



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL



Special Session December 21, 2022 Resolution Index

Condensed by, Kelli Tonasket, Executive Office Assistant

Present: Jarred-Michael Erickson, Jack Ferguson, Karen Condon, Norma Sanchez, Shar Zacherle, Roger Finley, Alison Boyd-Ball, Joseph Somday, Cody Peone, Andrew Joseph Jr., Tyler Zacherle-Boyd

Delegation/Leave: Cindy Marchand, Dustin Best, Virgil "Smoker" Marchand

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
2022-815.hhs	To approve the attached letter, wherein the Tribes appeal the Health Care Authority's Cost-Based Proposal for the San Poil Treatment Center. Chairman or designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-816.hhs	To approve the Tribes 5 th Annual Voluntary Tribal Compliance Agreement VTCA, report for submission to the Office of Inspector General OIG.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-817.m&b.e&e	To accept the FY 2022 Fall Save the Children Food Security Grant, in the amount of \$25,000.00, no additional funds required. Tribal Chairman or designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-818.m&b	That the attached Change Order #1 to the Ogden Murphy Wallace contract (#C23-034) be approved to accept BIA funding to be paid from Tribal Account #181820.69875. AS. The Chairman or his designee is authorized to sign pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-819.m&b	To authorize the Chair or designee and to authorize the officers of the Colville Head Start, LLC to execute all documents required to close the NMTC transaction with Travios New Markets Project CDE XXVIII, LLC, USBCDE Sub-CDE 223, LLC, Twain Investment Fund 706, LLC and USBCDC, including but not limited to the documents in the attached document listing. Whereas, it is the recommendation to authorize to wire the leverage loan of approximately \$3,113,400.00 to Twain Investment Fund 706, LLC by close of business on or about December 23, 2022. Chair or designee authorized to sign.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED

2022-820.m&b.l&j	To approve the attached contract with Arvay Finley, LLP for legal services related to Sinixt/Canadian Issues. Funds are available in FY '23 budget for this renewal of a contract. The Chairman or designee may sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-821.m&b	To accept and approve contract between the Confederated Tribes of the Colville Reservation and Department of Commerce, Washington State Broadband Office, in the amount of \$4,097,518.00. Award is to build out broadband infrastructure to the home and business. Chair or designee to sign all relevant documentation.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-822.m&b	To approve the attached change order to purchase support and maintenance for three years for existing Unitrends equipment with ITSavvy, in the amount of \$132,363.58. Chair or designee to sign all relevant documentation.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-823.m&b	To accept and approve award #NT22TBC0290075 and budget from National Telecommunications and Information Administration (NTIA) Tribal Broadband Connectivity Program, in the amount of \$48,405,830.78. Award is to build out broadband infrastructure to the home and business. Chair or designee to sign all relevant documentation.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-824.m&b	To approve the attached contract between the Confederated Tribes of the Colville Reservation and Northwest Open Access Networks) NoaNet), in the amount of \$4,793,910.00. Consulting contract to provide design, engineering for wireless and outside plant (OSP) services to build broadband to the home and business. Chair or designee to sign all relevant documentation.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-825.m&b.l&j	To approve the attached contract with Kanji & Katzen, P.L.L.C., for legal services in regard to Wenatchi hunting rights. Funds will initially come from ORA's contingency fund and may have to be supplemented later this FY. The Chairman or designee may sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-826.m&b.l&j	To approve the attached contract with James, Vernon & Weeks, P.A., for legal services in regard to potential boarding school litigation. Funds are available in FY '23 budget for this renewal of a contract. The Chairman or designee may sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-827.m&b	To Modify Contract A21AV00092 Ferry operations and maintenance Mod. #0003, in the amount of \$443,708.05 for ferry operations. The Chairman or designee authorized to sign any pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-828.m&b	To approve a budget modification for \$80,000.00, for the 2022-2023 Wild Horse Chase and Capture Season. Chair or designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED

2022-829.m&b	To approve Okanogan PUD's application to FEMA pertaining to repair of distribution and transmission lines after the 2020 Cold Springs Wildfire. Due to the emergency nature of these repairs a circumvented permitting and review process was used consistent with wildfire response. The Chairman or designee is authorized to sign any related documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-830.tg	In the membership case of AYANA ADELA ORTIZ and recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that AYANA ADELA ORTIZ meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-831.tg	In the membership case of SUZANNE RAE MCKENDRY HOWELL and recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that SUZANNE RAE MCKENDRY HOWELL meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-832.tg	In the membership case of MYLES ANDREW RAINEY-HOLFORD and recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that MYLES ANDREW RAINEY-HOLFORD meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-833.tg	In the membership case of SAMUEL STEPHEN ABRAHAMSON-BLAKER and recommendation is to grant membership in the Colville Confederated Tribes, by Adoption. That we, the Colville Business Council, conclude that SAMUEL STEPHEN ABRAHAMSON-BLAKER meets the membership provisions of Section 8-1-160 of the Enrollment Ordinance.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-834.e&e	To approve the submission of the Bureau of Indian Education Biennial Report in accordance with Part B, July 1, 2019 to June 30, 2021. Tribal Chairperson or Designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-835.e&e	To approve the Revision of the CCT ECE/HS Education and Child Development Program Services Policy (CBC Resolution 2020-444, PC RES 2019-71). Tribal Chairperson or Designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-836.nrc	To accept and approve Scott Abrahamson, Colville Tribal Member, Home Site Lease application with option to purchase for Tribal Tract 101-T642(por). The property is described as:	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST

	<p>101-T642 (por): THE SOUTHEAST-QUARTER NORTHWEST-QUARTER SOUTHEAST-QUARTER NORTHEAST-QUARTER, SOUTHWEST-QUARTER NORTHEAST-QUARTER SOUTHEAST -QUARTER NORTHEAST-QUARTER OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 5. 00 ACRES, MORES OR LESS.</p> <p>Term: 99 years upon approval with option to purchase Compensation: \$250.00 annually, subject to Fair Market Value</p> <p>Insurance: \$Required Lease Fee: \$WAIVED</p> <p>Lease subject to conditions cited in IRMP Coordinator's review</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>0 ABSTAINED</p>
<p>2022-837.nrc</p>	<p>To accept and approve Jessie Swan, Colville Tribal member, Home Site Lease application with option to purchase for Tribal Tract 101-T5716(por). The property is described as: 101-T5716(POR): THE EAST-HALF NORTHWEST-QUARTER NORTHEAST-QUARTER NORTHEAST-QUARTER OF SECTION 2, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, CONTAINING 5.0 ACRES, MORE OR LESS.</p> <p>Term: 99 years upon approval with option to purchase Compensation: \$250.00 annually, subject to Fair Market Value</p> <p>Insurance: \$Required Lease Fee: \$WAIVED</p> <p>Lease subject to conditions cited in IRMP Coordinator's review</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<p>2022-838.nrc</p>	<p>To accept and approve Chrystal Condon, Colville Tribal member, Home Site Lease with option to purchase for Tribal Tract 101-T567 (por). The property is described as: 101-T567 (POR): THE NORTHWEST-QUARTER SOUTHWEST-QUARTER SOUTHWEST-QUARTER NORTHWEST-QUARTER, NORTHEAST-QUARTER SOUTHWEST-QUARTER SOUTHWEST-QUARTER NORTHWEST-QUARTER OF SECTION 2, TOWNSHIP 31 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 5.0 ACRES, MORE OR LESS.</p> <p>Term: 99 years upon approval with option to purchase</p>	<p>10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>Compensation: \$250.00 annually, subject to Fair Market Value</p> <p>Insurance: Required</p> <p>Lease Fee: Waived</p> <p>Lease subject to conditions cited in IRMP Coordinator's review</p> <p>Chairman or designee has authority to sign all pertinent documents</p>	
<p>2022-839.nrc</p>	<p>To allow a Limited Use Agreements beginning January 1, 2023 and ending June 30, 2023. This agreement will include those tenants already residing at the trailer park. The Tribal Tract No. 101-T5560, The McGinnis Lake Property described as:</p> <p>101-75560: THAT PART OF THE NORTHEAST-QUARTER NORTHWEST-QUARTER AND OF LOT 2 (NORTHWEST-QUARTER NORTHEAST-QUARTER) 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 AN EASTERLY DIRECTION ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 10, A DISTANCE OF 348.0 FEET TO AN INTERSECTION WITH THE SHORELINE 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" L THENCE RUNNING S.00°05'W. A DISTANCE OF 373.00 FEET; THENCE S.89°55'E. A DISTANCE OF 268.0 FEET TO AN INTERSECTION WITH THE SHORELINE OF MCGINNIS LAKE; THENCE IN A NORTHERLY DIRECTION ALONG THE SHORELINE 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: January 1, 2023 - June 30, 2023</p> <p>Rental: \$750.00 (One Time Payment)</p> <p>Bond: \$REQUIRED</p> <p>Lease Fee: \$Waived</p>	<p>6 FOR (JF, SZ, RF, JS, AJ, TZB)</p> <p>4 AGAINST (CP, KC, AB, NS)</p> <p>0 ABSTAINED</p>

	Chairman or designee has authority to sign all pertinent documents.	
2022-840.nrc	To approve the attached CWA 401 Certifying Conditions for the NPDES Permit for Aquaculture (Permit WAG130000). The Chairman or designee to sign all pertinent documents, and Environmental Trust is authorized to submit the Certifying Conditions documents on December 22, 2022.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-841.nrc	To approve the attached Consultant Contract with Maul Foster & Alongi, Inc., to provide environmental engineering and consulting services to the ETD Tribal Response Program including groundwater monitoring, lead remediation, and on-call/emergency assessment and abatement services in 2023, in the amount of \$129,355.27. Chair or designee has authority to sign all related documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-842.nrc	To approve the consultant contract and purchase order with Cal Forest Nursery in Etna, CA, for the amount of \$388,347.24. This contract and purchase order is for sowing and growing of 1.48 million conifer tree seedlings for Colville Tribal Forestry for spring FY24 planting in the district green sales and the wildfires areas burned over the last several years. Chairperson or designee is authorized to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-843.nrc	To give permission to the Fish and Wildlife Program to apply for grant funding under the BIA Endangered Species Program. The project is designed to enhance Canada Lynx management on the Colville Indian Reservation and North Half. No Tribal dollars involved. The Chair or designee is authorized to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-844.nrc.m&b	Pursuant to Resolution 2022-643, the Tribes is interested in completing the Purchase of allotment 101-5413 A. Based on the resolution, it is the recommendation to approve the attached Assignment Agreement between the Tribes and Joseph A. Pakootas and Cheryl E. Pakootas transferring their interest in a Conditional Sales Contract on Allotment 101-5413 A to the Tribes. Allotment 101-5413 A legally described as follows: 101-5413 A: A TRACT OF LAND WITHIN THE NORTHEAST-QUARTER OF SECTION 12, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, AS PER THE PAKOOTAS-STAFFORD SURVEY DATED OCTOBER 17, 2014, AND RECORDED UNDER DOCUMENT NO. 101-22710 IN THE COLVILLE LTRO, TOGETHER WITH EASEMENT FOR INGRESS,	9 FOR (JF, KC, NS, SZ, RF, AB, CP, AJ, TZB) 1 AGAINST (JS) 0 ABSTAINED

	EGRESS, AND UTILITIES AS SET FORTH ON SAID SURVEY, CONTAINING 1.31 ACRES, MORE OR LESS. The Tribes will pay the Pakootas' a total of \$216,614.23. The Funds will be supplied by Colville Fuels. Chair or Designee authorized to sign attached document.	
2022-845.nrc.m&b	Pursuant to Resolution 2022-643, the Tribes is interested in completing the Purchase of allotment 101-5413 A. Based on the resolution, it is the recommendation to approve the attached Purchase and Sale Agreement between the Tribes and Michael Finley wherein the Tribes purchases Allotment 101-5413 A, according to the payment terms in the attached document on the following described tract of land: 101-5413 A: A TRACT OF LAND WITHIN THE NORTHEAST-QUARTER OF SECTION 12, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, AS PER THE PAKOOTAS-STAFFORD SURVEY DATED OCTOBER 17, 2014, AND RECORDED UNDER DOCUMENT NO. 101-22710 IN THE COLVILLE LTRO, TOGETHER WITH EASEMENT FOR INGRESS, EGRESS, AND UTILITIES AS SET FORTH ON SAID SURVEY, CONTAINING 1.31 ACRES, MORE OR LESS. The Purchase amount will be a total of \$408,000.00 paid as follows: \$216,614.23 to the Colville Confederated Tribes; \$28,317.71 to NNDF; \$61,052.48 to the State of Washington to satisfy the individual judgement assessed against Michael Finley by the Colville Tribal Court; and \$102,015.58 to Michael Finley. Chair or designee to sign all related documents. The funds will come from Colville Fuels	6 FOR (JF, SZ, RF, AB, CP, TZB) 3 AGAINST (KC, NS, JS) 1 ABSTAINED (AJ)
2022-846.fish	To approve requisition for Custom Truck One Source in the amount of \$109,847.00 to purchase a 2023, 2,000 gallons International 4x2 water truck and authorize the Chairman or his/her designee to sign all pertinent documents.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-847.fish.nrc	To approve the Award #44-02J22501 for the Upper Columbia River Toxics Monitoring, in the amount of \$350,000.00. The budget period for this award will be 10/01/2022-09/30/2024. No Tribal dollars are being requested. Chairperson or designee is authorized to sign all pertinent documentation.	10 FOR (JF, KC, NS, SZ, RF, AB, JS, CP, AJ, TZB) 0 AGAINST 0 ABSTAINED
2022-848.l&j	To approve the letter declaring that the Colville Confederated Tribes has implemented and is using the Tribal Access Program (TAP) to input sex offender information and has been meeting on a regular basis with the Business Relationship Manager (BRM) to ensure all records are complete and updated. The Chairman or	8 FOR (JF, KC, SZ, RF, JS, CP, AJ, TZB) 0 AGAINST 2 ABSTAINED (AB,NS)

	designee shall sign the Substantial Implementation Assurance letter.	
2022-849.1&j	CONFIDENTIAL	8 FOR (JF, KC, SZ, RF, JS, CP, AJ, TZB) 0 AGAINST 2 ABSTAINED (AB,NS)