



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL



Special Session August 4, 2022 Resolution Index

Condensed by, Kelli Tonasket, Executive Office Assistant

Present: Jarred-Michael Erickson, Jack Ferguson, Cindy Marchand, Karen Condon, Dustin Best, Shar Zacherle, Roger Finley, Alison Boyd-Ball, Joseph Somday, Virgil "Smoker" Marchand, Cody Peone, Andrew Joseph Jr., Tyler Zacherle-Boyd

Delegation/Leave: Norma Sanchez

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<i>2022-459.tg 10-Signature</i>	Approve the signing authority of the Colville Business Council. Line of succession as follows: Chairman Jarred-Michael Erickson, Vice-Chairman Jack Ferguson, Secretary Cindy Marchand, and Executive Committee Member Karen Condon. In the event that all of the above mentioned members are absent or unavailable, a Councilperson present on the day in question shall be authorized to sign as long as he/she agrees to assume such authority. Chairman or designee to sign all pertinent documents	10 FOR (AB, NS, TZB, AJ, DB, VSM, RF, SZ, CP, JS) 0 AGAINST 0 ABSTAINED Rationale: Needed for continuing of day to day business, i.e. Chairman Signature files, Travel Delegation, authorizing signature of Resolutions.
<i>2022-460.e&e.m&b.cdc 10- Signature</i>	Approve the FY 2022 CCT ECE/HS Tribal Budget Modification. Chairman or designee to sign all pertinent documents.	11 FOR (CP, SZ, CM, AJ, AB, TZB, KC, DB, JME, JS, NS) 0 AGAINST 0 ABSTAINED Rationale: Ordering of Bus, completion of flooring project, and ordering of supplies.
<i>2022-461.nrc 10-Signature</i>	Approve the attached contract with Ruby Canyon Environmental, which will perform GHG assessment, certification, validation, and verification services for the Colville Reservations Improved Forest Management Carbon Project in response to the 2021 Colville Reservation fires. Total contract price will be \$53,100.00. This agreement does not waive, limit, or modify the inherent sovereign immunity of the Confederated tribes of the Colville Reservation except as specifically provided in the attached Agreement. Solely for the purpose of adjudicating any dispute,	10 FOR (JS, NS, KC, SZ, CM, JME, TZB, VSM, RF, JF) 0 AGAINST 0 ABSTAINED Rationale: Timelines, Currently there are not scheduled NR committee meetings until August.

	claim, or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation, or validity thereof, the Confederated Tribes of the Colville Reservation agrees to an express limited waiver of sovereign immunity only as to the subject matter of this Agreement and only as to Ruby Canyon Environmental. This waiver does not extend to any other Agreement between the Parties or any other individuals or entities. Chairperson or designee has the authority to sign all pertinent documents.	
<i>2022-462.nrc 10-Signature</i>	Allow the CTCR F&W Department to submit the FY22 BIA TFW Supplemental funding request for the amount of \$102,752.00. The Chairman or designee is authorized to sign all pertinent documents.	10 FOR (JS, SM, JME, SZ, AB, NS, DB, JF, RF, TZB) 0 AGAINST 0 ABSTAINED Rationale: Timelines.
<i>2022-463.fish 10-Signature</i>	Authorize the Chairman to sign and submit the attached comment letter regarding BPA's BP-24 Integrated Program Review.	10 FOR (CM, NS, JME, CP, DB, AB, SZ, JS, RF, TZB) 0 AGAINST 0 ABSTAINED Rationale: Timelines Comment Period Ends Monday 07/25/2022.
<i>2022-464.m&b 10-Signature</i>	Approve the \$456,440.00 costs for Apollo Mechanical Contractors to disassemble, remove, and install a new Cooling Tower at the Lucy Covington Government Center. The funds are allocated through the Colville Confederated Tribes Government Center budget six (6). Chairman or designee to sign all pertinent documents.	10 FOR (NS, CP, JME, AJ, JS, TZB, KC, AB, CM, JF) 1 AGAINST (DB) 0 ABSTAINED Rationale: Timeline constraints.
<i>2022-465.nrc 10-Signature</i>	Support the completion of the EIS for Grizzlies in the North Cascades and Grizzly recovery in that area.	10 FOR (JS, SZ, CM, JME, NS, TZB, KC, DB, AB, RF) 0 AGAINST 0 ABSTAINED Rationale: The letter is time sensitive. (Natural Resource Committee does not happen until August 2, 2022.
<i>2022-466.fish 10-Signature</i>	Authorize the Chairman to sign and submit the attached letter regarding Colville Tribes' access to additional salmon surplus from USFWS-operated hatcheries in the Columbia River basin.	10 FOR (CM, JME, NS, AB, JF, JS, TZB, SZ, DB, CP) 0 AGAINST 0 ABSTAINED Rationale: Timelines.

2022-467.hhs	The Confederated Tribes of the Colville Reservation attest to meeting compliance with Section 6032 of the Federal Deficit Reduction Act. The Tribes have established written policies to include detailed information about the False Claims Act, including reference to the Washington State False Claims Act and policies regarding handling and protection of whistleblowers with policies and procedures for training all Health Care Component staff about the FCA and whistleblower protection provisions.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-468.hhs	<p>To adopt a HIPAA Hybrid Entity Designation. The Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and regulations at 45 C.F.R. Parts 160 and 164.105(a)(2)(iii)(D). Under HIPAA, an organization with both HIPAA-covered and non-covered functions may elect to be a hybrid entity. The Tribes as a single legal authority and a Covered Entity designates itself to be a HIPAA Hybrid Entity. Each identified Covered Health Care Component and Function must adhere to governing privacy regulations listed in the Healthcare Compliance Policy Manual. Health Care Covered Components with Covered Functions are listed below.</p> <p>COVERED COMPONENT/PROGRAM COVERED FUNCTION</p> <p>Healthcare Compliance Program All HCC staff who process or access PHI</p> <p>Office of Reservation Attorney All ORA staff who process or access PHI</p> <p>HHS Department All HHS staff who process or access PHI</p> <p>Public Safety All staff who process or access PHI</p> <p>Accounting Department All staff who process or access PHI</p> <p>CCT Business Council Business Council who process or have access to PHI</p> <p>BUSINESS ASSOCIATES COVERED COMPONENT</p> <p>Lake Roosevelt Community Health Centers Integrated Health Partners who process or have access to PHI</p> <p>Indian Health Service Integrated Health Partners who process or have access to PHI</p> <p>Contracted Vendor All vendors and Agents who process or have access to PHI</p>	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-469.m&b	Approve the PND supplement Agreement #2 which is only a revision of the scope of work. Chair or designee authorized to sign all pertinent documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-470.m&b	Approve the attached Non-Disclosure Agreement between the Confederated Tribes of the Colville Reservation and Breaking Point Solutions, LLC. NDA to cover information sharing of all broadband infrastructure that is available for mapping purposes. Chair or designee to sign all relevant documentation.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED

2022-471.m&b	Approve the purchase of three (3) Zoll Defibrillators by the EMS, Fire & Rescue program utilizing the I.H.S. 663120 funding. No Tribal dollars required. Chairman or designee authorized to sign all pertinent documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-472.m&b	Approve the purchase of five (5) Zoll Auto Pulse systems by the EMS, Fire & Rescue program utilizing the I.H.S. 663120 funding. No Tribal dollars required. Chairman or designee authorized to sign all pertinent documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-473.m&b	Approve the purchase of five (5) Stryker MTS Power Load Systems by the EMS, Fire & Rescue program utilizing the I.H.S. 663120 funding. No Tribal dollars required. Chairman or designee authorized to sign all pertinent documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-474.m&b.hhs	Approve the attached budget modification and Contract Change Order to add \$209,007.00 to Nursing Agency line item from the nursing salaries and fringe line items. This is to adequately staff this 44-bed Skilled Nursing facility to meet all State, Federal, and local regulations and guidelines. This company is providing the Convalescent Center with our RN and LPN staffing needs.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-475.m&b	Approval of Environmental Assessment (EA) for leasing and development of T-5653; 36 Acres of trust property. After completion of the EA, the determination for this project is a "Finding of No Significant Impact." CIHA will publish a NOI/RROF and prepare documentation for approval by the Tribal Chairman to obtain "Authority to Use Grant Funds" (HUD 7015.16) in accordance with Part 58.43 and 58.45 before committing or drawing down any funds. Chairman or designee is authorized to sign pertinent documents. No Tribal dollars.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-476.m&b	Approve \$131,750.00, which is half of the estimated costs for repairs and improvements of the Keller rodeo grounds. The other half of the project will be paid for out of Keller Quam Qwmp't' funds. Chairman or designee to sign all pertinent documents. Funds to be from the general fund.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-477.m&b.nrc	Approve the establishment of the Rights of Way Work Group to work collectively in the best interest of the Colville Tribes pertaining to the Rights of Way related to transmission, distribution, electricity, water/sewer, roads, and other applicable property proposed and/or located on tribal lands. The work group shall include Bureau of Indian Affairs Superintendent, Colville Tribes Executive Director, Real Estate Services, Land Titles and Records staff, Office of Reservation Attorney, Bigfoot Communications, Colville/Cedar Fund, Colville Tribes Planning Department,	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED

	Colville Tribes Environmental Trust Department, Colville Tribes Department of Transportation and Colville Tribes History & Archeology. Colville Business Council reserves the right to be involved in the work group meetings and can have the ability to provide feedback and guidance. The work group shall bring options and recommendations to the CBC regarding knowledge, trespasses, and information in Rights of Way. Chairman or designee has authority to sign all pertinent documents	
2022-478.cdc.m&b	Authorize Colville tribal staff to proceed with State of Washington Capital Budget #1 request of the Nespelem Longhouse. Chair or designee to sign all pertinent documents	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-479.cdc	Appoint Billy Nicholson to Bigfoot Communications, LLC Board of Managers to serve a 3-year term. If 3 years lapse before replacement they shall continue to serve until replacement has been selected. In the event Billy Nicholson, declines the appointment or does not clear the background, the position will remain open until filled. Chairman or designee to sign all related documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-480.cdc	Appoint Russell Elliott to Bigfoot Communications, LLC Board of Managers to serve a 3-year term. If 3 years lapse before replacement they shall continue to serve until replacement has been selected. In the event Russell Elliott, declines the appointment or does not clear the background, the position will remain open until filled. Chairman or designee to sign all related documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-481.cdc	Appoint Ernie Rasmussen to Bigfoot Communications, LLC Board of Managers to serve a 3-year term. If 3 years lapse before replacement they shall continue to serve until replacement has been selected. In the event Ernie Rasmussen, declines the appointment or does not clear the background, the position will remain open until filled. Chairman or designee to sign all related documents	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-482.cdc	Appoint Tiffany Circle to Bigfoot Communications, LLC Board of Managers to serve a 3-year term. If 3 years lapse before replacement they shall continue to serve until replacement has been selected. In the event Tiffany Circle, declines the appointment or does not clear the background, the position will remain open until filled. Chairman or designee to sign all related documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-483.cdc	Appoint Sharayah Lane to Bigfoot Communications, LLC Board of Managers to serve a 3-year term. If 3 years lapse before replacement they shall continue to serve until replacement has been selected. In the event Sharayah Lane, declines the appointment or does not clear the background, the	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED

	position will remain open until filled. Chairman or designee to sign all related documents.	
2022-484.cdc.tg	Support the joint application for the State Small Business Credit Initiative (SSBCI) U.S. Treasury with ANTI-EDC for \$2,118,696.00. The joint application is to support tribal small businesses located near reservation land through a loan guarantee program and loan participation program. Chairman or designee to sign all relevant documents.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-485.tg	Approve the attached Municipal Services Cooperation Agreement with the City of Pasco. Chairman or designee to sign all pertinent documents	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-486.tg	Accept the Colville Tribal Relinquishment request of JANE AMELIA ANN CAMPBELL. In accordance with Sec. 8-1-320, 8-1-321, 8-3-322 of Title 8- Colville Membership Code, this relinquishment is effective immediately upon full Tribal Business Council approval. Also, in accordance with Sec. 8-1-324, JANE AMELIA ANN CAMPBELL shall hereafter be prohibited from future membership with the Confederated Tribes of the Colville Reservation. She/he wishes to relinquish to the SPOKANE TRIBE	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-487.tg	Approve the amendments for Chapter 8-1, Membership, amending the code to authorize the Chief Enrollment Officer to bring blood correction cases to the Enrollment/Tribal Government Committee when there is clear and convincing evidence that a blood correction is necessary. Process utilizing CBC Procedural Rule 3(b), (e), and (g) were followed. Comments from the Omak District Meeting were submitted on June 9, 2022 and attached to this document. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	7 FOR (CM, TZB, CP, VSM, RF, JS, JF) 5 AGAINST (KC, AB, DB, SZ, AJ) 0 ABSTAINED
2022-488.tg	To adopt MICHAEL DANIEL LAZARD as applicant meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-489.tg	To adopt SERENITY LAZARD PRESCOTT as applicant meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-490.nrc	Approve Contract Change Order #1 for the Ruby Canyon Environmental Carbon Project Verification. Change order is	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB)

	requested by the contractor for an increase in number of persons (3 to 4) needed for site verification measurements. This change was requested by Natural Resources and Finite Carbon to ensure that the site visit was completed on schedule. This addition resulted in additional travel expenses that were not included in the original cost estimate. Contract Change order is for an increase of \$8,047.01 for a total contract amount of \$80,497.01. Chairperson or designee has the authority to sign all pertinent documents.	0 AGAINST 0 ABSTAINED
2022-491.fish	Approve the Letter of Support for an application submitted to the NOAA Fish Passage Grant by Trout Unlimited and the Confederated Tribes of the Colville Reservation directed to conduct a feasibility study to remove Enloe Dam. Request the Chairman of the Colville Business Council to sign the letter of support to be included in the Grant application.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-492.fish	Authorize the Chairman or designee to sign the Supplemental Environmental Project letter and all pertinent documents. No Tribal dollars associated.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-493.cul.l&j	Approve amendments for Chapter 6-6 Research Regulations, clarifying the language that the research permit requirements do not apply to media requests. It is further recommended that the Colville Business Council declare an emergency pursuant to CBC Procedural Rule 3(c) due to ongoing confusion regarding this issue. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-494.cul.m&b	Allow formation of History & Archeology, LLC to pursue more opportunities in the History & Archeology field. Chair or designee to sign all pertinent documents.	10 FOR (JF, CM, DB, SZ, RF, JS, VSM, CP, AJ, TZB) 0 AGAINST 2 ABSTAINED (AB, KC)
2022-495.l&j.m&b	Approve the following language in lieu of any previous Tribes policies and/or internal directives. Police patrol and dispatch division employees will accrue 4.3 hours when working 8-hour shifts, 5.38 hours when working 10-hour shifts, and 6.46 hours when working 12-hour shifts. These hours will be added to the employee's vacation accrual per pay period.	10 FOR (JF, CM, DB, SZ, RF, JS, VSM, CP, AJ, TZB) 0 AGAINST 2 ABSTAINED (AB, KC)
2022-496.l&j.m&b	Approve the following language in lieu of any previous Tribes policies. Employee's shall be compensated by paid overtime at the rate of one and one half times the number of overtime hours worked in excess of the employees regular scheduled work shift and/or 80-hour pay period versus work week.	9 FOR (JF, CM, SZ, RF, JS, VSM, CP, AJ, TZB) 1 AGAINST (DB) 2 ABSTAINED (AB, KC)
2022-497.l&j	Approve the attached amendments to the Colville Tribal Law and Order Code Chapter 6-20, Commercial Marijuana Production, Processing, Retail Sales amending the code to permit tribal member production, processing, and sales of	12 FOR (JF, CM, KC, DB, SZ, RF, AB, JS, VSM, CP, AJ, TZB) 0 AGAINST

	marijuana; creating the regulatory body to oversee such activities, and making non-substantive corrections as attached. Process utilizing CBC Procedural Rule 3(b), (e), and (g) were followed. Once approved, a copy will be forwarded to the Code Reviser for certification and distribution.	0 ABSTAINED
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