

COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL

Resolution Index

Condensed by, Ciciley M. Yellowwolf, CBC Recording Secretary

Regular Session on October 9, 2008

Council Members Present: Ernie Williams Karen Condon Michael Finley
 Jeanne Jerred Andy Joseph Jr. Gene Joseph
 Deb Louie Carleen Anderson Susie Allen
 Cherie Moomaw Harvey Moses Jr. Juanita Warren
 Virgil Seymour

Delegation/Absent: John Stensgar

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10 signature 2008-671.nat	It is the recommendation of the Natural Resources Committee to approve emergency resolution to submit the Tribes application for a FY 2007-2008 competitive EPA wetland grant for \$47,971.	10 FOR (GJ,AJ,LA,TB,JJ,VS,DS,MM,TF,GD) 0 AGAINST 0 ABSTAIN
10 signature 2008-672.h&h	It is the recommendation of the Human Services Committee to approve FY2009 grant proposal: Narrative and proposed budget for the Low Income Home Energy Assistance Program and to authorize the Chairperson or her designee to sign the proposal.	10 FOR (CA,EW,JS,HM,JJ,MF,DL,VS,SA,GJ) 0 AGAINST 0 ABSTAIN
10 signature 2008-673.nat	It is the recommendation of the Natural Resources Committee to approve the BAER Rehabilitation Plan for Columbia River Road Fire.	10 FOR (MF,DL,HM,JS,VS,EW,JJ,SA,GJ,CM) 0 AGAINST ABSTAIN
10 signature 2008-674.nat	It is the recommendation of the Natural Resources Committee to approve the BAER Stabilization Plan for the Columbia River Road Fire.	10 FOR (MF,DL,HM,EW,VS,JS,JJ,SA,GJ,CM) 0 AGAINST 0 ABSTAIN
10 signature 2008-708.cdc	It is the recommendation of the Community Development Committee to approve the Construction Contract for Peterson Brothers in the amount of \$33,655.00 for the Manila Creek Fire Guardrail Repairs. Funding to come from Fire Rehabilitation moneys.	11 FOR (VS,JS,SA,GJ,KC,EW,AJ,DL,JJ,MF,CA) 0 AGAINST 0 ABSTAIN
10 signature 2008-709.cdc	It is the recommendation of the Community Development Committee to approve the Construction Contract for Peterson Brothers in the amount of \$138,600.00 for the Omak Lake Guardrail Safety Repairs. Funding to come from Highway Trust Fund under BIA Roads.	11 FOR (VS,JS,SA,GJ,KC,EW,AJ,DL,JJ,MF,CA) 0 AGAINST 0 ABSTAIN
10 signature 2008-710.nat	It is the recommendation of Natural Resource Committee to approve sending a letter of support of the final draft master plan for the Iwete mlaykin State Heritage Site (dba Marr Ranch heritage site) to the Oregon Parks and Recreation Commission, and authorize the Chairman or	10 FOR (MF,DL,HM,GJ,SA,KC,JJ,CA,JW,JS) 0 AGAINST 0 ABSTAIN

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	designee to sign the letter.	
10 signature 2008-711.nat	It is the recommendation of the Natural Resources Committee to authorize the ORA to initiate a court action to file for an injunction in the federal district court, Eastern District of Washington, to prevent the U.S. Forest Service from proceeding with the public auction to dispose of federal property in the Town of Twisp, Washington.	10 FOR (MF,JJ,DL,JS,CA,GJ,KC,HM,CM,SA) 0 AGAINST 0 ABSTAIN
10 signature 2008-737.nat	It is the recommendation of the Natural Resource Committee to approve the return of \$77,840 to the Northwest Regional Office from the Manila Creek Stabilization Plan, this amount was funded in error.	12 FOR (MF,DL,CA,KC,VS,SA,EW,CM,HM,JS,AJ,JJ) 0 AGAINST 0 ABSTAIN
10 signature 2008-738.m&b	It is the recommendation of the Management and Budget Committee, finds it is necessary to continue and provide for the funding of Colville Tribal Government Operations during the current fiscal year 2009. The final budget for Fiscal Year 2009 has not been approved, the Colville Business Council hereby, approves, for a period of one month, October 01, 2008 to October 31, 2008.	11 FOR (EW,JJ,KC,JW,VS,CM,MF,DL,AJ,JS,CA) 0 AGAINST 0 ABSTAIN
10 signature 2008-739.e&e	It is the recommendation of the Education & Employment Committee to approve the Colville Tribe Head Start grant application for the 1 st year of the 3 year funding cycle in the amount of \$1,000,678.00 which consists of \$800,543.00 of federal funds and \$200,134.00 of Non-Federal Share cash match.	10 FOR (SA,AJ,EW,JS,HM,GJ,MF,CA,JJ,DL) 0 AGAINST 0 ABSTAIN
10 signature 2008-740.nat	It is the recommendation of the Natural Resource Committee to approve the final report for Elmer City Fire, and the remaining funds (\$79,982.41) from the specific BAER project be returned to the Bureau.	10 FOR (MF,KC,SA,JS,HM,JJ,CA,GJ,EW,AJ) 0 AGAINST 0 ABSTAIN
10 signature 2008-741.cdc/nat	It is the recommendation of the joint Community Development and Natural Resources Committees to approve the line extension agreement for the Inchelium EMS Station.	10 FOR (MF,GJ,SA,VS,HM,CM,AJ,EW,JW,JS) 0 AGAINST 0 ABSTAIN
10 signature 2008-742.nat	It is the recommendation of the Natural Resource Committee to amend Resolution 2008-684 which approved the proposed re-appropriation of \$1,174,485.00 in surplus funds from the final budget/report for St.Mary's Fire. It has come to the attention of the BAER Team Leader that the Manilla Creek Fire and the Columbia River Road Fires BAER Plans are going to be funded in fiscal year 2009. As such, all surplus monies amounting to \$2,596,724.73 needs to be refunded back to the BIA.	11 FOR (MF,AJ,HM,EW,CA,VS,JF,SA,CM,JW,JJ) 0 AGAINST 0 ABSTAIN
10 signature 2008-743.nat	It is the recommendation of the Natural Resource Committee to return all surplus funds (\$2,596,724.73) from the St.Mary's BAER budget back to the Bureau of Indian Affairs.	10 FOR (MF,AJ,HM,EW,CA,VS,JW,SA,CM,JJ) 0 AGAINST 0 ABSTAIN
2008-744.nat	Approve the contract award for 13 Mile HFR contract to Innes Wood Products (Shane Innes Sr.) to complete	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0

	hazardous fuels reduction treatment by precommercial thinning, pruning, hand piling old and new slash, and covering piles with paper provided by MTFC on approximately 215 acres in the 13 mile project area. Bid submitted for 215 acres at \$300.00 per acre totaling \$64,500.00 for total contract amount. Contractor is approved to perform work upon the Colville Indian Reservation by Colville Tribal TERO Department. Project is funded by "Federal" National Fire Plan Fuel Monies, no Tribal dollars needed.	ABSTAIN
2008-745.cul/l&j	To approve and accept the funding from Bonneville Power Administration for History/Archaeology to conduct Cultural Resource Compliance work as related to the National Historic Preservation Act (NHPA) in FY'09 on the Lake Roosevelt Reservoir (Grand Coulee Dam Project Area). No Tribal dollars are required. This authorized the Chairperson or designee to sign all documents related to this project.	10 FOR (EW,MF,AJ,GJ,DL,CA,SA,SM,JW,VS) 0 AGAINST 0 ABSTAIN KC Out of Room HM On Leave
2008-746.l&j	To approve the emergency hire of Arthur Verheran as the part-time Colville Tribal Lead Prosecutor, to be paid as a contract employee and authorize the ORA to enter into negotiations for a contract for Mr. Verheran's services to be approved by the Colville Business Council. Mr. Verheran's contract to terminate automatically upon the hiring of a full-time Tribal Lead Prosecutor. The Acting Lead Prosecutor, Jonnie Bray, will return to her previous position at the Tribal Prosecutor's Office at her normal salary.	10 FOR (EW,MF,AJ,GJ,DL,CA,SA,SM,JW,VS) 0 AGAINST 0 ABSTAIN KC Out of Room HM On Leave
2008-747.l&j	To approve the employment contract for Gaming Commission Director, John "B.J." Whitner, as recommended by the Colville Tribal Gaming Commission for a three year period, effective October 1, 2008 to September 30, 2011. The Gaming Commission Director has been given the authority by the Commission to administer its responsibilities on a day-to-day basis and oversee the Commission Staff. It is further recommended that the Chairperson or her designee is authorized to sign all pertinent documents for said contract.	8 FOR (MF,CM,AJ,JW,VS,SA,GJ,EW) 2 AGAINST (DL, CA) 0 ABSTAIN
2008-748.m&b/cul	To approve the CCT Museum and Gift Shop to carry over revenue not to exceed the amount of \$29,000.00 from FY 2008 to FY 2009 to cover costs associated with business expenses and inventory stock. This authorizes the Chairperson or designee to sign all documents related to this matter.	10 FOR (EW,MF,AJ,GJ,DL,CA,SA,SM,JW,VS) 0 AGAINST 0 ABSTAIN KC Out of Room HM On Leave
2008-749.com	To lease "Buttercup Lane" off Hall Creek Road, approximately 25.00 ac., M/L.; CIHA previously funded \$135,000.00 for a water main for residential use; CIHA Board members by official motion at a meeting on September 09, 2008 approved a release of a RFP to apply for a low income housing tax credit project to fund construction; a Housing Trust Fund application will also be submitted as an additional funding source. The permitting process, survey, and environmental will be initiated by CIHA. No Tribal monies are involved. The Chairman or designee has	10 FOR (EW,MF,AJ,GJ,DL,CA,SA,SM,JW,VS) 0 AGAINST 0 ABSTAIN KC Out of Room HM On Leave

	authority to sign all pertinent documents.	
2008-750.l&j/m&b	To contract with the firm of Ribail Stauffer & Associates for the 2007 Audit in the amount of \$150,000.00 to be paid from the FY '08 approved budget. No additional dollars are required. The Chair or her designee is approved to sign all pertinent documents.	9 FOR (KC,MF,AJ,GJ,CA,SA,SM,JW,VS) 1 AGAINST (DL) 0 ABSTAIN EW Out of Room
2008-751.m&b	To approve that Ideal Electric be selected to install the HVAC system at the Nespelem Community Center at the cost of \$95,750.00 and to include the cost of the extended warranty with a contract to be brought back to the committee for approval. The Chair or designee is authorized to sign all necessary documents.	6 FOR (DL,CM,AJ,GJ,KC,CA) 4 AGAINST (MF,JW,VS,SA) 0 ABSTAIN
FAILED 2008-752.m&b	To authorize the write-off of \$5,195.00 for past due rent, solid waste, and water/water waste for Mr. Guy Ray VanBrunt, an elder and disabled veteran, who occupies a trailer in the Moccasin Flat Subdivision in Omak, WA. Mr. VanBrunt has been living on a lot that has running raw sewage for a long period of time which in essence has made his home inhabitable.	4 FOR (HM,CA,DL,EW) 7 AGAINST (MF,CM,AJ,JW,VS,SA,GJ) 1 ABSTAIN (KC) MOTION FAILS
2008-753.m&b	To transfer \$5,000.00 from the General Fund to the Solid Waste Program (Nespelem Transfer Station) to handle the smoldering fire in the land fill	7 FOR (CM,MF,AJ,JW,VS,SA,KC) 5 AGAINST (GJ,DL,HM,CA,EW) 0 ABSTAIN
2008-754.m&b	To utilize the line of credit from Key Bank in the amount of \$1,500,000.00 This will be used toward the pending land purchase payments.	12 FOR (EW,KC,MF,AJ,GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-755.m&b/nat	To rescind Resolution 2005-148 and return responsibility for the administration of Chapter 4-7 Forest Practices Water Quality to the BIA Forestry Department. The current economic climate and the desire of the Colville Business Council dictate that cooperation and collaboration between the Colville Tribes, Colville Tribal Enterprise Corporation, and the Bureau of Indian Affairs is paramount and this action will encourage this partnership. This is considered an emergency situation.	11 FOR (EW,KC,MF,AJ,GJ,DL,CA,SA,CM,HM,JW) 0 AGAINST 1 ABSTAIN (VS)
2008-756.nat/l&j	To approve Jeanne Jerred, Chairman Colville Tribal Business Council be the authorized signing authority for the Colville Confederated Tribes in matters dealing with the Homeland Security Grant. To appoint Jolene Francis as the financial point of contact and Chris McCuen as program manager to administer the Homeland Security Grant	11 FOR (EW,KC,AJ,GJ,DL,CA,SA,CM,HM,JW,VS) 0 AGAINST 1 ABSTAIN (JJ)
2008-757.nat	To approve Evonne Mackey, Tribal Member, a home site lease on Tribal Tract No. 1001-T2029 described as: S1/2S/12NW1/4NE1/4, Section 10, Township 30 North, Range 30 East, Willamette Meridian, Ferry County, Washington, containing 5.0 acres more or less. Term: 25+25, beginning January 01, 2008, ending December 31, 2033, with an option to renew an	11 FOR (EW,MF,AJ,GJ,DL,CA,SA,CM,HM,JW,VS) 1 AGAINST (KC) 0 ABSTAIN

	additional 25 years. Compensation: \$250.00 per year, subject to Fair Market Rental.	
2008-758.nat	To approve to rescind Colville Tribes Resolution 2008-549 dated, July 17, 2008 to Thunder Mountain, Tribal Member, for a home site lease on Tribal Tract No. 101-T866, the former Widdifield residential property only, consisting of 2.00 acres, more or less. Realty will notify the next highest bidder, if the individual is not interested in leasing the property; Realty will advertise the property for a two-week period in and around the Colville Reservation newspapers, post offices and local businesses.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
FAILED 2008-759.nat/m&b	To retrocede the Land Titles and Records Office (LTRO) to BIA based on 1) the BIA Regional Director's letter dated September 2, 2008 assuring "that the LTRO position could be left as a field station at the Colville Agency" and "The records for LTRO would remain at the Colville Agency"; and 2) that the Tribes is not financially in a position to allocate an additional \$79,851.00 to fully fund the program at this time.	3 FOR (VS,AJ,MF) 9 AGAINST (DL,CM,JW,HM,SA,GJ,EW,KC,CA) 0 ABSTAIN MOTION FAILS
2008-760.nat	To direct our Special Outside Attorney, Short Cressman & Burgess to appeal Order Granting Defendant Teck Cominco's 12(b) (1) Motion to Dismiss. Tribal Chairperson or designee is authorized to sign all relevant documents.	11 FOR (EW,KC,MF,AJ,DL,CA,SA,CM,HM,JW,VS) 1 AGAINST (GJ) 0 ABSTAIN
2008-761.nat	To direct the ORA to expedite negotiations for MA-8 shares either through direct negotiations with shareowners or through pursuing a qualified representative of the Colville Tribes to negotiate on the Tribes' behalf.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-762.nat	To approve a new joint funding agreement with the U.S. Geological Survey (USGS) for FY09 operation, maintenance and analytical work for three Sanpoil River flow gauging stations. In the amount of \$48,180.00, it is a follow-up to FY06, FY07 and FY08 agreements for the USGS installation and O/M of the stations in support of ET water monitoring program. The USGS has needed expertise for O/M and data computation/storage on its national network and can provide future project funds. No Tribal dollars needed. Chairperson or designee is authorized to sign all pertinent documents.	9 FOR (KC,MF,AJ,GJ,DL,SA,CM,JW,VS) 3 AGAINST (EW,CA,HM) 0 ABSTAIN
2008-763.nat	To approve the attached sub-contract with Entrix in the amount of \$154,980.00 and authorize the Chairman and/or her designee to sign contract and all or any related documents. Funded by 316308 Salmon Creek Project, BPA, no Tribal dollars.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-764.nat	To approve the attached purchase of two F350 Trucks for the 313508 Hellsgate Wildlife Mitigation Project. Funded by BPA, no Tribal dollars. Not to exceed	11 FOR (EW,KC,MF,AJ,GJ,DL,SA,CM,HM,JW,VS) 1 AGAINST (CA) 0 ABSTAIN

	\$72,952.00. Authorize the Chairman or designee to sign any and all pertinent documents.	
2008-765.nat	To approve the attached 2008/2009 budget award for 3200 Lake Roosevelt Creel/Monitoring Project in the amount of \$149,755.00 and authorize the Chairman and/or her designee to sign contract and all or any related documents. Funded by Spokane Tribe/BPA, no Tribal dollars.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-766.nat	To approve the attached sub-contract with C&K General Contracting in the amount of \$45,600.00 and authorize the Chairman and/or her designee to sign contract and all or any related documents. Funded by CRWMP, no Tribal dollars.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-767.nat	To approve the attached 2008/2009 budget award for 4590 Pacific Coastal Salmon Recovery in the amount of \$240,000.00 and authorize the Chairman and/or her designee to sign contract and all or any related documents. Funded by NOAA, no Tribal dollars.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-768.nat	To approve the attached 2008-2009 budget award for the 8160 Bonaparte Acclimation Pond in the amount of \$79,547.00 and authorize the Chairman and/or designee to sign contract and all or any related documents. Funded by Chelan County PUD, no Tribal Dollars.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-769.nat/m&b	Finds the attached FY 2009 Forest Management Deductions (FMD) Expenditure Plan lists the expenditures that will be taken from the Forest Management Deduction account. These expenditures are included as part of the Tribe's FY 2009 budget. Whereas, it is the recommendation of the Natural Resource/Management & Budget Committees to approve the FY 2009 Forest Management Deduction Expenditure Plan as presented. The Colville Business Council Chairperson or his designee has the authority to sign all pertinent documents.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-770.nat/m&b/l&j	To amend Resolution 2008-648 to authorize the funds to be disbursed out of the Wells Dam Account for the purchase of 2,287.05 acres, more or less of the James Short's fee property. All previous terms, conditions, provisions and stipulation of Resolution 2008-648 will remain the same. Chairman or designee has the authority to sign all pertinent documents.	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN
2008-771.gov	Adopt: Angie Lise Ata	12 FOR (EW,KC,MF,AJ, GJ,DL,SA,CM,HM,JW,VS) 0 AGAINST, 0 ABSTAIN