



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

January 17<sup>th</sup>, 2013  
Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Benny Marchand Jr., Michael O. Finley, Joseph Somday, William Nicholson II, Brian Nissen (present 9:02am), Luana Boyd-Rowley, Nancy Johnson (present 9:10am), Jim Boyd, Richard Swan Sr. and N. Lynn Palmanteer-Holder

Delegation/Absent: John E. Sirois, Andy Joseph Jr., Ernest Brooks III and Darlene Zacherle

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>2013-10.hhs</b>	To approve the Susan G. Komen grant proposal for \$13,761.00 that would provide Breast Cancer screenings, referral assistance and culturally appropriate information to the Lake Roosevelt Community Health Center patients. No tribal dollars identified. Council Chair or his designee to sign all pertinent documents.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-11.hhs</b>	To appoint Elizabeth McCartney, a Colville Tribal member, to the Washington State Council on Aging.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-12.hhs/cdc</b>	To proceed forward with plans for a new Omak Senior Meal Site. These plans include funding options, design and location. The Area Agency on Aging will work with Planning, CIHA, the Executive Director, the Senior Advisory Board, and the Community Development Committee.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-13.m&amp;b</b>	To approve to accept the 2012 USDA Rural Utilities Services Community-Oriented Connect Broadband grant award in the amount of \$1,303,794.00 with a tribal match requirement of \$235,472.00. The Confederated Tribes of the Colville Indian Reservation will use the Rural Utilities Service funds to provide broadband services to the rural community of Keller, Washington through an optical fiber fed wireless access network. All residences, businesses, and critical community facilities will have access to broadband services through this project. A Community Center will be provided and equipped for providing free access to computing equipment, training, and broadband services to residents for a period of at least two years. Funding will encourage economic development and offer residents better educational and health care opportunities that have not been available in this rural community. Chairman/designee Administration and ORA are authorized to sign all pertinent	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>

	documents.	
<b>2013-14.m&amp;b</b>	To amend Resolution 2012-252 Information Technology (IT) Division Organizational Chart and modify to the re-organizational chart to address current management operational needs. Chairman or designee authorized to sign all pertinent documents.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-15.m&amp;b</b>	To approve Service Line Agreement with AVISTA to service the Convenience Store/Fueling Station known as "Noisy Waters" described as:  151-H5722: West of Kettle Falls-Inchelium Hwy Thence the point of beginning from the southwest corner of Section 11 existing AVISTA power pole, Thence East 835.8 feet in length 30 feet in width more or less within Section 11, for all underground electronic conductors cable as constructed; to the point of service of the convenience/fueling store.  TERM: 25 years plus 25 years, from date of approval.  COMPENSATION: Waived  Lease subject to conditions cited in IRMP Coordinator's review, Chairman or designee has authority to sign all pertinent documents.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-16.m&amp;b</b>	To approve the Stauffer & Associates contract for FY12 audit services in an amount not to exceed \$95,000.00. Funds have been designated in the FY13 general fund budget. Chair or designee is authorized to sign all relevant documents.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-17.m&amp;b</b>	To approve the Executive Committee of Michael O. Finley, Vice-Chair, Lynn Palmanteer-Holder, Secretary, Andy Joseph Jr., and Darlene Zacherle as Investment Account Signers.	<b>8 FOR (WN, JSOMDAY, LBR, BM, BN, JB, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-18.m&amp;b</b>	To approve the attached Fuel Tax Incentive Agreement. The Chair or designee is authorized to sign all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-19.m&amp;b</b>	To send a Letter of Support for continuing the WSU Colville Reservation Federally Recognized Tribes Extension Program (FRTEP). Funds already budgeted. No new dollars requested. Chairman or designee authorized to sign letter of support and all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-20.l&amp;j/m&amp;b</b>	To approve the attached three year Reservation Attorney Contract with Patricia Davis Gibson. Funding for this agreement will allocated from the funds appropriated to the ORA Budget. Chairman or designee authorized to sign all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-21.l&amp;j/m&amp;b</b>	To approve the attached three year Reservation Attorney Contract with Sarah Works. Funding for this agreement will be allocated from the funds appropriated to the ORA Budget. Chairman or designee authorized to sign all pertinent	<b>8 FOR (WN, JSOMDAY, BM, BN, JB, NJ, RS, LPH)</b> <b>1 AGAINST (LBR)</b>

	documents.	<b>0 ABSTAINED</b>
<b>2013-22.l&amp;j/m&amp;b</b>	To approve the attached three year Reservation Attorney Contract with Andrea George. Funding for this agreement will be allocated from the funds appropriated to the ORA Budget. Chairman or designee authorized to sign all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-23.e&amp;e/m&amp;b</b>	To approve the attached 2013 Workers Compensation "Road Map of Classifications" as provided by Conover Insurance with minor changes to classification titles. Further, to implement these changes by the first payroll in February 2013. This authorizes the Chairman or designee to sign all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-24.e&amp;e/m&amp;b</b>	To approve the attached contract with Tshimikain Creek Lab LLC for certified drug testing services including collection, lab testing, reporting as per the EPM Section XIV DATP. Contractor is selected through RFP process and is an Indian-owned business. Except for General Funded programs, costs will be charged to programs for reimbursement. Amount of contract is not to exceed \$105,650.00. The Chairman or his designee is authorized to sign related documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-25.m&amp;b/e&amp;e</b>	To 1) approve the 2013 minimum wage from \$9.04 to \$9.19 effective January 1, 2013 for Work Experience clients not on payroll; and 2) to adjust the Wage to \$9.49 for all other payroll employees and Work Experience clients currently paid under the amount of \$9.19 to Range 9 of the corrected and attached Schedule of Pay for 40 Hours Work Week. Funding to support non-Payroll and payroll WEX workers will come from the Federally-funded programs, and for all others from Unemployment Tax cost savings. The Chairman or his designee is authorized to sign all related documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-26.e&amp;e</b>	To approve the MOU between Colville Tribal TANF and the Colville Tribal Attendance Program for the purpose of working in participation to maximize program services and to avoid the duplication of services with the ability to provide prevention/intervention services to eligible Native Youth and their families. Primary objective is to address truancy issues including behavioral and academic success of Native Youth located on or near the Colville Reservation attending an academic facilities, grades K-12. Chair or his designee to sign all necessary documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-27.nrc</b>	To approve 312012 Colville Hatchery O&M in the amount of \$1,394,773.00 and contracts dates are from December 1, 2012 to November 30, 2013 and authorize the Chairman or His/Her designee to sign all or any related documents. No Tribal dollars associated. Funded by BPA.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-28.nrc</b>	To delegate John Smith Sr. to the Ferry County Fair Board Association as the Colville Confederated Tribes representative. This resolution shall supersede all previous resolutions. Chairman or designee to sign all pertinent documents.	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-29.nrc</b>	To rescind Resolution No. 2012-530 dated 8/16/12 in its entirety; the grant that Tribal Energy was working in	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b>

	<p>conjunction to obtain property to lease is in the process of being returned due to the grant not meeting deliverables per letter dated November 8, 2012 (attached). The Colville Tribal Tract described as:</p> <p>101-T1535: The E1/2SW1/4, W1/2W1/2SE1/4, of Section 29, Township 31 North, Range 36 East, Willamette Meridian, Ferry County, Washington, containing 120.00 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-30.nrc</b>	<p>To approve Business Lease for Colville Tribal Energy to utilize the Office Space and Storage Area. They plan to use the property for renewable energy development. The property is described as:</p> <p>101-T5610: S1/2SE1/4SW1/4 &amp; the S1/2S1/2N1/2SE1/4SW1/4, Except that portion lying within the Great Northern Railroad Right of Way, Section 20, Township 34 North, Range 27 East, and the N1/2N1/2NE1/4NW1/4, Except the East 250 feet thereof, also except that portion lying within the Great Northern Railroad Right of Way, Section 29, Township 34 North, Range 27 East, Willamette Meridian, Okanogan County, Washington, containing 33.10 acres, more or less.</p> <p>COMPENSATION: Fair Market Value (Appraisal requested thru OST-Appraisers 06/01/2012)</p> <p>BOND: Waived</p> <p>ADMIN FEE: \$15.00</p> <p>Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-31.nrc</b>	<p>To rescind Resolution No. 2012-533 dated 08/16/12 in its entirety; the grant that Tribal Energy was working in conjunction to obtain property to lease is in the process of being returned due to the grant not meeting deliverables per letter dated November 8, 2012 (attached). The Colville Tribal Tract described as:</p> <p>101-T1539: The N1/2SW1/4SW1/4, NW1/4SE1/4SW1/4, NW1/4SW1/4, W1/2NE1/4SW1/4, Section 28, Township 31 North, Range 36 East, Willamette Meridian, Ferry County, Washington, containing 90.00 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-32.nrc</b>	<p>To approve a Home Site Lease No. 12-99 to Tony Sorimpt,</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p>

	<p>Tribal Member, for Tribal Tract No. 101-T5636 described as:</p> <p>101-T5636: Lot 14 &amp; 15, Block 14 of town site of Nespelem, as per plat thereof recorded in the Office of the Auditor of Okanogan County, Washington, containing 0.32 acres, more or less.</p> <p>Term: 1/1/13 to 12/31/2037- 25 years</p> <p>Compensation: \$250.00 per annum</p> <p>Entire term of lease will be subject to Fair Market Rental value. Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-33.nrc</b>	<p>To rescind Resolution No. 2012-531 dated 8/16/12 in its entirety; the grant that Tribal Energy was working in conjunction to obtain property to lease is in the process of being returned due to the grant not meeting deliverables per letter dated November 8, 2012 (attached). The Colville Tribal Tract described as:</p> <p>101-T1534: The W1/2SW1/4, of Section 29, and the E1/2E1/2SE1/4 of Section 30, Township 31 North, Range 36 East, Willamette Meridian, Ferry County, Washington, containing 120.00 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-34.nrc</b>	<p>To rescind Resolution No. 2012-304 dated 5/17/12 in its entirety; the grant that Tribal Energy was working in conjunction to obtain property to lease is in the process of being returned due to the grant not meeting deliverables per letter dated November 8, 2012 (attached). The Colville Tribal Tract described as:</p> <p>151-TH355-A: Lot 14, Section 29 and Lot 1 of Section 30, Township 35 North, Range 37 East, Willamette Meridian, Ferry County, Washington, containing 72.04 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-35.nrc</b>	<p>To rescind Resolution No. 2012-532 dated 8/16/12 in its entirety; the grant that Tribal Energy was working in conjunction to obtain property to lease is in the process of being returned due to the grant not meeting deliverables per letter dated November 8, 2012 (attached). The Colville Tribal Tract described as:</p> <p>101-T1538: The E1/2NW1/4SE1/4, N1/2SE1/4SE1/4,</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>

	<p>NE1/4SE1/4, NE1/4SW1/4SE1/4, Section 29, Township 31 North, Range 36 East, Willamette Meridian, Ferry County, Washington, containing 90.00 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
<b>2013-36.nrc</b>	<p>To approve a Home Site Lease No. 11-88 to Grace Moore, Tribal Member, for Tribal Tract No. 101-T88-B(por) described as:</p> <p>Lot 19, Nespelem/Mushroom corner HUD community site, as recorded March 16, 2004 on Page 31 Volume I-1 of plats, under Okanogan County Auditor's file no. 3082822, records of Okanogan County, situated within Government Lot 3 and the NE1/4SW1/4 of Section 19, Township 31 North, Range 31 East, Willamette Meridian, within the Colville Indian Reservation, Okanogan County, State of Washington, containing 0.958 acres, more or less.</p> <p>TERM: 25 years, from date of approval, with the option to renew for additional 25 years, upon good standing.</p> <p>Compensation: \$250.00 per annum, subject to Fair Market Rental</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-37.nrc</b>	<p>To approve a home site lease of Tribal Tract No. 101-T3237 (por) for Tribal Member, Vivian Iukes. This lease was previously approved for Linda DeGarmo (Van Brunt). Linda is selling her home to Vivian Iukes. Vivian would like to lease the land only for 25+25 years with approval from the Colville Business Council. Tribal Tract described as:</p> <p>101-T3237(por): The NE1/4SE1/4NW1/4, Section 16, Township 30 North, Range 25 East, Willamette Meridian, Okanogan County, Washington, containing 2.50 acres, more or less.</p> <p>Term: 1/1/2013 to 12/31/2062</p> <p>Compensation: \$250.00 per annum</p> <p>Admin Fee: \$15.00</p> <p>Entire term of lease will be subject to Fair Market Rental value. Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-38.nrc</b>	<p>To renew for a 25 year term, per Mr. Marcellay request on July 16, 2012 (attached). Mr. Marcellay is in good standing with BIA Leasing. Mr. Marcellay has leased the land since 2004 and built his home on the Tribal Tract per Resolutions 2005-311 &amp; 2004-111.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>



	<p>Lease will begin January 1, 2013 and end December 31, 2038, terms will be \$250.00 per annum.</p> <p>Bond: \$250.00</p> <p>Admin Fee: \$15.00</p> <p>Subject to Fair Market Rental Value Appraisal. Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	
<b>2013-39.nrc</b>	<p>To approve a home site lease of Tribal Tract No. 101-T5660 (por). This lease will be for 5 years with approval from Colville Business Council. Tribal Tract described as:</p> <p>101-T5660(por): Lot 3 within those portion of Government Lot 2 (FR, NWNE) and the NE1/4NW1/4 of Section 10, Township 29 North, Range 31 East, Willamette Meridian, Okanogan County, Washington, described as follows: Commencing at the NW corner of said Section 10, thence in an easterly direction along the northerly boundary line of said Section 10, a distance of 2413.0 feet to a point "C", which is the northwesterly corner of said tract, thence continuing in a easterly direction along the northerly boundary line of said Section 10, a distance of 348.0 feet to an intersection with the shore line of McGinnis Lake, which intersection is hereby designated point "D", and the true point of beginning, thence run westerly along the northerly boundary of said Section 10, a distance of 348.0 feet to point "C", thence running S.00°05'W., a distance of 373.0 feet, thence S.89°55' E., a distance of 268.0 feet to an intersection with the shore line of McGinnis Lake to an intersection with the northerly boundary of this tract, which is point "D" and the true point of beginning, containing 2.60 acres, more or less.</p> <p>Term: 11/1/11 to 10/31/2016-5 years</p> <p>Compensation: \$125.00 per month</p> <p>Entire term of lease will be subject to Fair Market Rental value. Chairman or designee has authority to sign all pertinent documents.</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-40.nrc</b>	<p>To approve the Non-Member Fair Market Rate (FMR) for Range Units as \$10.00/Animal Unit Month (AUM) and to set the grazing fees for 2013 through 2017 as follows: Allotted Land within Range Units for Non-Members is set at \$10.00/AUM. Tribal Land within Range Units for Non-Members is set at \$10.00/AUM, per Resolution 1992-067.</p>	<p><b>8 FOR (WN, JSOMDAY, LBR, BN, JB, NJ, RS, LPH)</b></p> <p><b>1 AGAINST (BM)</b></p> <p><b>0 ABSTAINED</b></p>
<b>2013-41.nrc</b>	<p>To support the Land Operations 2013 Invasive Species Funding Proposal Request of \$107,960.00 to fund noxious weed treatments on the Colville Reservation for the Bureau</p>	<p><b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b></p> <p><b>0 AGAINST</b></p>

	of Indian Affairs (BIA) competitive invasive species funding.	<b>0 ABSTAINED</b>
<b>2013-42.nrc</b>	To approve the Chairperson or designee to sign as authorized certifying official on the EPA Annual Assistance Certification and assurance package referred to as a "Bundling Packet."	<b>9 FOR (WN, JSOMDAY, LBR, BM, BN, JB, NJ, RS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>