



# COLVILLE CONFEDERATED TRIBES



## COLVILLE BUSINESS COUNCIL

February 21<sup>st</sup>, 2014

### Resolution Index

Condensed by, Naomi Yazzie, CBC Recording Secretary

Council Members Present: Michael Finley, William Nicholson II, Jack Ferguson, Benny Marchand Jr., Joseph Somday, Andrew Joseph Jr., Ricky Gabriel, John Sirois, Nancy Johnson, Allen Hammond, Nancy "Lynn" Palmanteer-Holder, Stevey Seymour Bylilly, Jim Boyd

Delegation/Absent:

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>10-signature 2014-69.ele</b>	To approve the attached Schedule of Events for the upcoming 2014 Colville Business Council Election, and upon approval the election process shall begin.	<b>10 FOR (EB, RG, AH, JF, AJ, NJ, LPH, WN, JSomday, BM)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>10-signature 2014-70.m&amp;b</b>	To allow the expenditure of \$36,823.55 for management of lan/wan software "Cisco Prime". This will prevent unnecessary changes to network, do PIM, allow use to track age, and automatically upgrade software. The Chairman or designee is authorized to sign all documents. Funds to come from 832.63001.	<b>10 FOR (WN, AJ, JR, RG, MF, AH, JB, SSB, LPH, JSirois)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>* Rationale: Timelines</b>
<b>10-signature 2014-71.nrc</b>	To approve change order #1 to 321513/7703 Betow Family Trust C12-100 not to exceed the additional \$10,800.00 being added from fund 7800 bringing the total contract value to \$42,540.00 and dates are from March 1, 2014 to August 31, 2014, and the Chairman or his/her designee authorized to sign all pertinent documents. Attached is the Change order #1 and sub contract and SOW. No Tribal Dollars associated.	<b>10 FOR (JSomday, JSirois, AJ, MF, WN, AH, LPH, JF, SSB, JB)</b>  <b>1 AGAINST</b>  <b>0 ABSTAINED</b>  <b>* Rationale: Timelines, NRC 02/18/2014 was cancelled</b>
<b>10-signature 2014-72.nrc</b>	To approve change order #2 312412-7800 Northwest Hydraulic Consultant C13-287 adding an additional	<b>10 FOR (JSomday, JSirois, JB, AJ, MF, WN, AH, LPH, JF, SSB)</b>

	\$13,524.00 from fund 7800 bring the total contract value to \$71,167.00 and dates remain the same, and the Chairman or his/her designee authorized to sign all pertinent documents. Attached is the Change Order #2 and sub contract and SOW. No Tribal Dollars associated.	<b>1 AGAINST (BM)</b>  <b>0 ABSTAINED</b>  <b>*Rationale: Timelines, NRC 02/18/2014 was cancelled</b>
<b>10-signature 2014-73.nrc</b>	To approve new budget for 199313 TFW Supplemental in the amount of \$76,813.00 and contract dates fare 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.	<b>10 FOR (JSomday, JF, JSirois, AJ, WN, AH, LPH, SSB, JB, MF)</b>  <b>1 AGAINST (BM)</b>  <b>0 ABSTAINED</b>  <b>* Rationale: Timelines, NRC 02/18/2014 was cancelled</b>
<b>10-signature 2014-74.cdc</b>	To Revoke Morgan and Sons, Septage Lagoon Conditional Use Permit #13.180 application. Morgan & Sons proposal is to construct a 150x150 septage lagoon for sewage pumped from septic systems on fee land within the boundaries of the Confederated Tribes of the Colville Reservation. The site is located on fee property approximately 6 1/2 miles south of Malott on new Highway 97 within Township 31 North, Range 25 East, Section 15 (Okanogan County parcel #31250021) and is within the boundaries of the Colville Indian Reservation containing 42 acres more or less. Land Review Board revocation policy 4-3-254 will be followed with an ORA Review. Chairman or his designee authorized to sign all necessary documents.	<b>10 FOR (BM, EB, JF, LPH, JB, JSomday, NJ, AH, SSB, JSirois)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>*Rationale: Timelines, LURB needs by 02/13/2014</b>
<b>2014-75.hhs/e&amp;e</b>	To AMEND Resolution #2011-068: the DSHS Division of Child Support (DCS) - Indian Nation Program Agreement - Federal Offset Certification. This agreement if necessary in order to provide Federal Offset Certification action on cases involving Tribal Child Support or Tribal Temporary to Needy Families (TANF) Program. All other terms and conditions of the original Contract remain in full force and effect. This agreement END date is June 30th 2014. The Chairman or designee is authorized to sign all documents pertaining to this agreement.	<b>12 FOR (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2014-76.hhs/e&amp;e</b>	To AMEND Resolution #2008-714: the Indian Nation-Data Share Agreement for the purpose of furthering the government-to-government relationship acknowledged in the Centennial Accord and to achieve mutual objective of providing efficient and beneficial services to the public. The intent of this agreement is to provide a framework for DSHS to provide the CTCSP with access to SEMS case management technology to assist the Tribes in fulfilling the requirements of the IV-D program and meet the needs of its customers. All	<b>12 FOR (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>

	other terms and conditions of the original Contract remain in full force and effect. The agreement END date is December 31st 2014. The contract amount is \$65,496.00 (Less \$11,412.00). The Chairman or designee is authorized to sign all documents pertaining to this agreement.	
<b>2014-77.m&amp;b</b>	<p>To approve and authorize the Colville Tribal Federal Corporation (the "Corporation") to proceed with the planned development, construction and expansion of the Omak Casino, Hotel and related amenities (the "Project").</p> <p>WHEREAS, it is the recommendation of the Management &amp; Budget Committee to approve and authorize the Corporation to enter into a proposed financing of up to \$68,000,000.00 (the "financing") to be arranged by Key Bank National Association ("Key Bank") having the general terms and conditions described in the attached Commitment Letter and related documents (the "Commitment Documents") for the purpose of (i) refinancing certain existing indebtedness of the Corporation, (ii) financing the costs and expenses of the Project, (iii) paying fees and expenses incurred in connection with the Project and the Financing, and (iv) providing for ongoing working capital and other general purposes of the corporation's gaming and related operations.</p> <p>WHEREAS, it is the recommendation of the Management &amp; Budget Committee to enter into a "Tribal Agreement" with Key Bank having the general terms and conditions described in the Commitment Documents, pursuant to which the Tribes will make certain representations and warranties, and agree to certain limited covenants, in connection with the Financing, provided that the final form of the Tribal Agreement will remain subject to approval by the Colville Business Council.</p>	<p><b>11 FOR</b> (WN, JF, JB, SSB, LPH, NJ, JSomday, RG, JSirois, BM, AJ)</p> <p><b>1 AGAINST</b> (AH)</p> <p><b>0 ABSTAINED</b></p>
<b>2014-78.tg</b>	To adopt Raimond Duane Best, as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance and Constitution of the Confederated Tribes of the Colville Reservation.	<p><b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2014-79.tg</b>	To adopt Jayden Quillen Percy Waters-Sellars, as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance and Constitution of the Confederated Tribes of the Colville Reservation.	<p><b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2014-80.tg</b>	To adopt Shekinah J'Adore Jackson, as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance and Constitution of the	<p><b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</p> <p><b>0 AGAINST</b></p>

	Confederated Tribes of the Colville Reservation.	<b>0 ABSTAINED</b>
<b>2014-81.tg</b>	To accept the Colville Tribal Relinquishment request of Montana James Matt on the current Colville Tribal Membership Roll.	<b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2014-82.ele</b>	That Omak District Position #1, previously held by Ernest "Sneena" Brooks III, be declared "vacant" as of February 18, 2014. Which is the date the Colville Business Council received his resignation.	<b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>TABLED</b> <b>2014-83.cul</b>	To approve the attached organizational chart for the History/Archaeology Program. The organizational chart includes the Tribal Museum & Gift Shop and Fort Okanogan Interpretive Center. This authorizes the Chairperson or designee to sign all documents related to this project.	
<b>2014-84.cul</b>	To approve Change Order #2 for Design Space Office Modular to address cost overruns due to weather. Additional funds in the amount of \$18,775.00 to be drawn from CCT Acct. #1820 (NPS Historic Preservation Grant, we may offset drawdown on 1820 with supplemental funds from CCT Acct. #155602 with Reclamation).	<b>11 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>* Out of Room (BM)</b>
<b>2014-85.cul</b>	For the Colville Confederated Tribes and their Tribal Historic Preservation Officer to re-sign the Federal Columbia River Power System's Systemwide Programmatic Agreement for managing cultural resources in compliance with Section 106 of the National Historic Preservation Act. This is done with the full understanding that the Army Corps of Engineers, Bureau of Reclamation, and the Bonneville Power Administration, in a joint letter dated June 3, 2013, fully accept the guidance of the Advisory Council on Historic Preservation, as detailed in a letter from Reid Nelson dated October 1, 2012, on implementation of the Systemwide Programmatic Agreement. Chairman or his designee is authorized to sign all documents. No tribal dollars.	<b>11 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>* Out of Room (BM)</b>
<b>2014-86.cul</b>	To pursue federal and other funding for a new museum. Chair or designee authorized to sign all relevant documents.	<b>11 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>* Out of Room (BM)</b>
<b>2014-87</b>	To approve rescinding Resolution Number 2000-646, and replace it with the attached Pendleton Blanket Distribution Policy to Clarify the Eligibility Criteria and Approval Process; and	<b>12 FOR</b> (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>

	<p>WHEREAS, it is important to clearly identify that the Family putting on a giveaway, memorial, feast, or other cultural event is responsible for gathering items to giveaway or honor an individual; and</p> <p>WHEREAS, although the family bears the responsibility to gather those item, the Tribes recognize that in certain instances it is important for the Tribes to celebrate a tribal member's life upon passing, honor a tribal member graduate, recognize the passing of an employee for their dedicated service, honor retirees with lengthy service to the Tribes, and gift a blanket to dignitaries or other individuals who have worked to benefit the membership or tribal community in an extraordinary way; and</p> <p>WHEREAS, as part of the Tribe's desire to honor those individuals, the Tribes have established a Pendleton Blanket Distribution Policy to outline the eligibility criteria and approval process so that tribal members, former employees, or dignitaries can be honored with a Pendleton Blanket by the Tribes; and</p> <p>WHEREAS, the Tribes are rescinding Resolution Number 2000-646 to expand the eligibility criteria and clarifying the approval process so that the attached Pendleton Blanket Distribution Policy is Approved and All Tribal Members and Tribal Programs will adhere to the updated Policy; and</p>	
<p><b>TABLED</b> <b>2014-88.l&amp;j</b></p>	<p>To approve an extension of William Elliott's ninety (90) day tribal detail where Elliott performs work for both the Confederated Tribes of the Colville Reservation (the "Tribes") and the Colville Tribal Solutions Corporation (the "Corporation").</p> <p>WHEREAS, as provided for in Colville Business Council Resolution Number 2013-500, Elliott has been on a tribal detail to assist, as the interim Chief Executive Officer, in the formation of the Corporation. The Tribes and the Corporation have equally shared Elliott's salary compensation. This Resolution is attached as Exhibit A; and</p> <p>WHEREAS, on February 6, 2014, the Corporation, by Resolution 009-2014, approved the extension of the tribal detail and selected Elliott as the Interim Chief Executive Officer for an additional ninety (90) days, to compensate the Tribes for fifty (50%) of Elliott's salary. This Resolution is attached as Exhibit B; and</p> <p>WHEREAS, during this ninety (90) day period, the Corporation shall advertise and hire the CEO as provided for under the Corporation's Charter and</p>	

	<p>Bylaws; and</p> <p>WHEREAS, the Law and Justice Committee finds that in meeting the needs of the Tribes, it is prudent to approve the extension of Elliott's ninety (90) day tribal detail.</p> <p>THEREFORE BE IT RESOLVED, that the Colville Business Council approves the extension of Elliott's ninety (90) day tribal detail as provided for by this Resolution and its exhibits.</p>	
<b>2014-89.l&amp;j/m&amp;b</b>	<p>To approve the attached Budget Modification moving wages from 3 vacant positions into the Associate Judge's position to offer a more competitive wage, into a filled and active position that was omitted from the FY2014 budget and to re-instate a clerical position that was written out of the FY2014 budget. No additional dollars required.</p>	<p><b>12 FOR (WN, JF, JB, SSB, LPH, AH, NJ, JSomday, RG, JSirois, BM, AJ)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>