



COLVILLE CONFEDERATED TRIBES



COLVILLE BUSINESS COUNCIL

April 17th 2014

Resolution Index

Condensed by, Naomi Yazzie, CBC Recording Secretary

Council Members Present: Jim Boyd, William Nicholson II, Jack Ferguson, Nancy “Lynn” Palmanteer-Holder, Richard Tonasket, Joseph Somday, Andrew Joseph Jr., Ricky Gabriel, Nancy Johnson

Delegation/Absent: Michael Finley, Mel Tonasket, John Sirois, Allen Hammond, Stevey Seymour-Bylilly

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-signature 2014-225.cul	<p>Whereas, The Ancient One (aka Kennewick Man) is an ancestor of members of the Confederated Tribes of the Colville Reservation. On August 30, 2002, the U.S. District Court of Oregon determined that the Native American Graves Protection and Repatriation Act (NAGPRA) did not apply to the Ancient One. To repatriate the Ancient One under NAGRA, two questions must be answered: 1) is the Ancient One Native American? 2) Can he be culturally affiliated with present day Indian Tribe?</p> <p>WHEREAS, recent DNA tests conducted under the Plaintiff Scientists’ Study Plan may result in a finding of Native American. It may be necessary to have comparative DNA samples from our people to determine cultural affiliation. Colville data can be made available to other researchers only to test the exact same question as the original study, ancient population dynamics. Otherwise results are protected. All personal data will be maintained by CCT Enrollment. Individual tribal members will participate on a voluntary basis and sign written release forms.</p> <p>THEREFORE, The Culture Committee recommends the Confederated Tribes of the Colville Reservation endorse individual Colville members providing DNA for genetic comparison to the Ancient One on a voluntary basis. The</p>	<p>10 FOR (SSB, MF, RT, RG, MT, JSomday, JF, AH, JB, AJ)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Timelines, Culture Committee cancelled</p>

	sample will be sequenced to obtain the complete nuclear genome, which will be used to determine genetic markers for population genomics/demographic analysis only. The sample will not be used for commercial, health-related, or tribal blood quantum purposes. This study will be conducted by Prof. Dir. Eske Willerslev and associates at the Center of GeoGenetics, University of Copenhagen in Denmark. This authorizes the Chairman of the Business Council or designee to sign all documents related to this matter.	
10-signature 2014-226.cul	To adopt the Plant Gathering Policy for Public Lands Outside the CCT Reservation. Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual tradition, histories and philosophies, especially their rights to their lands, territories and resources, recognizing also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States. The Chairman of the CBC will authorize adoption of the Policy. No Tribal dollars associated.	10 FOR (SSB, MF, RT, RG, MT, JSomday, JF, AH, JB, AJ) 0 AGAINST 0 ABSTAINED Rationale: Timelines, Culture Committee cancelled
10-signature 2014-227.hhs	To approve the OOA (Jan 2014 – March 2014) Contract 1469-9346 which is equal to 25% of the Title 3 and Title 7 funding and nutrition incentive program (NSIP).	10 FOR (AJ, NJ, JF, SSB, MT, AH, JSomday, JB, RG, JSirois) 0 AGAINST 0 ABSTAINED Rationale: Timelines
2014-228.m&b/tg	To approve the 2014 May Elder Quarterly Stipend from account PL75747012 in the amount of \$436.00 to each eligible tribal member age 55 and older of the Confederated Tribes of the Colville Reservation. Elder stipend distributed on May 5, 2014. To be eligible for the elder stipend, each member must be enrolled, age 55, and living as of midnight of April 21, 2014. Debt Set-Off shall not apply. Retro Active Payments are not allowed. The following holds are approved for deposit into the tribal members IIM account: 1. Social Services (Regular) Court Orders for court declared incompetent adults and voluntary consent. 2. Enrollment/IIM (OST) Court Order, Voluntary Consent and eligible deceased members.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-229.m&b	To approve the Uniform Terminal Allocation Transfer Agreement between Muckleshoot Indian Tribe and the Confederated Tribes of the Colville Reservation. THEREFORE, BE IT RESOLVED, that the Chairman or his Designee is authorized to sign any related documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-230.m&b/hhs	To approve PARC Resources to complete a Feasibility	8 FOR (WN, JF, LPH, RT,

	Study, a Business Plan, and a Marketing Strategy Plan for the Colville Tribal Convalescent Center for a not-to-exceed price of \$46,093.00. Funding to come from the Qwam Qwmpt' plan for Health. Chair or his/her designee authorized to sign all pertinent documents.	JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-231.m&b/l&j	To approve the Business Associate Agreement for Sonosky, Chamber, Sachse, Miller & Munson, LLP to provide legal services to Covered Entity and in connection with those services. Covered Entity may disclose Protected Health Information (PHI) to Attorneys for health care operational purposes. Chair or designee authorized to sign all pertinent documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-232.m&b	To support the nomination of Stevey Seymour, Colville Business Council as the elected Tribal representative to serve on the Federal Communications Commission Native Nations Broadband Task Force.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-233.m&b	To support the nomination of Elizabeth (Susie) Allen, as the alternate Tribal representative to serve on the Federal Communications Commission Native Nations Broadband Task Force.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-234.m&b	That the Colville Tribes reaffirm that the Colville Gaming LLC and 19 other Doe LLCs were formed based on authorization of Resolution 2013-470 and pursuant to Chapter 7-1 of the Colville Law and Order Code; and WHEREAS, the Management and Budget Committee further recommends that the Colville Business Council reaffirm that for good and valid consideration the Colville Gaming LLC and 19 other Doe LLCs were transferred to the Colville Tribal Federal Corporation, and that the Colville Tribal Federal Corporation (CTFC) is now the sole member of the Colville Gaming LLC; and WHEREAS, the Management and Budget Committee further recommends that the following board members of the CTFC; Ken Stanger, William Nicholson, Kim Peone, Shawn Jones, and Mekko Miller be appointed as Managers of the 19 un-named LLCs formed in accordance with Resolution 2013-470. Their terms to start upon appointment in the individual LLC bylaws, and also that the Colville Tribes appoint Joe Pakootas, (until December 20, 2015), William Smith (until December 20, 2015), and Randy Williams (until December 20, 2015) as Managers of the Colville Gaming LLC. BE IT FURTHER RESOLVED, that the Chairman or his Designee is authorized to sign any related documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-235.m&b/nrc	To approve the mailing of the Colville Tribe Land Sale Inquiry to highly fractionated Allotment Landowners; funded by the 1789 LTRO/\$46,000.00. Note: We shall	7 FOR (JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST

	request reimbursement from the Cobell Buy-Back. The landowner response(s) are necessary for our Cobell Buy-Back Cooperative Agreement request.	1 ABSTAINED (WN)
2014-236.m&b/nrc	To approve the 638 Contract - Realty #A13AV00599 modification to increase the funding to \$433,289.00 and change the statement of work budget to add two additional (FTE's) positions.	7 FOR (JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (WN)
2014-237.m&b/nrc	To CHEROKEE NATION TECHNOLOGY \$899,260.00; funded by the 1789/LTRO/\$28,700.00, 1023 Realty/\$259,560.00 and 553/LTRO/\$611,000.00. Note: We shall request reimbursement from the Cobell Buy-Back. The Contractor to verify 30,000 conveyance documents (Chain-of-Title) and update the TAAMS production and history data. This will ensure accurate land ownership for all lands transactions, including the Cobell Buy-Back lands.	7 FOR (JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (WN)
2014-238.m&b/nrc	To approve the Contract to COMSTAR for \$45,495.00; funded by the 1789 LTRO. The Contractor to CONVERT: Microfilm (4,350 jackets/50 images per jacket) and Appeture cards (39,875) to digital image and index images. These are the remainder documents necessary to complete the 30,000 conveyance documents; awaiting verification to ensure accurate landownership for all land transactions, including the Cobell Buy-Back lands.	7 FOR (JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (WN)
2014-239.m&b/nrc	To approve the Contract to Moss-Adams for \$235,301.00; funded by the 1023 Realty. The Contractor to access and classify pending Realty cases, Create Case Tracking Database, Develop Directives/Process, Program Risk Assessment & Reporting, Develop Realty Operation Plans and Cobell Buy-Back Operation Plans: Outreach, Land Research, Land Valuation and Buy-Back Acquisition.	7 FOR (JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (WN)
2014-240.nrc	To approve new full award for Resident Fish RM&E in the amount of \$280,000.00 for the period of May 1, 2014 thru April 30, 2015 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new full award. No tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-241.nrc	To approve the new sub contract for Tetra Tech in the amount of \$202,597.00 to begin when signed by both parties thru January 31, 2015 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new sub contract & SOW. No Tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-242.nrc	To approve the pre award 911014 Twin Lakes Enhancement in the amount of \$36,000.00 and the contracts dates are from April 1, 2014 to June 30, 2015 and authorize the Chairman or his/her designee to sign all	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED

	pertinent documents. Attached is the pre award letter and budget, by June to have the full contract in place. No Tribal dollars associated.	
2014-243.nrc	To approve the pre award 312413 Chief Joseph Hatchery M&E in the amount of \$294,000.00 and the contracts dates are from May 1, 2014 to July 31, 2014 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the pre award letter and budget, by June to have the full contract in place. No Tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-244.nrc	To approve sub contract for 316613 McCuen & Jones in the amount of \$40,000.00 and the Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the sub contract and SOW. No Tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-245.nrc	To approve sub contract for Battelle Institute in the amount \$193,960.00, and the dates are from January 1, 2014 to December 31, 2014 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the sub contract and SOW. No Tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-246.nrc	To approve the new contract for 318614 Omak Creek Improvement of Fish Passage in the amount of \$207,916.00 and contract dates are form April 1, 2014 to March 31, 2015 and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is Full contract award. No tribal dollars associated.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-247.nrc	To approve the Memorandum of Agreement between Ferry County (WA) Commissioners; Ferry County Noxious Weed Control Board, Okanogan County (WA) Commissioners; Okanogan County Noxious Weed Control Board, Stevens County (WA) Commissioners; Stevens County Noxious Weed Control Board, Chelan County (WA) Commissioners; Chelan County Noxious Weed Control Board, The Confederated Tribes of the Colville Indian Reservation; Bureau of Indian Affairs, Colville Agency, to work together in the control of invasive species on the reservation, the counties shall be permitted to take action once notification is given by the tribe on the treatment of invasive species. Chair or designee is authorized to sign all pertinent documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-248.nrc	To amend Resolution 2011-011 for an additional three (3) year period to allow the use of pesticide chemicals for forest regeneration and/or noxious weed control until April 15th, 2017. Monitoring and annual updates will occur. Chair or designee is authorized to sign all pertinent documents.	6 FOR (WN JF, RT, JSomday, RG, NJ) 1 AGAINST (AJ) 0 ABSTAINED *Out of the Room (LPH)
2014-249.nrc	To approve the Memorandum of Agreement between Lloyd Olbricht, the Tribe, and the Bureau of Indian	6 FOR (WN JF, RT, JSomday, AJ, NJ)

	Affairs, the agreement is to use Lloyd's private well to do an EQIP project on that will benefit the range unit and all the permittee's that are currently using this range unit, the well will be updated and used to pump water into a large tire watering trough that will be used by the permittee's and the land owner. Chair or designee is authorized to sign all pertinent documents.	1 AGAINST (RG) 0 ABSTAINED *Out of the Room (LPH)
2014-250.nrc	To approve the 2014's Ps'quosa fishing regulations. The chairman or designee is authorized to sign all pertinent documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-251.nrc	To approve Realty-A&D office to proceed with requesting timber cruises/appraisals for the land exchange of equal value whereby Walt Arnold wishes to exchange his undivided 1997469936/3595445884800 interest within the Christine Simpson Allotment 101-1547-2, containing 60.46 acres, more or less (equivalent to 0.34 acre) and undivided 61683185600/400605157232640000 interest within the Praxette Allotment 151-H44 containing 80.00 acres more or less, (equivalent to 0.01 acre). For Tribal Tract 101-T3320 containing 5.00 acres more or less. Upon completion of survey for tribal tract/timber cruises/appraisals of Lands BIA Realty will re-present the value of the exchange to the Natural Resource Committee. Subject to all IRMP coordinator review, Chairman or designee has authority to sign all pertinent documents.	7 FOR (WN, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (JF)
2014-252.nrc	To approve Realty-A&D office to proceed with requesting timber cruises/appraisals for the land exchange of equal value whereby Duane Johnson wishes to exchange his 1/1 interest within the Colville Allotment 101-2438-A, containing 50.00 acres, more or less. For portion of Tribal Tract 101-T3018 containing 96.53 acres more or less. Upon completion of survey for tribal tract/timber cruises/appraisals of Lands BIA realty will re-present the value of the exchange to the Natural Resource Committee. Subject to all IRMP coordinator review, chairman or designee has authority to sign all pertinent documents.	7 FOR (WN, JF, LPH, RT, JSomday, AJ, RG) 0 AGAINST 1 ABSTAINED (NJ)
2014-253.nrc	To approve Realty-A&D office to proceed with requesting timber cruises/appraisals for the land exchange of equal value whereby Ralph Moses wishes to exchange his undivided 4/96 interest within the Bertha Johnson Allotment 101-252-A, containing 80.00 acres, more or less. (equivalent to 3.34 acre). And undivided 61683185600/400605157232640000 interest within the Suapkin Allotment 101-350 containing 117.41 acres	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED

	more or less, (equivalent to .11 acres). Portion within Tribal Tract 101-T465-A containing 5.00 acres more or less. Upon completion of survey for tribal tract/timber cruises/appraisals of Lands BIA realty will re-present the value of the exchange to the Natural Resource Committee. Subject to all IRMP coordinator review, chairman or designee has authority to sign all pertinent documents.	
2014-254.nrc	To approve Realty-A&D office to proceed with requesting timber cruises/appraisals for the land exchange of equal value whereby Tony Sorimpt wishes to exchange his undivided 3/40 interest within the Clara Sorimpt Allotment 101-1181-A, containing 33.94 acres, more or less. (equivalent to 2.55 acres) And undivided 420/51840 interest within the Annie Martin Allotment 101-1895 containing 80.00 acres more or less, (equivalent to .65 acres). and undivided 132/39600 interest within the Parhoomtitsa or Jim Allotment 151-WH13 containing 1.94 acres (equivalent to .65 acres). For Tribal Tract 101-T5636 containing .32 acres more or less. Upon completion of survey for tribal tract/timber cruises/appraisals of Lands BIA realty will re-present the value of the exchange to the Natural Resource Committee. Subject to IRMP coordinator review, Chairman or designee has authority to sign all pertinent documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-255.nrc	To approve submittal of a formal application to the US Environmental Protection Agency for partial delegation of Administrative Authority to Administer Federal Air Rules for Reservations. Specifically, it is the recommendation of the Natural Resources Committee to seek delegation of 49.124 Rule for limiting visible emissions, 49.131 General rule for open burning, and 49.137 Rule for air pollution episodes. Tribal Chairman or designee authorized to sign all relevant documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-256.nrc	To convey to the United States to be held in trust for the Confederated Tribes of the Colville Reservation, pursuant to Section 5 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 465, all of the parcels that comprise the Colville Indian Plywood and Veneer ("CIPV") Property, specifically Assessor Parcel Numbers 1910280000, 200128110, 2001281300, 2001340101, 20013710100, 2001380100, 2001390200, 3326010021, 3326010024, 3326010026, 3326021001, 3326021002, 3426350099, 3426350100, 3426360038, 3426360045, 3426360047, 3426360048, 3426360049, 3426361003, 3426362005, 4550010001, 4550120001, 4550130005, and 4550130006. BE IT FURTHER RESOLVED, that we, the Colville	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED

	Business Council, acting for and on behalf of the Confederated Tribes of the Colville Reservation, hereby requests that the Secretary of the Interior, or her designated representative, accept conveyance of the CIPV Property to be held in trust by the United States of America in perpetuity for the benefit of the Confederated Tribes of the Colville Reservation; and BE IT FURTHER RESOLVED, that the Chairman or his Designee is authorized to sign any related documents.	
2014-257.nrc	To approve the attached collaborative agreement between the US Geological Survey and the Confederated Tribes of the Colville Reservation for Light Detection and Ranging Data not to exceed \$1,100.00. Funds to come from QQ Restoration Fund. Chairman or Designee is authorized to sign.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-258.cdc	To approve Womer & Associates contract in the amount of \$182,000.00 for the new Nez Perce Longhouse design and construction documents with the funding coming from the insurance settlement with no Tribal dollars. Chairman or Designee to sign all pertinent documents.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-259.cdc/m&b	To apply for the ANA Grant under the Tribal Government section. Whereas, this Grant application will propose to develop a Regional Master Plan and a Nespelem Agency Plan in order to Identify and list long range community goals that deal with land use/environment/sustainability; Whereas, this Grant application proposes to develop a Strategic plan based on goals and objectives set forth in the application in order to address problematic issues in Land Use and Development across the Colville Reservation; Whereas, the Request includes the recommendation to utilize \$194,610.00 of in-kind services to match the request for \$739,869.00 in grant funding to assist with aligning the Tribes' community development objectives with its overall land use master plan that will aim to guide the Tribes over the next 10 years and beyond. Whereas, no tribal dollars are needed; Whereas, the Tribal Chairman or authorized representative has the authority to sign all related paperwork.	8 FOR (WN, JF, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 0 ABSTAINED
2014-260.cdc	To select Walter Arnold, Tribal Member, to the "At Large" position on the Colville Tribes Land Use Review Board as called for in Title 4.3 of the Land Use & Development Code. This board member will serve a three year term, which will expire on March 27, 2017. Mr. Arnold's selection was approved by unanimous vote on the Land Use Review Board Committee meeting on March 27, 2014.	7 FOR (WN, LPH, RT, JSomday, AJ, RG, NJ) 0 AGAINST 1 ABSTAINED (JF)