



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

## Regular Session

July 8<sup>th</sup>, 2021

## Resolution Index

Condensed by, Elizabeth Gentemann, Executive Office Assistant

**Present:** Virgil Smoker Marchand, Shar Zacherle, Dustin Best, Richard Swan Sr., Marvin Kheel, Joe Somday, Jack Ferguson, Karen Condon, Norma Sanchez, Jarred-Michael Erickson, Roger Finley, Andy Joseph Jr.

**Delegation/Leave:** Joel Boyd, Rodney Cawston

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<i>2021-490.hhs</i> <i>10-Signature</i>	That the attached Program Agreement -- Indian Child Welfare Services be signed to accept funding from the State of Washington. The Chairman or his designee is authorized to sign all pertinent documents.	10 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, SZ)  0 AGAINST  0 ABSTAINED  <b>Rationale: Time Sensitive; renewal due 7/1.</b>
<i>2021-491.hhs</i> <i>10-Signature</i>	To approve the Data Sharing Agreement between Washington State Department of Health (DOH) and Colville Confederated Tribes. This will grant HHS access to the Washington Disease Reporting System (WDRS) and soon-to-be linked COVID-19 related data from several other DOH data systems. This is a unilateral agreement for access only, with no Tribal Data shared with the State.	10 FOR (NS, VSM, JF, JS, JME, AJ, SZ, MK, DB, RC)  0 AGAINST  0 ABSTAINED  <b>Rationale: Time Constraint</b>
<i>2021-492.hhs</i> <i>10-Signature</i>	To accept Amendment Number Six (6) increasing FY 21 I.H.S. 638 Contract 248-96-0001 in the amount of \$102,018.00 for Non-recurring Fiscal Year 2021 Maintenance & Improvement Funds. Chairman or designee authorized to sign all pertinent documents.	10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, DB, RC)  0 AGAINST  0 ABSTAINED  <b>Rationale: Time Constraint</b>
<i>2021-493.hhs.m&amp;b.cdc</i> <i>10-Signature</i>	To approve the OAA Title VI - FFCRA, in the amount of \$47,430.00. The award dates are from March 20, 2020 to September 30, 2021. Chair or designee authorized to sign all pertinent documents.	10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines; grant ends 9/30/21.</b>

<p><i>2021-494.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To approve the OAA Title VI - CARES, in the amount of \$88,920.00. The award dates are from April 1, 2020 to September 30, 2021. Chairman or designee authorized to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Timelines; grant ends 9/30/21.</p>
<p><i>2021-495.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To approve the American Rescue Plan (ARP) for Older Americans Act (OAA) for Title VI Part A/B, in the amount of \$73,490.00. The award dates are from May 1, 2021 to September 30, 2024. Chair or designee authorized to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Timeline; due to the fact that one of the grants has a deadline of 6/30/21.</p>
<p><i>2021-496.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To approve amendment #2 to accept additional funding in the amount of \$5,093.00 bringing the total contract amount to \$463,704.00. Tribal Chair or authorized designee to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Timelines</p>
<p><i>2021-497.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To approve the Older Americans Act (OAA) Nutrition Services Incentive Program, in the amount of \$29,386.00. The award dates are from April 1, 2021 to March 31, 2023. Chair or designee authorized to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Timeline; due to the fact that one of the grants has a deadline of 6/30/21.</p>
<p><i>2021-498.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To accept Amendment Number One (1) increasing FY 21 I.H.S. 638 Contract 248-96-0001 in the amount of \$498,933.00 for Fiscal Year 2021 for non-recurring Office Environmental Health &amp; Engineering (OEHE) Funds. Chairman or designee authorized to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Time Constraint</p>
<p><i>2021-499.hhs.m&amp;b.cdc</i> <i>10-Signature</i></p>	<p>To approve FY 2021 I.H.S. 638 Tribal Health Contract #248-96-0001 FY21 Amendment Number (7) increasing the amount \$10,000.00 for non-recurring Health Education Funds. Chairman and/or designee to sign all pertinent documents.</p>	<p>10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, SZ, DB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>Rationale: Time Constraint</p>

<b>2021-500.tg.m&amp;b.cdc</b> <b>10-Signature</b>	To prohibit firework sales and ignition on the Colville Reservation due to the significant threat posed by current Fire Danger Ratings, effective immediately. Resolutions 2021-347, 2021-382 and 2021-452 are hereby rescinded. Chairman or designee to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, DB, MK)  0 AGAINST  0 ABSTAINED
<b>2021-501.tg</b> <b>10-Signature</b>	The Reservation faces an emergency situation with the extremely high fire risk. Due to the risk, it is the recommendation of the Colville Business Council to implement an emergency damages fine of \$5,000.00 for each violation of the fireworks prohibition. This prohibition and emergency fine shall be in place from July 1, 2021 until October 1, 2021, unless modified by Resolution of the Colville Business Council.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, DB, MK)  0 AGAINST  0 ABSTAINED
<b>2021-502.tg</b> <b>10-Signature</b>	The Reservation faces an emergency situation with the extremely high fire risk. Due to the risk, it is the recommendation of the Colville Business Council to prohibit all open fires on the Reservation and to implement an emergency damages fine of \$5,000.00 for each violation of this prohibition. This prohibition and emergency fine shall be in place from July 1, 2021 until October 1, 2021, unless modified by Resolution of the Colville Business Council.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, DB, MK)  0 AGAINST  0 ABSTAINED
<b>2021-503.tg</b> <b>10-Signature</b>	To close the shore line within the Hellsgate Game Reserve boundary and Swawilla Basin in consideration of current and predicted fire risk, and restricted access for initial attack resources. This closure will remain in place until further notice. Chairman or designee to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, DB, MK)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timeline</b>
<b>2021-504.m&amp;b.cdc</b> <b>10-Signature</b>	To approve the two (2) year lease agreement between the Colville Confederated Tribes and CNB, LLC dba CB Eats to occupy the cafe area at the Lucy Covington Government Center. The Chairman or designee to sign all pertinent documents.	10 FOR (NS, KC, VSM, JF, JS, RF, JME, AJ, DB, MK)  0 AGAINST  0 ABSTAINED  <b>Rationale: Time Constraints</b>
<b>2021-505.m&amp;b.cdc</b> <b>10-Signature</b>	To approve the purchase of the R&A Cafe, Okanogan County parcel #0610460301. Total purchase price will be \$290,000.00 plus associated closing costs to come from Tribal account 550. Chairperson or designee has the authority to sign all pertinent documents.	10 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, AJ, MK)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2021-506.fish</b>	To approve the new sub contract for 912020 John M Willey Construction in the amount of \$471,940, and the chairman or his/her designee is authorized to sign all pertinent documents. Attached is the new sub contract & SOW.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED

<b>2021-507.fish</b>	To approve the contract with Elite Excavation in the amount of \$315,831.00. Work will include a new route constructed to replace 8500ft of existing road that aligns with the headwaters of Stapaloop Creek. This project will improve water quality, fish and wildlife habitat, hydrologic flows and create a safer route up Omak Mountain for the membership and authorized users. The old route will have the stream channel restored to natural conditions. Contract to be paid from account #461002. Chairman or designee is authorized to sign all pertinent and relevant documentation.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
<b>2021-508.e&amp;e</b>	To approve the Memorandum of Understanding between the Colville Confederated Tribes Early Childhood Education/Head Start and Colville Confederated Tribes Woman, Infant, Children/Nutrition Program. Tribal Chairman or designee to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
<b>2021-509.e&amp;e</b>	To approve the Confederated Tribes of the Colville Reservation Early Childhood Education/Head Start Staff Wellness Policy. Tribal Chairman or designee to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
<b>2021-510.e&amp;e</b>	To amend Resolution 2019-652, reflecting the correct (3) year total amount. The Memorandum of Agreement between the Confederated Tribes of the Colville Reservation (CCT) Temporary Assistance for Needy Families (TANF) and Inchelium & Nespelem Childcare Centers. The purpose of this MOA is to increase services to T ANF client population through childcare services, to provide a safe environment for children and support the immersion of our Native language to our children. TANF will reimburse for costs not to exceed \$75,000 per center per year for a 3 year total of \$450,000 starting October I, 2019 - September 30, 2022. This MOA will supersede all prior MOA's. Chair or designee authorized to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
<b>2021-511.tg</b>	To authorize Dustin Best to serve as a general public member of Washington State's 15 member LGBTQ Commission subject to application and Governor appointment. Chairman or designee is authorized to sign all pertinent documents.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
<b>2021-512.tg</b>	To adopt EMILIANO OHTLI DE LOS SANTOS as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED

2021-513.tg	To adopt SILAS DEANGELO AMEZCUA-KRUGER as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
2021-514.tg	To adopt ZAELA LEE PARR as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
2021-515.tg	To adopt BROOKELYN ELIZABETH TATE as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance.	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
2021-516.tg	<p>To accept the Colville Tribal Relinquishment request of RICHARD SHANE ADOLPH.</p> <p>In accordance with Sec. 8-1-320, 8-1-321, 8-1-322 of Title 8 - Colville Membership Code, this relinquishment is effective immediately upon full Tribal Business Council approval.</p> <p>Also, in accordance with Sec. 8-1-324, RICHARD SHANE ADOLPH shall hereafter be prohibited from future membership with the Confederated Tribes of the Colville Reservation. She/he wishes to relinquish to the SPOKANE Indian Tribe.</p>	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
2021-517.m&b.cdc	<p>To authorize Colville tribal staff to proceed with planned development, financing, and construction of the Omak Clinic.</p> <p>Whereas, it is the recommendation of the Management &amp; Budget/Community Development Committee to pursue financing up to \$24,808,600.00. The proceeds of the loan will be used for (i) paying construction costs; and (ii) providing leverage loans to secure new market tax credits. Provided that the final form of all loan documents will remain subject to approval by the Colville Business Council. Chair or designee to sign all pertinent documents.</p>	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED
2021-518.m&b.cdc.cul.e&e	To approve authorizing the negotiations of Memorandum of Agreements with the Office of Reservation Attorney for partnership with Hearts Gathered, Salish School of Spokane, and the Inchelium Language and Culture Association for fiscal years 2022-2027, or other period of times as to be negotiated, for the purposes of assisting with the operations of the	11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)  0 AGAINST  0 ABSTAINED

	schools. The Chairperson or designee is authorized to sign all pertinent documents.	
<b>2021-519.m&amp;b.cdc</b>	To accept Leone & Keeble, Inc. Guaranteed Maximum Price proposal, in the amount of \$14,519,793.00 for the original construction of two professional housing developments located in Elmer City and Keller WA. Funding is from the Key Bank loan and their contract is subject to administrative review and approval. Chairman or designee to sign all pertinent documents.	<b>11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2021-520.m&amp;b.cdc.e&amp;e</b>	To approve the full construction development for the Head Start, Early Head Start and Childcare Facility in the amount of \$8,800,000.00. The construction site is in the Omak District at the old CIPV log yard. The Colville Business Council has determined that this expense is appropriate under the Treasury Department Guidance and FAQ's in effect as the date of the recommendation.	<b>11 FOR (NS, KC, VSM, JF, JS, RF, RS, JME, MK, SZ, DB)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>