



COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL



Special Session September 4th, 2014 Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Jim Boyd, Allen Hammond, Marvin Kheel, Mel Tonasket, Richard Tonasket, Michael Marchand, Nancy Johnson, Ricky Gabriel, William Nicholson II, Jack Ferguson and Joseph Somday

Delegation/Absent: Stevey Bylilly, Edwin Marchand and Andy Joseph, Jr. h

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2014-559.hhs	To approve the FY 2015 State of Washington, Department of Health, Public Health Emergency Preparedness Contract #N20655 in the amount of \$50,955.00 effective July 1, 2014 to June 30, 2015. No Tribal dollars needed. Chairman or his/her designee authorized to sign all pertinent documents.	10 FOR (AJ, EM, RT, SB, NJ, JF, WN, RG, MK, AH) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2014-560.l&j	To approve the new FY14/15 Contract for Michael Moran for the WA State Lobbyist, see attachment A for Scope of Work, the amount is allocated in our FY14/15 budget. Chair or designee to sign all pertinent documents.	10 FOR (WN, RT, SB, JF, JB, NJ, RG, EM, MK, AH) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2014-561.hhs	To accept Amendment 1 of State Federal Contract 1369-78345 for the amount of \$245,995.00. Bringing the total contract to \$338,791.00. No Tribal Dollars. Chairman or Designee authorized to sign all pertinent documents.	10 FOR (RT, JB, NJ, RG, AJ, MT, AH, WN, EM, MM) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
2014-562.hhs	To participate in the Joint Venture Construction Program for the purposes of constructing a new Omak health facility in Omak, Washington on the Colville Indian Reservation and has designated the Delfield Property for future development in the Omak area. The construction of the Omak health facility in Omak is in the Portland Area Office CCT Master Plan. Therefore, the Colville Business Council does hereby approve the above recommendation of the Health & Human Services Committee to submit the joint venture pre-application. Chairman or designee to sign any and all necessary documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-563.hhs	To accept the \$75,000.00 offer from Indian Health Service to offset the costs of recruitment of a Clinical Psychiatrist in the Tribe's Behavioral Health Program. Chairman or	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST

	<p>designee to sign any and all necessary documents; and WHEREAS, the Colville Tribe requested Indian Health Service to hire a Clinical Psychiatrist to provide services to tribal members living on the Colville Indian Reservation; and WHEREAS, there is a need on the Colville Indian Reservation for additional mental health services and the Tribe declared a State of Emergency for Primary and Behavioral Health purposes in December 2013 and that emergency still exists; and WHEREAS, Portland Area Indian Health Service worked with the Tribe to develop an Action Plan earlier this year that included the hiring of a Clinical Psychiatrist; and WHEREAS, the Tribe requested that IHS cover the cost of hiring a Clinical Psychiatrist for a full year but IHS responded with an offer of \$75,000.00 to cover moving expenses and offset the cost of the salary; and WHEREAS, recruitment, hiring, and salary costs of a Clinical Psychiatrist are significant and \$75,000.00 will not fully cover the costs associated with this expense, however, the Colville Tribe needs this service to improve the mental health of the Reservation population and as such accepts the IHS' offer to assist with defraying those costs.</p>	<p>0 ABSTAINED</p>
2014-564.hhs	To allow Lake Roosevelt Community Health Centers to apply for the Pink Shamrock Grant in the amount of \$2,250.00 to support underserved women with funding support for goods and services necessary during breast cancer treatment. All pertinent documents to be signed by CCT Chairman. No tribal funds necessary.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-565.l&j/m&b	To approve the BIA/OJS contract to house inmates from other Tribes in the amount of \$55.00 per day. Contract amount not to exceed \$275,000.00 from August 1, 2014 to January 31, 2015. No tribal dollars will be expended. Also, to authorize the Chairperson or designee to sign all pertaining documents.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-566.cdc/m&b	To initiate a resolution to PO-14-L85 between I.H.S. and the Colville Confederated Tribes. The memorandum of agreement will provide I.H.S. funding for Elmer City Wastewater Feasibility Study for the use of the Colville Confederated Tribes in serving approximately 175 existing Tribal homes. The total estimated cost of the proposed facilities is \$52,000.00 for the Colville Confederated Tribes. No Tribal dollars involved. The Chairman of the Colville Business Council or authorized designee shall sign all related documents.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-567.l&j/m&b	To renew Timothy W. Woolsey's contract for services rendered in legal services and gaming matters. \$5,000.00 for remainder of FY 2014 and \$55,000.00 for FY 2015. Chair or designee to sign pertinent documents.	<p>8 FOR (MK, AH, MM, MT, RT, WN, JF, JS)</p> <p>2 AGAINST</p> <p>0 ABSTAINED</p>
2014-568.m&b	To approve \$27,683.92 from the 1% of the Nespelem District Community Development Qwam Qwmp't' Plan for the wrestling mats based on a majority vote at the August 20,	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p>

	2014, Nespelem District Meeting. Check payable to Lake Roosevelt High School. Chairman or designee authorized to sign all pertinent documents.	0 ABSTAINED
2014-569.cdc/m&b	To approve the request of the Tribal Energy Program to return the HUD Rural Innovation Fund Grant of \$799,750.00 to purchase equipment, the tribe is unable to fulfill in-kind employment match of \$2,379,230.00 and therefore cannot meet all grant requirements. Tribal Chair or designee is authorized to sign all pertinent and relevant documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-570.l&j/m&b	To approve the attached FY 2014/2015 contract for the Wenatchi Aboriginal Rights Coordinator - Bernadine Phillips. Funds are included in FY 2014/2015 Outside Litigation - ORA Budget. Chair or designee to sign all pertinent documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-571.tg	To accept the Colville Tribal Relinquishment request of Marilyn M. (Cleveland) Shope, on the current Colville Tribal Membership Roll.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-572.tg	To accept the Colville Tribal Relinquishment request of Ashley Rochelle Welker, on the current Colville Tribal Membership Roll.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-573.nrc	To approve new full award for 459714 Pacific Coastal Salmon Recovery Fund in the amount of \$250,000.00 and the dates are from July 1, 2014 to July 31, 2016. Chairman or his/her designee authorized to sign all pertinent documents. Attached is the new contract and budget. No Tribal dollars associated.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-574.nrc	To approve the new sub-contract for 5237 Dennis Snyder in the amount of \$139,309.00 for rock debris removal project. Authorize the Chairman and/or his designee to sign all pertinent documents. Attached is the sub contract.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-575.nrc	To Rescind Resolution No. 2010-853 in its entirety due to Mr. Trevino was unable to afford the land lease payments. Attached is his letter received August 26, 2014. Property is described as: 101-T3219-A: That portion of the following described parcel lying within the N½N½NE¼SE¼ and the N½S½N½NE¼SE¼ of Section 5, Township 29 North, Range 33 East, Willamette Meridian, Ferry County, Washington: Beginning at the quarter corner common to Sections 4 and 5 said township and range; thence N.00°18'W., 188.73 feet; thence N.75°29'W., 1264.34 feet; thence S.00°18'W., 533.27 feet; thence S.89°58'E., 69.15 feet; thence S.00°18'W., 463.27 feet; thence S.89°58'E., 1156.02 feet; thence N.00°18'E., 495.00 feet, to point of beginning, and EXCEPT a 7.20-acre parcel of land described as follows: Commencing at the E¼ corner of Section 5, said township and range, the true point of beginning; thence S.00°18'00''W., 330.76 feet to an Indian Allotment corner stone; thence S.00°18'00''W., 166.80 feet; thence	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED

	N.89°53'51''W., 630.00 feet; thence N.00°13'05''E., 846.75 feet; thence S.75°35'32''E., 650.16 feet; thence S.00°06'00''W., 100.54 feet to the point of beginning, containing 5.97 acres, more or less, after the above exception. Chairman or designee has authority to sign all pertinent documents.	
2014-576.nrc	To accept Timm Bros, Inc., Rick Timm Ag./Pasture Irrigation Development, Rent on Tribal Tracts 101-T4204, 101-T4205, 101-T1137 and expanding to 101-T760 and part of 101-T4203 (por). Currently Irrigated Land: There are 70 acres of irrigated land in the existing lease. Timm Brothers would like to offer \$220.00 per acre each year and revalued at 5 year intervals. Land to be developed into irrigation: Timm Brothers request a 25 year lease duet to development expenses are going to range from \$4,000.00 to \$4,500.00 per acre. To pay for this is going to require an extended lease period as follows: 1 – 5 years \$0.00 6 – 10 years 15% of value of irrigated land 11 – 15 years 30% of value of irrigated land 16 – 20 years 60% of value of irrigated land 21 – 25 years 100% of value of irrigated land Waster is provided by Tribal permit at a rate of 2.5 acre feet per irrigated acres within the 70 acres only. The Timm Brothers are requesting an agreement on this irrigation development and requesting the original 70 acres of irrigated land to be included in the long term lease for ease of management. In addition per the Categorical Exclusion review the Timm Brothers will be required to apply for a shoreline conditional use permit prior to any ground disturbing activities (for pump station and any other digging that goes deeper than tilling such as installation of a sprinkler system). Tribal Tracts described as follows: 101-T1137: Lot 6 and 7, NWSWSWNW of Section 29, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 164.90 acres, more or less. 101-T4204: Lot 7, 8, 9, 10, and 11 and the NWNW of Section 32, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 153.45 acres, more or less. 101-T4205: Lot 8 and the SWSW of Section 29, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington, containing 66.60 acres, more or less. 101-T4203: Lot 1 (NW NW), Lot 2 (SW NW), Lot 3 (NE SE), Lot 4 (NW SE), Lot 5 (NE SW), Lot 6 (NW SW), and E½NW¼ of Section 31, Township 30 North, Range 28 East, Willamette Meridian, Okanogan County, Washington containing 330.25 acres, more or less. 101-T760: The NE¼ of Section 31 Township 30 North,	7 FOR (MK, MM, MT, RT, WN, JF, JS) 3 AGAINST (AH, NJ, RG) 0 ABSTAINED

	<p>Range 28 East of the Willamette Meridian, Washington, containing 160.00 acres, more or less.</p> <p>TERMS: 01/01/2014 TO 12/31/2038</p> <p>COMPENSATION: \$15,400.00 (\$220.00 per year for 70 irrigated acres); See breakdown above (pg. 1) for non-irrigated acres.</p> <p>BOND: Required (Equivalent to one year rent)</p> <p>ADMIN FEE: \$462.00</p> <p>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 has authority to sign all pertinent documents.</p>	
2014-577.nrc	To rescind Resolution 2014-512. Furthermore, to delegate Cody Desautel to the Upper Columbia River Trustee Council. This resolution shall supersede all previous resolutions.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-578.nrc	To approve the Excavator Piling Contract with N.S. Enterprise. CCT agrees to pay Contractor for the work described in the SOW attached, not to exceed \$75,561.00. Federal TPA Funds, no Tribal matching funds required. Chairman or designee authorized to sign all pertinent documents.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-579.nrc	To approve FY 2014-2015 New Contract Arrow Creek Law PLLP, the Tribes retains attorney to represent the Tribes (1) on matters concerning analysis of Water Rights as outlined in the attached Scope of Work (exhibit A) and Proposal (Exhibit B) and on other matters related to Water Rights as may be agreed upon by parties. Chair or designee to sign all pertinent documents.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-580.nrc	To approve Research Permit Application 2014-12, "Contemporary Native American Horse Culture", submitted by Amelia-Roisin Seifert, who is working on her Ph.D. Dissertation. Ms. Seifert has agreed to adhere to the CCT Law & Order Code 6-6 when she signed and submitted the Research Permit Application. Additionally, Ms. Seifert will adhere to any conditions set forth by the CCT History/Archaeology and Range Programs. Ms. Seifert will submit a final copy of her project to the CCT History/Archaeology, Range and Archives & Records Center by March 31, 2015. In accordance with the CCT Law & Order Code 6-6, the CCT reserves the right to impose and/or collect fees if the final project is published.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-581.cdc	To PO-14-B80 Amendment Number 1 between I.H.S. and the Colville Confederated Tribes. The memorandum of agreement will increase I.H.S. funding from \$250,000.00 to \$300,000.00 for individual sanitation systems for qualified tribal members. These systems may include wells, water systems and septic systems. The total estimated cost of the proposed facilities is \$300,000.00 for the Colville Confederated Tribes. No Tribal dollars involved. The Chairman of the Colville Business council or authorized designee shall sign all related documents.	<p>10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

2014-582.l&j/m&b	To approve contract for Jason D'Avignon for FY 2014-2015. Funds are included in the ORA FY 2014-2015 Budget. Chair or designee to sign documents.	
2014-583.l&j/m&b	To approve the attached FY2014 Colville Tribal Corrections budget modifications for 638 Account 1015 in the amount of \$2,683,974.00 and Correction Operations & Maintenance Account 10151 for the amount of \$509,767.00 total for both \$3,193,741.00. No tribal dollars will be expended. Also, to authorize the Chairperson or designee to sign all pertaining documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-584.l&j	To appoint Commissioner Jessica Pakootas for a full term of three years on the Colville Tribal Gaming Commission commencing upon passage of resolution by the full Colville Business Council. The Chairman or designee shall have authority to sign any and all necessary documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-585.l&j	To appoint Patty Adolph as the Acting Gaming Commission Director upon the resignation, departure of B.J. Whitener, Tribal Gaming Commission Director on September 18, 2014, commencing upon passage of resolution by the full Colville Business Council. The Chairman or designee shall have authority to sign any and all necessary documents.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED
2014-586.l&j	To enact the amendments for Chapter 2-1 Criminal Actions as proposed (attached). Chapter 2-1 is being processed utilizing CBC Procedural Rule 3(b) with 30 days, where the Committee finds that an emergency exists and that immediate action on the amendment is necessary. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	10 FOR (MK, AH, MM, MT, RT, NJ, RG, WN, JF, JS) 0 AGAINST 0 ABSTAINED