



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

## Special Session September 5<sup>th</sup>, 2019 Resolution Index

Condensed by, Naomi Yazzie, Executive Office Assistant

**Present:** Jack Ferguson, Joel Boyd, Karen Condon, Norma Sanchez, Margie Hutchinson, Janet Nicholson, Roger Finley, Richard Moses, Joseph Somday, Jarred-Michael Erickson, Darnell Sam

**Delegation:** Rodney Cawston, Richard Swan Sr., Marvin Kheel

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>2019-511.m&amp;b.cdc 10-Signature</b>	To approve the contract between the Confederated Tribes of the Colville Reservation and DSGW Architects, Inc. Contract amount not to exceed \$85,000. Tribal Chairman or designee to sign all pertinent documents.	10 FOR (JF, RS, JS, NS, KC, RM, DS, RC, MK, JB)  0 AGAINST  0 ABSTAINED  Rationale: Timelines
<b>2019-512.m&amp;b.cdc</b>	To approve the Memorandum of Agreement between Town of Nespelem, CCT Planning Department, and CCT DOT for a 3 year agreement. The MOA outlines the rights and responsibilities between the CCT Planning and Town of Nespelem relating to the Town of Nespelem projects, including the planning process and needs associated with identifying and working toward remedying any deficiencies within Town's infrastructure.  Additional documents requiring submission can be signed by Chair or designee that has authority to sign all related paperwork.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-513.m&amp;b.cdc</b>	To approve a budget modification for CCT Transit Program. To move Capital assets funding of \$117,000.00 to Operating and Salaries. Chair or designee authorized to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-514.m&amp;b.cdc</b>	To approve the attached amendment to the current Cingular Wireless PCS LLC (AT&T) business communications lease to allow for modifications at the Nespelem Water Tank Tower site. All other terms of the Lease shall remain in effect. Chairman or designee to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-515.m&amp;b.cdc</b>	To approve CCT DOT to modify A17AV01035 Road	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)

	Maintenance budget to award amount of \$3,867,877.00. No Tribal dollars, Chairman or designee to sign all pertinent documents.	0 AGAINST 0 ABSTAINED
2019-516.m&b.cdc	To approve CCT DOT to modify A17AV00374 Ferry Operations budget to award amount of \$1,599,332.00. No Tribal dollars, Chairman or designee to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-517.m&b.cdc	To direct Administration to hold an auction to liquidate rolling stock from the Colville Indian Precision Pine (CIPP) mill. Proceeds to be deposited into the Tribe's General Fund. Chairman or designee to sign all pertinent documents.	8 FOR (JB, NS, MH, JN, RF, RM, JS, DS) 2 AGAINST (KC, JME) 0 ABSTAINED
2019-518.m&b.cdc.nrc	To rescind resolution 2013-391 in its entirety and replace. To allow Colville Tribal Federal Corporation to retain \$12.00 per MBF from delivered log revenues for the management and operation of the Sort Yard. To be funded out of front sales vs. stumpage fees. Chair or designee authorized to sign all pertinent documents.	7 FOR (JB, MH, JN, RF, RM, JS, DS) 1 AGAINST (JME) 2 ABSTAINED (KC, NS)
2019-519.tg.fish	To authorize Darnell Sam to accept the Chairmanship of the Upper Columbia United Tribes organization. This resolution supersedes all previous resolutions.	9 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME) 0 AGAINST 1 ABSTAINED (DS)
2019-520.tg	To appoint Roger Finley, Inchelium District Representative; Norma Sanchez, Omak District Representative; Jack Ferguson, Keller District Representative; and Jarred-Michael Erickson, Nespelem District Representative to the 2019-2020 Elections Committee.	7 FOR (JB, KC, MH, JN, RM, JS, DS) 0 AGAINST 3 ABSTAINED (JME, NS, RF)
2019-521.tg	To establish the first Friday of October as the Annual General Membership meeting day. All previous resolutions with regard to the Annual General Membership meeting day shall be superseded. Chairman or designee authorized to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-522.tg	To approve the 2019 November Elder Quarterly Stipend, from account PL75747012, in the amount of \$350.00 to each eligible tribal member age 55 and older of the Confederated Tribes of the Colville Reservation. Elder Stipend shall be distributed on or before October 28, 2019. Eligibility for the Elder Stipend shall be: age 55, enrolled and living as of midnight of October 1, 2019. The following shall not apply to the 2019 November Elder Stipend: Debt Set-Off Ordinance and Retro Active Payments. Department hold list is due October 1, 2019. The following departmental holds shall be approved for deposit into the tribal members IIM account: 1. Social Services (Regular) Court Orders/Voluntary consent for adults 2. Enrollment Deceased Elders/Unclaimed	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED

	Checks past 90 days.	
<b>2019-523.tg</b>	To approve a \$200.00 Per Capita from account PL7219709 to be distributed on or before December 2, 2019 to each eligible tribal member of the Confederated Tribes of the Colville Reservation. Eligibility requirements must be enrolled/adopted/living as of October 4, 2019; the following deadlines shall apply: Official Court Orders for Minors and Adults October 4, 2019; Emergency Custody Court Orders October 25, 2019; Department hold list October 4, 2019. The following shall not apply: Retro-Active payments. The following departmental holds are approved and shall apply: 1. Children & Family Services Court Orders/Voluntary consent for minors and adults 2. Social Services Court Orders/Voluntary consent for minors and adults 3. Child Support Court Orders/Voluntary consent 4. Enrollment Department Court Orders/Voluntary consent/Administrative Error's for minors and adults/Emergency Services/Unclaimed checks past 90 days. 5 Tribal Credit Per Resolution #2018-726	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-524.tg</b>	To make an exception to Resolution #2001-618 and approve full burial benefits for Dago. Dago was a long time residence of the reservation. It is unknown if Dago has any living family members, none were located at this time.	9 FOR (JB, KC, MH, JN, RF, RM, JS, JME, DS)  1 AGAINST (NS)  0 ABSTAINED
<b>2019-525.tg</b>	To adopt Layton Champ Stensgar as applicant meets requirements of Section 8-1-160 Enrollment Ordinance and Constitution of the Confederated Tribes of the Colville Reservation.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-526.nrc</b>	To approve and accept Okanogan County PUD request to survey their fiber optic outlay that starts at the Okanogan River to Colville Tribes Omak Community Center and runs southeast to the area of the Industrial Park east of the town of Okanogan within the Omak District. The survey will determine the appraisal according to the 25 CFR 169. 101 (a) (b), 107(b) and 169.110. Also the survey will determine Okanogan County PUD fiber optic encumbrance for each tribal and allotment tract. The survey will be a duration for one year starting with the approval of the Colville Tribes Resolution. Okanogan County PUD fiber optic goes over and across the following tribal tracts and allotments: 101-700-F: 101-801: 101-861: 101-861-F: 101-861-G: 101-2274-B: 101-2274-B: 101-2274-B: 101-2274-F: 101-2302: 101-3124: 101-5454: 101-5481: 101-T4262: 101-T5468: 101-T5566: 101-5682: 101-TF5687: 101-T5805: Purpose: Okanogan County PUD Permission to Survey fiber	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED

	<p>optic. Term: 1 years, Compensation: \$Waived, Administrative Fee: \$Waived, Chairman or designee has authority to sign all pertinent documents.</p>	
<p><b>2019-527.nrc</b></p>	<p>To approve Colville Tribal Real Estate Services to modify CCT Resolution 2017-110 for Mr. John J Trudell, the amend to include a Reciprocal Road Use Agreement. The easement will allow Mr. Trudell to access his fee property in Township 31N Range 36E Section 2 in the Inchelium District. The reciprocal agreement will also, grant an easement for the Colville Tribes to cross Mr. Trudell fee property #63102220001000. The reciprocal agreement will go over and across the following PORTION OF Tribal Tract Number 101-T5137 (POR) described as:  101-T5137 (por): Lot 5 (NW NE), lot 7 (NE NE), Lot 8 (SE NE, The E-1/2 SW1/4 NE-1/4, the E-1/2 SW-1/4, and the SW1/4 SW-1/4 of Section 2, Township 31 N, Range 36 E, Willamette Meridian, Ferry County, Washington, except a 5.00-acre, more or less, (101-5137) parcel of land within Government lot 7 (NE NE) of Section 2, Township 31 N, Range 36 E, Willamette Meridian, Ferry County, Washington, to be known as the Charette home site tract and which is further described as follows: beginning at corner 1 of said Charette home site tract, which is a point on the E line of Government Lot 7 and from which point the NE corner of said section 2 bears N 0°11'10" W, a distance of 515.00 feet; thence S 89°48'50" W, a distance of 660.00 feet to corner 2; thence S 0°11'10" E, a distance of 330.00 feet to corner 3; thence N 89°48'50" E, a distance of 660.00 feet to the E line of said Government Lot 7, thence N 0°11'10" W along the E line of Government 7, a distance of 330.00 feet to corner 1; being the point of beginning, reserving therefrom the Right of Way for Stray Dog Canyon road (County Road #051), situated within the Colville Indian Reservation, Ferry County, Washington, containing 210.31 acres, more or less, after the above exception. Total tract acres: 210.310  Purpose: Modify easement for Reciprocal Agreement Legal Description, Terms: All other Terms &amp; Conditions Will Remain the Same, Compensation:, Administrative Fee:, Right of way subject to conditions cited in IRMP Coordinator's review  Chairman or designee has authority to sign all pertinent documents</p>	<p>10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<p><b>2019-528.nrc</b></p>	<p>To approve and accept Okanogan County PUD request to survey Renewal 115KV Electric Lines that starts at E-side of Highway 97 going S approximately 13.6 miles. The survey will determine the appraisal according to the 25 CFR 169. 101 (a) (b), 107(b) and 169.110. Also the survey will determine Okanogan County PUD 113 KV electric lines encumbrance for each Tribal and Allotment Tract. The survey will be a duration for one year starting with the approval of the Colville Tribes</p>	<p>10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>Resolution. Okanogan County PUD 115 KV electric lines goes over and across the following Tribal Tracts and allotments 101-233, 101-954, 101-956-1, 101-T4243, 101-T5707, 101-T940, 101-T341, 101-T3188, 101-T4242, 101-T3025, 101-801, 101-861-G, 101-2302, 101-861, 101-T5468, 101-937, 101-T5612 and 101-935:</p> <p>Purpose: Okanogan County PUD Permission to Survey Renewal 115KV Electric Lines, Terms: 1 years from date of approval, Compensation: \$Waived, Administrative Fee: \$Waived, Chairman or designee has authority to sign all pertinent documents</p>	
<b>2019-529.nrc</b>	<p>To approve and accept Colville Tribes Parks &amp; Recreation for a project within the Keller District, Keller Boat Launch Park, Road (30' wide x 1,469.36') and Parking over and across 101-1270: 101-1270: The SW-¼ NW-¼, Tract a of the SE-¼ NW¼, Lots 3a and 3c (NE-¼ NW-¼) and Lot 4a (NW-¼ NW-¼) of Section 5, Township 28 N, Range 33 E, Willamette Meridian, Ferry County, Washington, containing 91.43 acres, more or less.</p> <p>Total Tract Acres: 91.430, Encumbering 8.89 acres, Colville Tribes Interests 89%, Term: 1.000 years, Compensation: Appraisal Waived due to the benefits to Colville Tribes for transportation &amp; recreation, Administrative Fee: -waived- Purpose: also includes continual staging equipment continued maintenance. Chairman or designee has authority to sign all pertinent documents</p>	<p>10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<b>2019-530.nrc</b>	<p>To approve the contract with Peone Logging in the amount of \$76,119.48 to remove and replace 2 culverts, decommission 10.9 miles of forest roads, 1,470 feet of drainage improvements, reconstruct 3,217 feet of forest roads, and construct 140 feet of new forest roads. The work performed will improve water quality, fish and wildlife habitat, and hydrologic flows. Contract to be paid from account #461002. Chairman or designee is authorized to sign all pertinent and relevant documentation.</p>	<p>9 FOR (JB, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p> <p>1 ABSTAINED (KC)</p>
<b>2019-531.nrc</b>	<p>To approve the contract with Peone Logging in the amount of \$117,006.75 to remove and replace 11 culverts, decommission 14.24 miles of forest roads, 1,532 feet of drainage improvements, reconstruct 6,908 feet of forest roads, and construct 1.05 feet of new forest roads. The work performed will improve water quality, fish and wildlife habitat, and hydrologic flows. Contract to be paid from account #461002. Chairman or designee is authorized to sign all pertinent and relevant documentation.</p>	<p>9 FOR (JB, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p> <p>1 ABSTAINED (KC)</p>
<b>2019-532.nrc</b>	<p>To modify contract with Valley Lumber Inc. Okanogan to increase from \$95,000 to \$212,000 and change contract end date from September 15, 2019 to September 30, 2020. Changes to accommodate high interest in program and enable more</p>	<p>10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)</p> <p>0 AGAINST</p>

	stoves to be replaced.	0 ABSTAINED
<b>2019-533.nrc.m&amp;b.cdc</b>	To approve EPA grant V-97084402 MOD #7 in the amount of \$200,000 for a total award amount of \$2,789,475. No Tribal dollars requested. Chairman or designee authorized to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-534.nrc</b>	The Washington State Department of Natural Resources (WADNR) has requested the use of a portion of tribal roads identified in the attached map in Brown Pass/Lost Creek vicinity. There are seven (7) Tribal Tracts involving approximately 4.7 miles of road to access the BIA systems road in Browns pass to access Highway 155. Permit duration shall be valid for 1 year, or until the completion or earlier termination of the Operation from the date of approval. Consideration for granting a road use permit is waived in lieu of: (1). reciprocal use of roads within the WA-DNR lands, and (2). permittee agrees to comply with all Laws & Regulations of the Colville Tribe for road use on Reservation Lands. The Natural Resource Committee recommends that WADNR be granted a revocable use permit to haul logs from their lands across portions of existing roads on the tribal tracts described in the attached requests. Chairperson or designee has authority to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-535.nrc</b>	To waive ground based skidding slope restrictions for the Williams Flats fire salvage project. Chair or designee authorized to sign all pertinent documents.	6 FOR (JF, JB, JN, RF, RM, JS)  5 AGAINST (KC, NS, MH, JME, DS)  0 ABSTAINED
<b>2019-536.fish.nrc</b>	To approve the new full award for 752519 Forest Fish Support Account in the amount of \$149,990 and dates are from July 1, 2019 to June 30, 2021 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new full award. No Tribal dollars associated.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-537.fish.nrc</b>	To approve BIA Modification #32 for 1761 Game Management adding \$208,662 bringing the contract total to \$272,485 for FY19 and the contract dates remain the same, and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is the BIA mod #32. No Tribal dollars associated.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-538.fish</b>	To approve the new sub contract for 312219 & 1768 Clearwater Construction & Management, LLC in the amount of \$348,300 and the Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the new sub contract and scope of work. No Tribal dollars associated.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)  0 AGAINST  0 ABSTAINED
<b>2019-539.fish.nrc.m&amp;b.cdc</b>	To approve a contract order from Hille Silviculture and Excavating for \$52,920.00 for North Star Fire Rehab (C19-261 total \$133,578.00 with previous change order amount included).	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS)

	Chairman or designee to sign all pertinent documents.	0 AGAINST 0 ABSTAINED
2019-540.l&j.m&b.cdc	To approve the Reduction-in-Force (RIF) of the Business Services Manager position within the Department of Corrections, pursuant to the Colville Confederated Tribes of the Colville Reservation Employee Policy Manual Section 4.15.	4 FOR (JB, RF, RM, JS) 0 AGAINST 6 ABSTAINED (KC, NS, MH, JN, JME, DS)
2019-541.l&j	To approve the Confidential Interagency Agreement between the Colville Tribal Police and Colville Tribal Gaming Commission (Surveillance) of the Colville Confederated Tribes and the Chairman or designee to sign all pertinent documents, which may be terminated at the request of either party.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-542.l&j	To repeal the current Tribal Law & Order Chapter 6-2 Liquor Control, and to enact Chapter 6-2 Packaged Spirits Regulation. Chapter 6-2 followed the process utilizing CBC Procedural Rule 3 (b), (e), and (g). No comments have been received during this comment period. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-543.l&j.m&b.cdc	To approve the contract with Thomas Miller, Methow Law, to provide legal services to the Tribes. Funds appropriated in the FY 2020 ORA 587 budget line. Chairman or designee to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-544.l&j.m&b.cdc	To approve the contract with Hobbs, Straus, Dean & Walker to continue to provide legal services related to 638 contracting, litigation, and other matters as assigned. Funds appropriated in the FY 2020 ORA budget 587 line. Chairman or designee to sign all pertinent documents.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED
2019-545.l&j	To terminate the employment of Jason D'Avignon pursuant to no-cause termination provision of his attorney contract with the Colville Tribes. Chairman or designee to sign all pertinent documents.	7 FOR (JB, JN, RF, RM, JS, JME, DS) 3 AGAINST (KC, NS, MH) 0 ABSTAINED
2019-546.l&j	To terminate the employment of Carmel McCurdy pursuant to no-cause termination provision of her attorney contract with the Colville Tribes. Chairman or designee to sign all pertinent documents.	7 FOR (JB, JN, RF, RM, JS, JME, DS) 3 AGAINST (KC, NS, MH) 0 ABSTAINED
2019-547.cul.e&e	Culture and Employment & Education Committees to direct Office of Reservation Attorney (ORA), Employment & Education Director, and Language Program to develop draft policies and present to an upcoming Culture and Employment & Education Committee regarding adoption of phonetic system, curriculum board, and Language Program Strategic Plan.	10 FOR (JB, KC, NS, MH, JN, RF, RM, JS, JME, DS) 0 AGAINST 0 ABSTAINED