



COLVILLE CONFEDERATED TRIBES



COLVILLE BUSINESS COUNCIL

February 6th 2014

Resolution Index

Condensed by, Naomi Yazzie, CBC Recording Secretary

Council Members Present: Michael Finley, Ernest "Sneena" Brooks III, William Nicholson II, Jack Ferguson, Stevey Seymour-Bylilly, Nancy "Lynn" Palmanteer-Holder, Allen Hammond, Nancy Johnson, Joseph Somday, Ricky Gabriel, Andrew Joseph Jr.

Delegation/Absent: John Sirois, Benny Marchand Jr., Jim Boyd

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2014-37.nrc/m&b	To approve the budget contract 2013-2015 between WDFW and Colville Tribes Parks and Recreation for \$250,000.00 for law enforcement patrols on Lake Rufus Woods. Indirect \$51,486.86. No tribal dollars. Chairman or designee authorized to sign all documents pertaining to this agreement.	10 FOR (JSomday, JF, RG, SS, JB, LPH, NJ, JSirois, AH, EB) 0 AGAINST 0 ABSTAINED *Rationale: Timelines. NRC was canceled
10-Signature 2014-38.l&j	Anita Dupris be appointed as the Chief Justice of the Colville Tribal Court of Appeals. She has been serving in this position since 1995 and has shown integrity and skill in providing administrative and judicial duties to the Court. The Court of Appeals Bench has voiced strong support for her continued appointment to this position.	10 FOR (JB, AH, SS, JF, WN, NJ, LPH, RG, MF, JSomday) 0 AGAINST 0 ABSTAINED *Rationale: Court of Appeals has been without a permanent Chief Justice since February 2013 which greatly affects the day-to-day operation of the Court and the community's ability to have their cases heard in a timely manner.
10-Signature 2014-39.nrc/m&b	To approve the attached Master Site Lease ("Lease") between MA-8 Allottees and Colville Tribal Federal Corporation ("CTFC"); BE IT FURTHER RESOLVED, that the Colville Business Council, acting for and on behalf of the Tribes, acknowledges and confirms that the Lease is for recreational and other public purposes, that the proposed land use under the Lease conforms with applicable tribal laws ,that the Tribes	10 FOR (WN, JF, JSomday, AH, SS, RG, JB, NJ, MF, LPH) 0 AGAINST 0 ABSTAINED *Rationale: Timelines

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	<p>have negotiated compensation under the Lease satisfactory to the Tribes, that the Tribes hereby waive compensation valuation for the Lease, and that the Tribes have determined that it is in their best interest to accept such negotiated compensation that is based on a percentage of income, to waive compensation valuation, and to not have compensation reviews or adjustments under the lease other than for the base rent upon Lease renewal;</p> <p>BE IT FURTHER RESOLVED THAT THE Colville Business Council, acting for and on behalf of the Confederated Tribes of the Colville Reservation ("Tribes"), hereby authorizes and directs the Chairman of the Tribes to execute the attached Master Site Lease on behalf of the Tribes.</p>	
10-Signature 2014-40.l&j	To allow the authorized programs to apply for the 2014 CTAS grant, this will include the Colville Tribal Police department, Natural Resources Enforcement, Department of Corrections, Tribal Prosecutors, Domestic Violence Program, Youth Program, Child Protective Services, Tribal Court, and Legal Services. The Chairman is authorized to sign all pertinent documents, certifications, and assurances.	<p>10 FOR (JB, RG, LPH, SS, WN, NJ, JF, AH, JSomday, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>*Rationale: Deadline to apply is March 24th for the grant, it is urgent to get the approval to apply for this grant right away.</p>
10-Signature 2014-41.cdc	To approve additional funding for the Keller Community Center in the amount of \$29,000.00 for new heaters on top of the Keller community Center. The funding will come from FY13 Columbia River carry over balance. Chairman or designee to sign all relevant documents.	<p>10 FOR (BM, JSomday, JF, AH, SSB, WN, EB, JB, LPH, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>*Rationale: due to fire on 01/31/2014</p>
2014-42.m&b/tg	<p>To approve a \$224.00 Per capita from account PL7219709 to be distributed on February 18, 2014 to each eligible member of the Confederated Tribes of the Colville Reservation. Eligibility requirements: enrolled members must be living as of February 6, 2014; must be enrollment/adopted by February 6, 2014. February 3, 2014 is the deadline for: Court Orders, departmental hold list, and direct deposit forms. Retro-active payments are not allowed for the 2014 February Per Capita. Debt Set-Off Ordinance shall not apply. The following holds are accepted:</p> <ol style="list-style-type: none"> 1. Children & Family Services Court Order/Voluntary consent for minors and adults 2. Social Services-Regular Court Order/Voluntary consent for minors and adults 3. Enrollment Department Administrative Error's 	<p>9 FOR (EB, WN, JF, SSB, AH, NJ, JSomday, RG, AJ)</p> <p>1 AGAINST (LPH)</p> <p>0 ABSTAINED</p>

2014-43.m&b	To approve the budget modification in the amount of \$20,445.00 to purchase a Spectrum communications analyzer for the MT Tops department to have the technical ability to fine tune two-way radio repeaters, base station, mobile and hand held radios and conduct periodic PMI to ensure the comms equipment is operating at peak performance. Funds to come from Revenue Fund 636.53020 and transfer to Fund 636-.63001 Dues and Fees for the purchase and to amend the budget accordingly. Chairman or designee authorized to sign all pertinent documents.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-44.m&b	To approve the Ferry County PUD District No. 1 Line Extension Application and Charges in the amount of \$40,375.00 to come from Fund 831 for installation of commercial aerial power for the USDA Keller Community-Oriented Broadband grant project. Installation services will provide redundant utility power connectivity to the Keller water tank communications hut facility and network wireless infrastructure. Chairman or designee and Executive Director are authorized to sign all pertinent documents.	8 FOR (WN, JF, SSB, LPH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED *OUT OF ROOM (EB, AH)
2014-45.m&b	To approve the network equipment upgrade purchase in the amount of \$66,208.30 with Denali Advanced Integration a division of 3MD, Inc. to receive the whole sale discount through Collora Network Services. Funding to come from 831.68010 for the additional network equipment needed to replace antiquated outdated network equipment. Chairman or designee authorized to sign all pertinent documents.	8 FOR (WN, JF, SSB, LPH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED * OUT OF ROOM (EB, AH)
2014-46.m&b/l&j	To approve the contract change order to increase Theresa ThinElk Contract No. C12-199 in the amount of \$64,500.00 and increase contract for an additional \$2,509.23 for a total of \$67,009.23 to complete the Office of Juvenile Justice Delinquency Program Code for our youth. No Tribal dollars required. Chairman or designee is authorized to sign all pertinent documents.	8 FOR (WN, JF, SSB, LPH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED * OUT OF ROOM (EB, AH)
2014-47.m&b/l&j	To approve Western Pacific Surveillance Solutions, Inc. the project of installing an Avigilon Surveillance System with terms and conditions as outlined in the contract: 60% down payment, 20% upon delivery, and 20% upon installation and successful compliance inspection. Funding available within the FY 2014 Gaming Commission Budget and reimbursable by CTFC-Gaming.	8 FOR (WN, JF, SSB, LPH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED * OUT OF ROOM (EB, AH)
2014-48.m&b	To approve the CBC Budget Modification #1. The	9 FOR (WN, JF, SSB, LPH, NJ, AH,

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	<p>funding would come from the unspent funds remaining in CRI FY13 Tribal Budgets. This will increase the budget by \$49,419.00, which reflects the input of correct wage rates and 5% COLA increase for CBC Support Staff. To also create a new line item for GSA vehicle lease for the amount of \$7,500.00, and to transfer funds from 121.69895 GM, Meals, Gifts, Etc. for amount of \$25,000.00, for new line item 121.62610 CBC Inventory Purchase. The Chairman or his designee authorized to sign all pertinent documents.</p>	<p>JSomday, RG, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>* OUT OF ROOM (EB)</p>
2014-49.m&b/hhs	<p>To approve additional funds in the amount \$7,517.00 for Account 371 and to waive the Indirect Cost of \$14,225.00</p>	<p>9 FOR (WN, JF, SSB, LPH, NJ, AH, JSomday, RG, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>* OUT OF ROOM (EB)</p>
2014-50.e&e	<p>To approve the contract between Catherine MacClennan and the Tribal Vocational Rehabilitation Program. Chair or designee to sign all relevant documents.</p>	<p>10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-51.e&e	<p>To accept the Working Agreement between DSHS and the Colville Tribes (TANF) for the purpose of furthering the government-to-government relationship and to achieve their mutual objectives of providing efficient and beneficial services to their people. Period of performance: December 1, 2013 to December 31, 2016. Chair or designee has authority to sign all pertinent documents.</p>	<p>10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-52.nrc	<p>To approve and accept Janette & LeRoy Buchanen for a Recreational Lease for Shady Cove Tract No. 101-T2028(por), Space #7 described as: Space #7: Beginning at the corner common to Section 14, and 15, T32N, R35E, Willamette Meridian, Ferry County, WA, thence North 10 chains; thence West 10 chains; thence South to the northerly shore of South Twin Lakes; thence southeasterly along said shoreline to a point due South of true point of beginning surround the developed. TERM: 5 years, from date of approval; option of 5 year renewal upon good standing. Compensation: \$1,500.00 per annum, subject to Fair Market Rental Value Bond: required (Equivalent to one year rent) Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-53.nrc	<p>To approve the contracts between Okanogan and</p>	<p>10 FOR (EB, WN, JF, SSB, LPH, AH,</p>

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	Ferry Counties in the amount of \$31,558.12 for Okanogan County Noxious Weed Control Board and \$12,610.05 for Ferry County Noxious Weed Control Board for noxious weed spraying and inventory on the reservation and boarding the reservation to control the spread and prevention of noxious weeds, to also have a better inventory of known noxious weeds. Chair or designee is authorized to sign all pertinent documents.	NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-54.nrc	To transfer the following property from Colville Tribal Credit Corporation to the Confederated Tribes of the Colville Reservation; 101 2234-A & 101-2234-B THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 34 NORTH, RANGE 29 EAST, AND LOT 4 OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 30 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 83.04 ACRES, MORE OR LESS. Commonly known as BIA Rd. #62, Moses Meadows, NNA, Omak, WA 98841. Valued at \$39,450. The Chairman or designee is authorized to sign all pertinent documents.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-55.nrc	To approve new full award for 315813 Okanogan Basin Monitoring & Evaluation Project in the amount of \$2,755,000.00 and contract dates are from March 1, 2014 to February 28, 2016, and authorizes the Chairman or his/her designee to sign all pertinent documents. New full award is attached. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-56.nrc	To approve sub contract for 321514 Associated Engineering in the amount of \$99,788.00 and dates are from signed document to November 30, 2014 and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is sub contract and SOW. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-57.nrc	To approve budget modification #4 5237 Mission Falls adding an additional \$676,807.00 bringing total contract value to \$1,376,955.00 and contract dates remain the same, and authorizes the chairman or his/her designee to sign all pertinent documents. Budget Mod #4 is attached. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-58.nrc	To approve new budget for 199413 TFW in the amount of \$351,322.00 and contract dates are from October 1, 2013 to September 30, 2014, and authorizes the Chairman or his/her designee to sign all pertinent documents. New budget is attached. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED

2014-59.nrc	To approve new budget for 199313 TFW Supplemental in the amount of \$337,569.00 and contract dates are from October 1, 2013 to September 30, 2014, and authorizes the Chairman or his/her designee to sign all pertinent documents. New budget is attached. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-60.nrc	To approve the Fish & Wildlife Department to perform work in the Methow River to continue Salmon Recovery efforts in the Accustomed lands of the Colville Confederated Tribes and funds to support the projects would be available from the Okanogan Sub-basin Habitat Improvement project (BPA), and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is the letter outlining the request. No Tribal dollars associated.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-61.cul	To NOT approve Research Permit Application 2013-13, "Upper Columbia River Nature Resource Assessment Sediment Sampling," submitted by Amanda Halter, Pillsbury Winthrop Shaw Pittman, LLP, based on the following: 1) The deficiencies and incompleteness of the accompanying "Quality Assurance Project Plan/Sampling and Analysis Plan for Split Samples Collected as part of the Phase 2 Sediment Study, Upper Columbia River"; 2) Signatures of investigators and laboratories to the Quality Assurance Project Plan are missing; 3) Documentation of the qualifications of the two labs identified is not provided; 4) The purpose of the study identified in the Quality Assurance Project Plan is not sufficient to determine the intended use of the data; 5) Teck American previously raised concerns about its ability to obtain enough sediment at each sample station for the split samples required by the CCT and NPS permits; this concern would be heightened if more sampling was to occur, yet these concerns were not acknowledged or addressed in the Quality Assurance Project Plan; 6) Pillsbury Winthrop Shaw Pittman was fined in 2010 by the National Park Service for sampling in the currently proposed research study area without proper authorization; 7) Research permit application was not submitted in a timely manner based on the project start date noted on the permit application.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-62.cul	To approve the request to Amend CCT Resolution 2013-794, which extends the deadline for the completion of the project identified in Research Permit Application 2013-11, to December 31, 2015.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST

	All other provisions outlined in CCT Resolution 2013-794 will remain the same.	0 ABSTAINED
2014-63.cul	To approve the request to Amend CCT Resolution 2013-445, which extends the deadline for the completion of the project identified in Research Permit Application 2013-07, to December 31, 2014. All other provisions outlined in CCT Resolution 2013-445 will remain the same.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-64.cul	To approve Allen Hammond as the alternate delegate for the O.N.A. This recommendation supersedes all previous O.N.A. alternate delegations.	9 FOR (EB, WN, JF, SSB, LPH, NJ, JSomday, RG, AJ) 0 AGAINST 1 ABSTAINED (AH)
2014-65.cdc	To reappoint Dale Clark, a Tribal Member, currently residing in the Omak District within the boundaries of the Colville Indian Reservation; to the Tribal Member Omak District seat on the Colville Tribes Land Use Review Board as called for in Title 4.3 Land Use and Development Code. This board member will serve a 3 year term which will expire on December 11, 2016. Mr. Clark's appointment was approved by unanimous vote during the December 16, 2013 Land Use Review Board hearing. The original Resolution (2011-046) that appointed Mr. Clark to 3 year term starting on December 11, 2010 and expired on December 11, 2013; is now void. Chair or designee to sign all relevant documents.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-66.cdc	To reappoint Albert Toulou, a Tribal Member, currently residing in the Inchelium District within the boundaries of the Colville Indian Reservation; to the Tribal Member Inchelium District seat on the Colville Tribes Land Use Review Board as called for in Title 4.3 Land Use and Development Code. This board member will serve a 3 year term which will expire on December 11, 2016. Mr. Toulou's appointment was approved by unanimous vote during the December 16, 2013 Land Use Review Board hearing. The original Resolution (2010-025) that appointed Mr. Toulou to a 3 year term starting on December 11, 2009 and expired on December 11, 2013; is now void. Chair or designee to sign all relevant documents.	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED
2014-67.cdc	To reappoint Karlene Katich, a Non-Tribal Member currently receiving mail in Keller, WA and living within the boundaries of the Colville Indian Reservation to the Ferry County Non-Tribal	10 FOR (EB, WN, JF, SSB, LPH, AH, NJ, JSomday, RG, AJ) 0 AGAINST 0 ABSTAINED

	<p>Member seat on the Colville Tribes Land Use Review Board as called for under Tribal Code Law 4.3 Land Use and Development.</p> <p>Whereas, this board member will serve a 3 year term which will expire on December 11, 2015.</p> <p>Mrs. Katich's re-appointment was approved by unanimous vote during the December 16, 2013 Land Use Review Board hearing.</p> <p>The original resolution that appointed Mrs. Katich to her second 3 year term (starting on December 11, 2009 and ending December 11, 2012) on the Land Use Review Board (2009-842) is now void. Chair or designee to sign all relevant documents.</p>	
2014-68.cdc	<p>To approve Colville Tribal Energy Program to enter into a co-development contract with MacPherson Oil, for a financial feasibility/business plan study (Phase One). Funding of \$40,000.00 will be allocated through tribal account 602.63210 with a 50% match of \$40,000.00 coming from MacPherson Oil directly. Business plan and financial/fuel feasibility study will determine Colville Business Council course of action for Phase Two (co-development). At this time, outside financing is being examined for co-development. A non-disclosure agreement has been pre-approved with MacPherson Oil in regards to this study. Chairman or designee is authorized to sign all documents.</p>	<p>9 FOR (EB, WN, SSB, LPH, AH, NJ, JSomday, RG, AJ)</p> <p>1 AGAINST (JF)</p> <p>0 ABSTAINED</p>