



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

February 21st, 2013

Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: John E. Sirois, Benny Marchand Jr., Michael O. Finley, Brian Nissen, Luana Boyd-Rowley, Ernest Brooks III, Nancy Johnson, Jim Boyd, Richard Swan Sr. and Darlene Zacherle

Delegation/Absent: Andy Joseph Jr., William Nicholson II and N. Lynn Palmanteer-Holder

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2013-86.l&j	To recognize that rapid reimbursement is critical following the Keller area wind event, Yancy Epperson, Safety & Health Supervisor is hereby designated the authorized representative and Chris McCuen, Commander, EMS, Fire & Rescue is designated the alternate for and in behalf of the Confederated Tribes of the Colville Reservation. The purpose of this designation as the authorized representative is to obtain federal and/or state emergency or disaster assistance funds in regards to the July 2012 Severe Storm, Straight Line Winds & Flooding Event, 4083-DR-WA. These representatives are authorized to execute all contracts, certify completion of projects, request payments, and prepare all required documentation for funding requirements. Additional authorized authorities are William Elliott; Director of Public Safety, and Joleen Seyler. Authorize chair or designee to sign all pertinent documents.	10 FOR (BN, JSIROIS, LPH, DZ, NJ, JSOMDAY, BM, WN, JB, MF) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2013-87.l&j/m&b	To approve the Consultant Contract for Virgil Seymour who shall provide assistance in matters pertaining to the Arrow Lakes Aboriginal Society, including but not limited to; managing and coordination the affairs of the Arrow Lakes Aboriginal Society; carrying out the decisions and directions of the Board of Directors; working with the Lakes People in the Colville Tribes in Canada and U.S.A. to implement the objection of Society. No new dollars required, in budget for FY 2013. Chair or designee to sign all pertinent documents.	10 FOR (BN, MF, EB, BN, LPH, NJ, WN, JSIROIS, AJ, JB) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
2013-88.hhs	To approve the Medicaid Program and Children's Health Insurance Program grant proposal for	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST

Special Session

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Trisha Jack, CBC Recording Secretary

	\$250,000.00 that would provide a Children's Health Insurance Outreach Program to Lake Roosevelt Community Health Center patients. No tribal dollars identified. Council Chair or his designee to sign all pertinent documents.	0 ABSTAINED
2013-89.tg	To grant Yasmin Chudrick membership in the Colville Confederated Tribes, by adoption.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-90.hhs/m&b	To approve Amendment No. 03 DSHS Contract 1269-44579 as follows: Title 3D funds are decreased by \$1,505.00 and Elder Abuse funds are decreased by \$58.00. The maximum consideration is replaced by Exhibit B-3, Budget, which is attached hereto and incorporated herein. All other terms and conditions of this Contract remain in full force and effect.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-91.tg/m&b	To approve the attached Memorandum of Agreement between the Colville Tribes & U.S. Department of Homeland Security for the purposes of the Tribal Enhanced ID cards. No new tribal dollars. The Chairman or designee shall have authority to sign all pertinent documents.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-92.nrc	To approve the revised "Timber Allocation Agreement between the Confederated Tribes of the Colville Reservation and Colville Tribal Federal Corporation". In addition, the Colville Tribal Enterprise Corporation ("CTEC"), a tribally chartered corporation wholly owned by the Tribes, is party to this Agreement for the purpose of terminating the prior timber allocation agreement between CTEC and the Tribes, subject to the following: all contractual obligations of CTEC for purchase of, and payment for, timber under the prior timber allocation agreement shall remain in full force and effect until said obligations are fully performed by CTEC or by CTFC on CTEC's behalf.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-93.nrc	To direct CCT Fish & Wildlife Department for exploring and obtaining future funding to exercise our traditional rights in our Usual and Accustom territories to include the Wenatchee, Entiat and Methow River Watersheds. Whether it be from but not limited to upcoming BPA fisheries accords.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-94.nrc	To approve the attached letter that authorizes Randy Friedlander, F&W Interim Director or Kary Nichols, Deputy Director signing authority for any payments or accounting functions on behalf of Fish & Wildlife Department for NRCS documents and authorize the Chairman or his/her designee to sign all contracts and	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED

	all or any related documents.	
2013-95.nrc	To amend Tribal Resolution No. 2000-338 (Caroline Sellars), to accept the offer of her son, William Sellars (replaces Caroline Sellars in agreement) to complete the purchase of Tribal Tract 101-T4356, legally described as Lots 12 and 13, Block 102 Government Townsite Omak, Okanogan County. Mutually accepted final sales price of \$36,580.00, which includes lease payments and charges calculated by BIA Realty/Leasing. Chairman or designee to sign all pertinent documents and legal instruments. Individual is required to payoff balance by April 30, 2013 or contract will become null and void.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
2013-96.nrc	To not accept new lease terms for the National Guard Armory Building located at 71 Rodeo Trail Road, Okanogan, containing 4 acres more or less parcel no. 3326160027; as defined in Lease No. SRL 12-0064 with the State of Washington until January 31, 2017. This shall serve as written notice of cancellation/termination of lease to Lessor and Lessee shall vacate the premises immediately. Chairman or designee to sign all pertinent documents and legal instruments.	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED
TABLED 2013-97.nrc	<p>To approve/disapprove Mr. Robert Erb, Sr. a Colville member has applied for a Right of way that is 7 miles in length and 30 feet in width, for ingress/egress to his fee land for residential purpose only. The access will be from the Columbia River Road, through an existing dirt road through three (3) allotments, two of the allotments have tribal interest. (Listed)</p> <p>James George Allotment 101-869: The tribe does own 72% interest: Anastasia (Skiumtalx) Allotment 101-847: The tribe does own 25% interest, and the 27% of landowners that did consent total 52%.</p> <p>TERM: 25 years plus 25 years, from date of approval. Compensation: Waived</p> <p>Lease subject to conditions cited in IRMP Coordinator's review, Chairman or designee has authority to sign all pertinent documents.</p>	
2013-98.nrc	<p>To approve Ferry County Public Works for Aggregates, Sand and Gravel Lease for Tribal Tract 101-T4787 described as:</p> <p>The parcel of land situated in the NW1/4SE1/4, Section</p>	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 0 ABSTAINED

	<p>34 Township 32 North, Range 33 East, Willamette Meridian, Washington, Ferry County, containing 40.00 acres, more or less.</p> <p>TERM: 10 years, from date of approval. Compensation: \$500.00 per annum, Minimum Royalty rate \$1.00 per cubic yard. Subject to Fair Market Rental. Bond: \$2,000.00</p> <p>Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	
2013-99.nrc	<p>To approve Ferry County Public Works for Aggregates, Sand and Gravel Lease for Tribal Tract 101-T4779 described as:</p> <p>The parcel of land situated in the SW1/4NE1/4, Section 25 Township 32 North, Range 33 East, Willamette Meridian, Washington, Ferry County, containing 40.00 acres, more or less.</p> <p>TERM: 10 years, from date of approval. Compensation: \$500.00 per annum, Minimum Royalty rate \$1.00 per cubic yard. Subject to Fair Market Rental. Bond: \$2,000.00</p> <p>Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-100.nrc	<p>To approve Ferry County Public Works for Aggregates, Sand and Gravel Lease for Tribal Tract 101-T4159 described as:</p> <p>The parcel of land situated in the NE1/4NW1/4, Section 30 Township 31 North, Range 33 East, Willamette Meridian, Washington, Ferry County, containing 40.00 acres, more or less.</p> <p>TERM: 10 years, from date of approval. Compensation: \$500.00 per annum, Minimum Royalty rate \$1.00 per cubic yard. Subject to Fair Market Rental. Bond: \$2,000.00</p> <p>Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-101.nrc	To rescind Resolution No. 2010-850 dated 12/2/10 in	10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)

	<p>its entirety; Mr. Cabrera has been cancelled due to non-payment. The Colville Tribal Tract to rescind is described as:</p> <p>101-T1059 (por): The W1/2SW1/4SE1/4SW1/4 Section 10, Township 33 North Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 5.00 acres, more or less.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-102.nrc	<p>To renew Jami Best Pasture lease for additional 5 years within Colville Tract No. 101-T3549 (por), described as:</p> <p>NE1/4SW1/4NE1/4 and the S1/2NW1/4SW1/4NE1/4, Section 10, Township 31 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 15.0 acres, more or less.</p> <p>Compensation: \$250.00 per annum Term: 01/01/2013 to 12/31/2017 Bond: \$250.00 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>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-103.nrc	<p>To renew Gertrude Laramie home site lease for additional 5 years or until her exchange is finalized within Colville Tract No. 101-T4018 (por), described as: LARAMIE HOMESITE TRACT: 5.01 acres: Those portions of the northeast of the southwest quarter (NE1/4SW1/4) and the southeast quarter of the southwest quarter (SE1/4SW1/4) of Section Thirty-one (31), Township Thirty-two (32) North, Range Thirty-seven (37) East, W.M., described as follows: Beginning at a point on the easterly right of way line of Silver Creek County Road No. 67 and being Corner No. 1 of the Laramie Home site Tract and from which point the quarter corner common to Sections 6 and 31 bears S.28°47'41"E a distance of 1600.52 feet and the quarter corner common to Sections 30 and 31 bears N.11°21'49"E a distance of 3961.38 feet. Thence N.65°00'00"E a distance of 298.43 feet to Corner No. 2 of said Laramie Home site Tract, thence S.49°36'00"E a distance of 585.25 feet to Corner 3, thence S.48°00'00"W a distance of 200.00 feet to Corner No. 4, thence N.52°00'00"W a distance of 440.00 feet to Corner No. 5, thence S.48°00'00"W a distance of</p>	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>457.90 feet to Corner No. 6, thence N.42°00'00"W a distance of 176.23 feet to Corner No. 7, which is a point on said easterly right of way line of Silver Creek County Road No. 67. Thence northeasterly along said right of way line on a curve to the left, the radius point of which bears N.39°50'28"W a distance of 984.87 feet, said curve having an interior angle of 22°00'30" and an arc length of 378.31 feet to Corner No. 1 and the point of beginning. Situated within the Colville Indian Reservation in the County of Ferry, State of Washington.</p> <p>Term: 01/01/2013 to 12/31/2017</p> <p>Bond: Waived</p> <p>Admin Fee: \$15.00</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>	
2013-104.l&j	To allow the authorized programs to apply for the 2013 CTAS grant, This will include the Colville Tribal Police Department, Natural Resources Enforcement, Department of Corrections, Tribal Prosecutors and the Domestic Violence Program. The Chairman is authorized to sign all pertinent documents, certifications and assurances.	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-105.l&j	To authorize the Office of the Reservation Attorney discretion to appear in amicus in support of the Navajo Nation jurisdiction before the 9th Circuit Court of Appeals in EXC Inc. v. Jensen.	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2013-106.l&j	To authorize the Office of the Reservation Attorney discretion to appear in amicus in support of the Cherokee Nation jurisdiction before the Supreme Court in Adoptive Couple v. Baby Girl.	<p>10 FOR (MF, EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
TABLED 2013-107.l&j	To approve the appointment of the following justice for the term of six years: Dennis L. Nelson, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-108.l&j	To approve the appointment of the following justice for the term of six years: Anita Dupris, Chief Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-109.l&j	To approve the appointment of the following justice for the term of six years: Theresa M. Pouley, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-110.l&j	To approve the appointment of the following justice for the term of six years: Michael Taylor, Associate Justice.	

	Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-111.l&j	To approve the appointment of the following justice for the term of six years: Gary F. Bass, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-112.l&j	To approve the appointment of the following justice for the term of six years: David C. Bonga, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-113.l&j	To approve the appointment of the following justice for the term of six years: R. John Sloan Jr., Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-114.l&j	To approve the appointment of the following justice for the term of six years: Mark Pouley, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
TABLED 2013-115.l&j	To approve the appointment of the following justice for the term of six years: Rebecca A. Baker, Associate Justice. Chairman or designee authorized to sign all pertinent documents.	
2013-116.l&j	To appoint Michael O. Finley as an alternate delegate to the Washington Indian Gaming Association. This resolution supersedes any previous resolutions. Chairman or designee authorized to sign all pertinent documents.	9 FOR (EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 1 ABSTAINED (MF)
2013-117.l&j	To appoint Michael O. Finley as an alternate delegate to the National Indian Gaming Association. This resolution supersedes any previous resolutions. Chairman or designee authorized to sign all pertinent documents.	9 FOR (EB, JSOMDAY, LBR, BM, BN, JB, NJ, RS, DZ) 0 AGAINST 1 ABSTAINED (MF)
2013-118.l&j	To appoint Brian Nissen as the delegate to the National Indian Gaming Association. This resolution supersedes any previous resolutions. Chairman or designee authorized to sign all pertinent documents.	9 FOR (MF, EB, JSOMDAY, LBR, BM, JB, NJ, RS, DZ) 0 AGAINST 1 ABSTAINED (BN)
2013-119.l&j	To appoint Brian Nissen as the delegate to the Washington Indian Gaming Association. This resolution supersedes any previous resolutions. Chairman or designee authorized to sign all pertinent documents.	9 FOR (MF, EB, JSOMDAY, LBR, BM, JB, NJ, RS, DZ) 0 AGAINST 1 ABSTAINED (BN)