e	To approve Higher Education Budget Modification to accept donation funds from Susan Aigner and award to tribal students enrolled in post-secondary education programs following Colville Tribe Education Assistance Program guidelines.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-466.m&b.e&e	To approve the budget modification for the Library Resource Center to account for received donations and increased utility costs.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-467.m&b.e&e	To accept Amendment No. 7 increasing award amount by \$189,179.00 for a total award amount of \$4,696,679.80. Chairman or designee to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-468.m&b.e&e	To approve the Office of Head Start FY 2022 Budget Modification in the amount of \$1,117,208.00. No additional funding required. Tribal Chairman or designee to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-469.m&b.e&e	To approve the Office of Head Start FY 2022 Budget Carryover in the amount of \$933,491.39 from FY 2022 to FY 2023 in order to supplement Omak Facility Construction	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT)

	and/or Playground. No additional funding required. Tribal Chairman or designee to sign all pertinent documents.	0 AGAINST 0 ABSTAINED
2023-470.m&b.e&e	To accept second 1/2 of Office of Head Start FY 2023 annual non-competing continuation grant funding, NOA 90CI010123-02-01, in the amount of \$1,466,412.00 with a 10.53% Non-Federal Match of \$345,195.00. The Tribal Chairman or designee to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-471.m&b	To purchase Varonis for 1-year through ITSavvy for the protection of critical data. The total cost is \$108,000.00. Chairman or designee has authority to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-472.m&b	To approve the attached franchise agreement between Confederated Tribes of the Colville Reservation and Okanogan County Public Works. Cost is \$750.00 and 20-year term. Fiber optic lines in the following roads: #3771 N. End Omak Lake Rd. #3174 Fairgrounds Access Rd. #3175 Rodeo Trail Rd. #3179 Apple Way Rd. #3525 Elmer City Access Rd. #9309 Cameron Lake Rd. #3535 Peter Dan Rd. Chair or designee to sign all relevant documentation.	11 FOR (CM, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 1 AGAINST (KC) 0 ABSTAINED
2023-473.m&b	To approve the attached General Agreement for Joint Use of Wood Poles between Confederated Tribes of the Colville Reservation and the Town of Coulee Dam. Use is for aerial fiber project in the Coulee Dam area for NTIA award. Chair or designee to sign all relevant documentation.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-474.m&b	To approve the attached franchise agreement between the Confederated Tribes of the Colville Reservation and Ferry County Public Works. Franchise agreement to include all Ferry County roads within the boundaries of the Colville Reservation to install, maintain and operate communication/fiber optic cable and equipment under and upon county roads. Chair or designee to sign all relevant documentation.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-475.m&b	To approve the attached addendum to Interlocal Agreement (ILA) between the Confederated Tribes of the Colville Reservation and Northwest Open Access Networks (NoaNet). Chair or designee to sign all relevant documentation.	11 FOR (CM, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB, MT) 1 AGAINST (DB) 0 ABSTAINED
2023-476.m&b	To approve the attached Pole License Agreement for Wireline Attachments between the Confederated Tribes of the Colville Reservation and Avista Corporation d/b/a Avista Utilities. Agreement is for broadband infrastructure	11 FOR (CM, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 1 AGAINST (KC)

	<p>deployment joint use of utility poles for aerial fiber into the community of Inchelium, Washington.</p> <p>Solely as to Avista Corporation d/b/a Avista Utilities, and solely as it relates to this Agreement, the Confederated Tribes of the Colville Reservation (the "Tribes") hereby agrees to a limited waiver of its sovereign immunity from suit for the sole and limited purpose of enforcement of the terms of the Agreement, provided, however, that: (1) the waiver extends to the recovery of actual damages and reasonable attorney fees in the event that Avista Corporation d/b/a Avista Utilities prevails in such an action, but does not extend to, nor allow, any award of punitive, exemplary, or similar damages against the Tribes; and (2) this waiver is expressly limited to the Agreement and does not represent a blanket waiver of the Tribes' "sovereign immunity."</p> <p>Chair or designee to sign all relevant documentation.</p>	<p>0 ABSTAINED</p>
2023-477.m&b.lhs	<p>To accept the payment of \$24,999.00 from Health Care Authority Block Grant K4131. Total Compensation is increased by \$24,999.00 from \$1,681,432.14 to \$1,706,431.14. Funds added through this Amendment are to be used for Schedule 1-A, Scope of Work for Behavioral Health Services, and are available for the period of February 1, 2023 through September 29, 2023.</p>	<p>11 FOR (CM, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB, MT)</p> <p>1 AGAINST (DB)</p> <p>0 ABSTAINED</p>
2023-478.cdc	<p>The Nuisance Property Working Group that Public Works, Colville Tribal Police, Planning, TOSHA, Environmental Trust and other Tribal Programs as needed, pursuant to Tribal Codes 3-7 Civil Infractions and 4-13 Solid Waste have the authority to clean-up nuisance properties that may become subject to tax sales and plane liens on those properties within the boundaries of the Colville Indian Reservation.</p>	<p>10 FOR (CM, KC, NS, DB, RF, JS, CP, AJ, TZB, MT)</p> <p>0 AGAINST</p> <p>2 ABSTAINED (SZ, AB)</p>
2023-479.cdc	<p>To approve the Amendment and certify that the Colville Indian Housing Authority held a Virtual Meeting on Tuesday, June 20, 2023 with the public consistent with the requirements set out in 24 CFR 1003.604(a) and as waived or modified by HUD PIH Notice 2021-14 for the purposes of discussing the Amendment; that during the course of such virtual meeting the Colville Indian Housing Authority considered any comments and views expressed by residents and, to the extent it deemed appropriate, modified the Amendment accordingly; and the Colville Indian Housing Authority made the Amendment available to the Colville Indian Housing Authority residents.</p>	<p>12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2023-480.tg	<p>In the membership case of JORDAN ROBERT LEZARD JR. and;</p> <p>WHEREAS, said recommendation is to grant membership in the Colville Confederated Tribes, by Adoption.</p>	<p>12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	That we, the Colville Business Council, conclude that JORDAN ROBERT LEZARD JR. meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	
2023-481.tg	In the membership case of JOURNEE SUNSET KEMP. and; WHEREAS, said recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that JOURNEE SUNSET KEMP meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-482.tg	In the membership case of JASON ORLANDO KEMP, III. and; WHEREAS, said recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that JASON ORLANDO KEMP, III meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
TABLED 2023-483.nrc	To accept and approve Timm Brothers Inc Farm/Pasture BID on Colville Tribal Tract 101-T1196. 101-T1197, 101-T5792, 101-T5587, 101-T4180(por), 101-T1060. The property is described as: 101-T1196- The SW of Section 29, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less. 101-T1197- The SE1/4 of Section 29, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less. 101-T5587: The ESE1/4, E1/2SW, of Section 20, S1/2NW, W1/2NE of Section 29, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 295.95 acres, more or less. 101-T4180 (por) The SE1/4 of Section 29, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less. 101-T1060- The North-Half Southwest-Quarter And The North-Half South-Half Southwest-Quarter Of Section 1, Township 30 North, Range 27 East, Willamette Meridian, Okanogan County, Washington, containing 295.95 acres, more or less. 101-T5792- The E NE1/4; Lot 2=NE1/4 NW1/4 of Section 29, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, Containing 107.75 acres, more or less. Containing 1000.00 Acres, More Or Less. TERM: Compensation: BOND: Lease Fee:	*TABLED VOTE* 12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED

	<p>5 years, from date of approval \$5000.00 per annum, subject to Fair Market Rental \$waived \$waived Lease subject to conditions cited in IRMP Coordinator's review Chairman or designee has authority to sign all pertinent documents.</p>	
<p>TABLED 2023-484.nrc</p>	<p>To approve BID ITEM 0-1, Timm Bros. Inc., Agriculture/ Pasture Lease No. 23-020 for 101-T4180 (por) and 101-T4180-A (por) described as: LEGAL DESCRIPTION FOR CROP CIRCLES 101-T4180-A: A 6.5 acres, more or less portion within the NE1/4NE1/4NE1/4 of Section 9, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington. 101-T4180-A & I01-T4180: A 65.00 acres, more or less portion within the S1/2SW1/4, SW1/4SW1/4SE1/4 of Section 3, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington. 101-T4180-A & I01-T4180: A 160.00 acres, more or less portion within the NE1/4NW1/4, S1/2NE1/4, N1/2N1/2NW1/4 of Section 10, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington. TOTAL ACRES FOR TRIBAL TRACTS IS: 231.50 Acres, More or Less. TERM: 10 years upon approval Compensation: \$52,100.00 per annum, subject to Fair Market Value BOND: \$52,100.00 (Equivalent to one-year rent Lease Fee: \$Waived</p> <p>Lease subject to conditions cited in IRMP Coordinator's review Chairman or designee has authority to sign all pertinent documents.</p>	<p>*TABLED VOTE* 12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED</p>
<p>TABLED 2023-485.nrc</p>	<p>Accept and approve decision to NOT renew recreational leases at Shady Cove at this time. The property is described as follows: 101-T2028: LOT 2 (NW NE) AND LOT 14 (SW NE) OF SECTION 15 AND THE EAST-HALF NORTHWEST-QUARTER OF SECTION 17, ALL IN TOWNSHIP 32 NORTH, RANGE 35 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, CONTAINING 160.99 ACRES, MORE OR LESS. Term: Until otherwise directed Compensation: N/A Insurance: N/A</p>	<p>*TABLED VOTE* 12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED</p>

	<p>Lease Fee: N/A Chairman or designee has authority to sign all pertinent documents.</p>	
2023-486.nrc	<p>To approve, accept and finalize the exchange of lands of equal value wherein the Confederated Tribes of the Colville Indian Reservation will convey their 1/1 interest within: 101-T4091(por): THE S1/2NE1/4SW1/4, NW1/4NE1/4SW1/4 SECTION 8, TOWNSHIP 30 NORTH, RANGE 31 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON. Containing 30.00 acres m/l. valued at \$40,500.00. 101-T2380(por): N1/2N1/2NE1/4NW1/4SW1/4, SW1/4SE1/4SW1/4NW1/4, S1/2N1/2NE1/4NW1/4SW1/4, S1/2NE1/4NW1/4SW1/4, SE1/4NW1/4SW1/4, SECTION 8, TOWNSHIP 30 NORTH, RANGE 31 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON. Containing 22.50 acres m/l. valued at \$30,375.00. IN EXCHANGE according to Resolution No. 2020-562, John Dick will convey his undivided interest (attached), Total value of his undivided interests is \$39,092.59. John Dick will owe the difference to Colville Confederated Tribes \$31,782.41 to make this an exchange of lands of equal value.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED</p>
2023-487.nrc	<p>To approve the attached lease for Michael H. and Joy L. Wilson, DBA Wilson Cattle Company, including 9,243 acres acquired as part of the Figlenski transfer from the Conservation Northwest. Terms are December 1, 2023 to November 30, 2028, with lease compensation established at \$15,000.00 annually for 1,000 AUMs per Resolution 2023-209.</p> <p>Purpose: Grazing Lease Terms: 5-Years Rental: \$15,000.00 per annum Insurance: Required</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED</p>
2023-488.nrc	<p>Approval to enter into a long term business lease with Colville Indian Housing Authority (CIHA) for Housing for public purposes, specifically the Wanacut Creek project that will include construction off-site infrastructure, utility connections, new residential homes development,</p>	<p>11 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, AJ, TZB, MT) 1 AGAINST (CP) 0 ABSTAINED</p>

	community and maintenance structure for management and operation of an affordable housing project for eligible families on 36 acres of trust property described as: Tribal Tract No. 101-T5653 (lease terms and conditions spelled out in the attached lease). Chairman or designee is authorized to sign pertinent documents.	
2023-489.nrc	Request the United States, Secretary of the Interior to approve to acquire 0.95 acres, more or less of land located within the exterior boundaries of the Colville Indian Reservation into to trust for the Confederated Tribes of the Colville Reservation. Pursuant to Act July 24, 1956 (70 STAT. 626), parcel number 0610460406. This property is within the reservation and described as: Lot 4 PT lot 1 & 3 block 46 of Coulee Dam, Section 36, Township 29 North, Range 30 East, Willamette Meridian Okanogan County, also known as 110 Roosevelt Ave, Coulee Dam WA 99116. The desire of this property is for parking lot for non-gaming purposes. Chairman or designee has authority to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-490.nrc	To approve the contract with Peone Logging for \$145,809.00. Work will include watershed improvements to include drainage structure installations, road reconstruction, new road construction, and road relocation away from Twentyone Mile Creek and Seventeen Mile Creek. This includes the relocation of Seventeen Mile Creek Rd. and Twentyone Mile Creek Rd. along with a new fish passage crossing on Twentyone Mile Creek. Old Stream-adjacent routes and redundant routes will be permanently decommissioned. Contract to be paid from account #461002. Chairman or designee is authorized to sign all pertinent and relevant documentation. No additional Tribal Dollars being requested.	11 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, AJ, TZB, MT) 0 AGAINST 1 ABSTAINED (CP)
2023-491.nrc	To approve the attached 2023-24 CCT šnpəšq"awšəx" (Wenatchi) Aboriginal Territories Hunting Regulations. The Chair or designee is authorized to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-492.fish	To authorize the Chairman or Designee's signature on the second amendment to the Antoine Valley Ranch Phase 2 purchase-and-sale agreement. No Tribal Dollars attached.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-493.fish	To approve a no-cost time extension of the CTCR contract with WDFW (WDFW Contract #22-0958 for \$825,000.00) to extend the end date from June 30, 2023 to June 30, 2025.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST

	Pending receipt of the amended contract from WDFW prior to June 30, 2023 and CTCR administrative review, the Chairperson or his/her designee are authorized to sign all pertinent documents.	0 ABSTAINED
2023-494.cul	To accept the attached sample letterhead and the colored logo for the Ferry County Historical Society.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-495.cul	That the Chairman sign a letter to Kathleen Drew, Chair of the Energy Facility Site Evaluation Council (EFSEC), providing the CCT THPO's comments on the revised draft cultural resources survey report for the Badger Mountain Solar Energy Project.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-496.l&j	That the attached contract for Payton Garcia to serve as a Conflict Public Defender, be approved. The Chairman or his/her designee is authorized to sign all pertinent documents.	12 FOR (CM, KC, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 0 AGAINST 0 ABSTAINED
2023-497.l&j	That the attached contract for Michael Humiston to serve as a Conflict Public Defender, be approved. The Chairman or his/her designee is authorized to sign all pertinent documents.	11 FOR (CM, NS, DB, SZ, RF, AB, JS, CP, AJ, TZB, MT) 1 AGAINST (KC) 0 ABSTAINED