



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL



Special Session February 17th, 2021 Resolution Index

Condensed by, Naomi Yazzie, Executive Office Assistant

Present: Rodney Cawston, Karen Condon, Jack Ferguson, Dustin Best, Shar Zacherle, Roger Finley, Andy Joseph Jr., Joe Somday, Virgil (Smoker) Marchand, Marvin Kheel, Jarred Erickson

Delegation/Leave: Joel Boyd, Norma Sanchez, Richard Swan Sr.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
2021-82.m&b.cdc	To approve Sinixt Construction contract, in the amount of \$193,622.00 for the complete demolition and asbestos abatement services of the Grandview Trailer Park. Chairman or designee to sign all pertinent documents.	9 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED *Out of the Room (AJ)
2021-83.m&b.cdc.nrc	CONFIDENTIAL	9 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED *Out of the Room (AJ)
2021-84.m&b.cdc.nrc	To approve the purchase of Ferry County Parcels 527070110001000, 52717210001000, and along the Columbia River in the Hellsgate game reserve in Ferry County with following legal descriptions: TAX #1 (PT NE4 NE4), TAX #2 (PT GL6), S2 NE4: N2 SE4: TAX #1, #2 & #3 (PTS SW4): NE4 SW4; Sections 7, 8, and 17, Township 27 North, Range 35 East, Willamette Meridian, Ferry County. Chairperson or designee has the authority to sign all pertinent documents.	9 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED *Out of the Room (AJ)
2021-85.m&b.cdc	CONFIDENTIAL	8 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK) 0 AGAINST 1 ABSTAIN (JME) *Out of the Room (AJ)
2021-86.m&b.cdc	To approve budget modification #1 to add the three year funding request, of \$250,000 per year into Wildlife Budget 341	9 FOR (JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)

	to reinitiate monitoring, management and protection of Tribal resources on the North Half and South Half of the Reservation. This funding will aid in building to determine minimum wolf population numbers, number of packs in the region, and other associated forest carnivore monitoring/management. The Chair or his/her designee is authorized to sign all pertinent documents.	0 AGAINST 1 ABSTAINED (KC)
2021-87.m&b.cdc.hhs	That a revised organizational chart be adopted for the Centralized Medical Billing Program (now the Revenue Cycle Management Program) and that the program be placed under the direction of the Director of Business Strategy in HHS in accordance with the HHS organizational chart adopted on 03/16/2020, said organizational chart is adopted. Chair or designee is authorized to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-88.m&b.cdc.l&j	To approve Contract No. A21AV00308 for Corrections Adult Detention Services and the annual funding agreement with the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) Northwest Region District VIII. Contract A21AV00308 shall be in effect from October 1, 2020 through September 30, 2023. The Chairman and/or designee shall sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-89.m&b.cdc.l&j	To approve Contract No. A21AV00307 for Law Enforcement: Uniformed Police, Telecommunications and Dispatch and the Annual Funding Agreement with the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) Northwest Region District VIII. Contract A21AV00307 shall be in effect from October 1, 2020 through September 30, 2023. The Chairman and/or designee shall sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-90.m&b.cdc.e&e	To approve to accept the FY 2021 All in Washington Funds in the amount of \$100,000. The Chairman and/or designee shall sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-91.m&b.cdc.hhs	To approve and accept Contract #2169-96220 MAC/TSOA in the amount of \$64,926.00. Contract to begin January 1, 2021 and end December 31, 2021. Chair or designee authorized to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-92.m&b.cdc.hhs	To approve and accept Contract #2169-97605 Older Americans Act in the amount of \$128,412.00. Contract to begin January 1, 2021 and end September 30, 2022. Chair or designee authorized to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-93.m&b.cdc.hhs	To accept amendment #4 to contract K4131 for Crisis Counseling Assistance and Training Program called Washington Listens, through SAMHSA. This is a correction to previously signed proposal with corrected award amount (from	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST

	\$172,006.00 to reflect \$241,74.80). Chair or designee authorized to sign all pertinent documents.	0 ABSTAINED
2021-94.m&b.cdc.hhs	To accept amendment #5 to contract #K4131. Amendment will increase by \$12,500.00 to add State Opioid Response II Funds to the INA SOW for 09/30/2020 - 06/30/2021. All pertinent documents are to be signed by CBC Chairman or designee.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-95.m&b.cdc.hhs	That an adjustment be made to the CTCC Budget to provide additional funding for the CTCC as a result of the approval by WA State of the enhanced Medicaid 638 rate for Tribal Medicaid Residents effective 07/01/2019 at the rate of \$639.57/TM pt./day. On 03/01/20 the enhanced Medicaid 638 rate increased to \$680.12/TM pt./day/The current enhanced rate for non-TM pt./day is \$194.48. The express intent of the enhanced rate is to provide additional services (such as: PT, OT, ST/Mental Health, and Cultural Specialist) within the facility and to construct a new LTC facility, as well as reduce staff turnover/ensuring staff retention by increasing CTCC staff pay rates to above the prevailing rates in the Spokane County. This end, an independent salary study was conducted. It is recommended that the attached revised CTCC Salary Plan be adopted and that the rate of pay of all currently eligible employees of CTCC be adjusted based upon their appropriate placement on the new salary scale with retroactive pay to 10/01/20, the start of the current fiscal year. Attached are the budget modifications for departments 6511, 6531, 6541, and 6571 totaling \$1,039,555.00. No Tribal dollars are required. This total amount includes CTCC current employees salary increase with retroactive pay to 10/01/20, as well as additional dollars supporting the above-mentioned services, set-aside amount for the facility construction, and the nursing staffing agency dollars. Chairman or designee authorized to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-96.tg	CONFIDENTIAL	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-97.nrc	To rest those areas impacted by the Cold Springs Fire through the 2021 calendar year. The grazing pastures in those areas will be prohibited to ensure that the lands can have a healthy recovery. Assessments will be conducted on a case by case basis to determine the progress of native bunchgrass and soil recovery. The grazing lease payments will be waived for the year 2021 for those contracts that fall within this burnt area. This waiver applies only to land owned by the Colville Confederated Tribes. Chairman or designee has authority to	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED

	sign all pertinent documents.	
2021-98.nrc.m&b.cdc	To amend Resolution 2018-425 to authorize the Colville Confederated Tribes/Bureau of Indian Affairs Real Estate Services to collect outstanding debts through Armada. Chairman or designee has authority to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-99.nrc.m&b.cdc	To amend the existing 638 Real Estate Services contract A19AV00319 from a Cooperative Real Estate Service Agreement to a Colville Confederated Tribes Real Estate Service Agreement. The intent is to allow the Tribe to actively recruit and retain realty tribal employees. Chairman or designee has the authority to sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-100.nrc	To approve Agricultural Lease No. 21-018 for a term of ten (10) years on Colville Tribal Tract No. 101-T-5530 for 280.0 acres m/l in the name of Charles E. Finley, enrolled Tribal member Lease applicant in good standing. 101-T5530: the N-1/2 NE-1/4 SW-1/4, NW-1/4 NW-1/4, S-1/2 NE-1/4 SW-1/4, S-1/2 NW-1/4, SE-1/4 SW-1/4, and the W-1/2 SW-1/4 of Section 10, Township 31 N, Range 36 E, Willamette Meridian, Ferry County, Washington, containing 280.00 acres, more or less. Containing 280 acres, more or less. Purpose: Agricultural Lease. Term: Ten (10) year lease. Compensation: \$600.00 – Lessee Offer. Bond: \$Required. Insurance: \$Required. Entire term of lease will be subject to Fair Market Rental Value. Lease Subject to conditions cited in IRMP Coordinator’s Review. Chairman or designee to sign all pertinent documents.	9 FOR (KC, JF, DB, SZ, AJ, JS, VSM, MK, JME) 0 AGAINST 1 ABSTAINED (RF)
2021-101.nrc	CONFIDENTIAL	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-102.nrc	To accept the transfer of the property known as the Figlenski Ranch Tunk Block in Okanogan County, Washington, and the placement of restrictive covenants on the property to protect its conservation values in perpetuity. The transfer will include 8,700 acres, more or less, at no cost to the Tribe (map attached). Whereas, the Colville Tribal Business Council approves and acceptance of title to the Property. In accepting title to the Property, the Colville Tribal Business Council also approves the placement of a covenant on the Property to manage and maintain the Property in accordance with the following restrictions on the use of the Property to protect in perpetuity the Conservation Values of the Property (Restrictive Covenants): -No residential use -No industrial use	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED

-No commercial use (other than farm, ranch and agricultural use and no more than de-minimis commercial recreational use)
The prohibition on more than a de minimis use of the Property for commercial recreational activities is intended to prevent the Property from becoming the site of a commercial recreational enterprise, such as a commercial campground, a golf course, an exclusive hunting ground or club, a commercial site for all-terrain vehicle, motocross or other racetrack, or other similar intensive or predominantly commercial use.

These Restrictive Covenants shall not merge with the title of the Confederated Tribes of the Colville Reservation to the Property, it being the intent of the Colville Tribal Business Council that these Restrictive Covenants shall be perpetual and remain with the Property, irrespective of common ownership.

The Restrictive Covenants shall run with the land and shall be binding on The Confederated Tribes of the Colville Reservation, its members, successors and assigns, and any person acquiring an interest in the Property, including a leasehold interest, in accordance with the Tribe's Law and Order Code and the Tribe's Fish and Wildlife regulations and policies.

-Any use of, or activity on, the Property inconsistent with the Restrictive Covenants is prohibited, and The Confederated Tribes of the Colville Reservation will not conduct, engage in or permit such use on the Property.

-The Confederated Tribes of the Colville Reservation will commence and prosecute enforcement action on the part of its members in its Tribal Court system in a manner reasonably calculated to swiftly correct the conditions caused by such violation.

Except as to the prohibited uses and activities provided in the Restrictive Covenants, in accepting title to the Property, the Colville Business Council reserves for The Confederated Tribes of the Colville Reservation, and its successors and assigns, all customary and cultural rights and privileges of ownership, including, but not limited to the right to sell, lease, and devise all or a portion of the Property.

The Colville Business Council authorizes Chairman or his/her designee to execute any documents necessary to carry out this resolution, including by execution of the deed by which the Property is conveyed to The Confederated Tribes of the Colville Resolution.

The Colville Business Council authorizes inclusion of the following language in the conveyance deed to The Confederate Tribes of the Colville Resolution:

"Grantee, The Confederated Tribes of the Colville Reservation, a sovereign nation, by its signature below, hereby accepts the Deed to the Property and covenants to manage and maintain the

	<p>Property in accordance with certain restrictions on its use to protect in perpetuity the Conservation Values of the Property, including but not limited to wildlife species and their habitat, all in the manner described in that certain Resolution _____ of Grantee attached hereto and incorporated herein by this reference (“Restrictive Covenants”).</p> <p>Grantee hereby affirms that these Restrictive Covenants shall run with the land and shall be binding on Grantee, its members, successors and assigns, and any person acquiring an interest in the Property, including a leasehold interest, in accordance with the Tribe’s Law and Order Code and the Tribe’s Fish and Wildlife regulations and policies.”</p> <p>Chairperson or designee has the authority to sign all pertinent documents.</p>	
2021-103.nrc	<p>To approve listing of 7,800 acres of reforested land as Forest mitigation Units (FMU). Under this program the project would be developed by The Climate Trust, at their cost, with a revenue sharing agreement that would allocate 15% of the revenue to The Climate Trust for their work and investment in project development and verification.</p> <p>Chairperson or designee has the authority to sign all pertinent documents.</p>	<p>10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-104.nrc	<p>To approve the Consultant Contract and purchase order with the Cal Forest Nurseries in Etna, CA for the amount of \$260,173.24. This contract and purchase order is for sowing and growing of 1,114,000 conifer seedlings for Colville Tribal Forestry for fall 2021 and spring 2022 planting in district greensale areas and the Northstar, Tunk Block, and Williams Flat Fire areas. Chairman or designee is authorized to sign all pertinent documents.</p>	<p>10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-105.nrc	<p>To authorize the Chairman to sign on to the attached Washington Farm Forestry Association’s Letter regarding funding to address the backlog of State Responsibilities under the Forest Riparian Easement Program (FREP) in the DNR budget and the Family Forest Fish Passage Program (FFFPP) in the Recreation Conservation Office budget.</p>	<p>10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-106.fish	<p>To authorize Chair or designee's notarized signature on the First Amendment to the Lease Agreement between the Confederated Tribes of the Colville Reservation and the Western Rivers Conservancy for that portion of the Antoine Valley Ranch currently owned by Western Rivers Conservancy. No tribal dollars attached.</p>	<p>9 FOR (JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)</p> <p>0 AGAINST</p> <p>1 ABSTAINED (KC)</p>
2021-107.fish	<p>To amend resolution 2021-76 changing the total contract value to \$602,464, and change the purchase order number to 144111 and the chair or designee is authorized to sign all pertinent documents. Attached is Resolution 2021-76.</p>	<p>10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

2021-108.fish	To approve the requisition for Bio-Oregon in the amount of \$87,484.64 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the requisition.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-109.fish	To approve budget modification #3 for 337019 Pacific States Marine Fisheries Commission doing a Line Item Transfer of funds and the contract value and dates remain the same, and authorize the Chairman or designee to sign all pertinent documents. Attached is the budget mod #3.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-110.fish	To approve the new award for 317521 Lake Roosevelt Rainbow Trout Habitat/Passage Improvement in the amount of \$792,055 and the dates are from February 1, 2021 to January 31, 2022 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the new award and budget.	9 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK, JME) 0 AGAINST 1 ABSTAINED (AJ)
2021-111.fish	To approve the new full award for 321021 Joint Stock Assessment in the amount of \$76,000, and the dates are from March 1, 2021 to February 28, 2022 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the new full award.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-112.fish	To approve new full award for Lake Roosevelt Burbot Population Assessment Project in the amount of \$508,715 and the dates are from March 1, 2021 to February 28, 2022 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the new full award.	9 FOR (KC, JF, DB, SZ, RF, JS, VSM, MK, JME) 0 AGAINST 1 ABSTAINED (AJ)
2021-113.fish	To approve the new full award for Pacific States Marine Fisheries Commission in the amount of \$6,845 and the dates are from November 2, 2020 to August 31, 2021 and authorize the Chairman or designee to sign all pertinent documents. Attached is the new full award.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-114.l&j.m&b.cdc	CONFIDENTIAL - LITIGATION	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED
2021-115.l&j	To approve the attached annual agreement between the North Central Washington Narcotics Task Force "Task Force" and the Colville Tribal Police Department "CTPD". This agreement shall supersede all previous Task Force agreements and shall remain in effect until terminated by either party, pursuant to the terms of the agreement. The Public Safety Director or designee is authorized to sign all future agreements as long as no changes are made to the existing agreement; otherwise the Chairman or designee must sign all pertinent documents.	10 FOR (KC, JF, DB, SZ, RF, AJ, JS, VSM, MK, JME) 0 AGAINST 0 ABSTAINED