



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

Special Session September 18th, 2014 Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Jim Boyd, Stevey Bylilly, Allen Hammond, Michael Marchand, Edwin Marchand, Andy Joseph Jr., Nancy Johnson, William Nicholson II and Joseph Somday

Delegation/Absent: Marvin Kheel, Mel Tonasket, Richard Tonasket, Ricky Gabriel and Jack Ferguson

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2014-587.cdc	To approve the attached Sanitation Deficiency System Priorities for fiscal year 2015. Chairman or designee approved to sign all pertinent documents.	10 FOR (RG, EM, RT, WN, JF, NJ, MK, JB, MT, AH) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2014-588.vet	To approve the budget modification for the Veterans Department to purchase a vehicle for a program to use in the service of Veteran's needs, to increase line items to cover this year expenses by decreasing other line items for the remainder of this year. To change the line item account number for direct client services to reflect the use of those designated funds.	11 FOR (MT, RT, AH, EM, WN, RG, JS, JB, MK, NJ, AJ) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
2014-589.hhs	To approve the FY 2015 Low Income Home Energy Assistance Program (LIHEAP) grant application and proposed budget in the amount of \$450,000.00 with no Tribal match. Chairman or designee authorized to sign the application.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-590.hhs	To approve Contract Amendment 1 ADR Enhanced Options Counseling between Colville Confederated Tribes and State of Washington DSHS. Contract is increased by \$1,838.00, the total maximum Contract is \$3,214.00. Chairman or designee authorized to sign all pertinent documents.	7 FOR (SB, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED *Out of the Room (AH)
2014-591.hhs	To amend the Contract between the State of Washington DSHS as follows: The maximum consideration stated in amendment 1 is corrected to: The maximum consideration is increased by \$14,559.00 for a new total maximum consideration of \$33,550.00. All other terms and conditions of this Contract remain in full force and effect. Chairman or designee authorized to sign all relevant documents.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED

2014-592.hhs	To revise the Contract between the State of Washington DSHS as follows: The budget is increased by \$16,900.00 for case management. Chairman or designee authorized to sign all relevant documents.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-593.m&b	To approve the fiscal year 2015 Tribal Budget in the amount of \$42,089,663.29. These budgets are in addition to currently approved budgets for Federal, State and other awards. Through this Budget, some positions within the Tribes' infrastructure may be eliminated, and others may be created. In no circumstances shall jobs eliminate as a result of the budgetary changes approved be reviewable by or appealable to any Court or tribunal, notwithstanding any language in the Employee Policy Manual to the contrary. Chairman or designee authorized to sign all pertinent documents.	7 FOR (SB, AH, EM, MM, AJ, WN, JS) 1 AGAINST (NJ) 0 ABSTAINED
2014-594.m&b	To delegate Cody Desautel as the alternate for the Intertribal Timber Council for the Confederated Tribes of the Colville Reservation. This resolution will supersede all prior resolutions. Chairman or designee authorized to sign all pertinent documents.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-595.m&b	To appoint John MacClain to the Colville Tribal Federal Corporation Board of Directors for a term of two years. This appointment is contingent upon clearing a background check. In the event Mr. MacClain does not clear the background check or declines the appointment, the alternates will be offered the same appointment in order of selection until the vacancy is filled. The first alternate is Brian Clark. Each applicable offer will be held to the same contingency of appointment. Chairman or designee authorized to sign all relevant documents.	7 FOR (SB, EM, MM, NJ, AJ, WN, JS) 1 AGAINST (AH) 0 ABSTAINED
2014-596.e&e	To approve Nancy Johnson as the CBC's formal delegate to the Indian Policy on Early Learning Committee, if in any event she is unable to attend an alternate maybe appointed in her place. This resolution supersedes all previous resolutions regarding representation on the Indian Policy on Early Learning Committee.	7 FOR (SB, AH, EM, MM, AJ, WN, JS) 0 AGAINST 1 ABSTAINED (NJ)
TABLED 2014-597.e&e	To approve the attached Employee Policy Manual. This new manual will replace and supersede any prior manuals and resolutions regarding employment policies pertaining to the Tribes. A minimum of 30 days notice will be provided to employees implementation along with informational sessions. Chairman or designee authorized to sign all pertinent documents.	
2014-598.e&e	To adopt the following results of the salary survey: <ul style="list-style-type: none"> • Adopt the JOBMEAS System • Adopt the Job Analysis Process • Adopt a New Job Description Format • Adopt Increased Duty Policy • Promotional Policy <p>There are no additional dollars needed to implement. Chairman or designee authorized to sign all relevant</p>	7 FOR (SB, AH, EM, MM, AJ, WN, JS) 0 AGAINST 1 ABSTAINED (NJ)

	documents.	
2014-599.nrc	To approve the sale of Tribal property with improved residential structures. These tracts will be made available to the Colville Tribal membership for purchase at fair market value. Larger tracts that include residential structures may be sub-divided to allow for the sale of structures, while retaining the remaining acreage in tribal ownership for conversion to trust. This recommendation includes a point of clarification to the language included in Tribal Resolution 2003-426, which declared a moratorium “on all Land Sales from Colville Confederated Tribes to Tribal members within the exterior boundaries of the Colville Reservation”.. This moratorium will remain in place on all tribal trust acres. THEREFORE, BE IT RESOLVED, that the Chairman or his Designee is authorized to sign any related documents.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-600.nrc	To approve new full award for 320014 Lake Roosevelt Fisheries Evaluation Program (Spokane Tribes of Indians) in the amount of \$180,147.00 and the dates are from August 1, 2014 to July 31, 2015. Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the new contract and budget. No Tribal dollars associated.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-601.nrc	To approve Change Order #1 for sub contract 461008 Northern Air Inc. C13-169 for a date extension to September 30, 2015 and the contract value remains the same. Chairman or his/her designee authorized to sign all pertinent documents. Attached is Change Order #1. No Tribal dollars associated.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-602.nrc	To approve budget modification #1 for 318614 Omak Creek Improvement of Fish Passage adding \$128,897.00 bringing the total contract value to \$336,813.00 and the dates remain the same. Chairman or his/her designee to sign all pertinent documents. Attached is budget mod #1. No tribal dollars associated.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-603.nrc	To amend Resolution 2014-241 and add 911614 Resident Fish RM&E in the amount of \$21,079.00 and sub contract C14-232 total contract value will remain the same. Chairman or his/her designee to sign all pertinent documents. Attached is Resolution 2014241. No Tribal dollars associated.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-604.nrc	To approve budget modification #1 for 316614 Okanogan Sub basin Implementation & Habitat Project EXP for a line item transfer of funds and the contract value and dates remain the same. Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the budget mod #1. No Tribal dollars associated.	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-605.nrc	To approve the new sub contract for 316614 Cardno Entrix in the amount of \$52,683.00. 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 (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST 0 ABSTAINED
2014-606.nrc	To approve the new sub contract for 316614 Cates & Erb in the amount of \$125,000.00. Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the	8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS) 0 AGAINST

	sub contract and SOW. No Tribal dollars associated.	0 ABSTAINED
2014-607.nrc	To approve a shortfall for 815913 Grant County PUD BAM in the amount of \$40,911.00 and the shortfall will be paid with fund number 341. Chairman or his/her designee to sign all pertinent documents. Attached is the letter explaining the shortfall and spreadsheet.	
2014-608.nrc	<p>To accept Gebbers Farms and Assigns bid on Item No. 2, of invitation for Bid No. RL-2014-2, for Colville Tribal Tract No. 101-T5764 (por) described as:</p> <p>101-T5764 (por): A PORTION OF THE S½SW¼(80.00) OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 25 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 55.00 ACRES, MORE OR LESS.</p> <p>THE SE¼ (160.00) AND THE E½W½ (160.00) OF SECTION 24, TOWNSHIP 30 NORTH, RANGE 25 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 320.00 ACRES, MORE OR LESS.</p> <p>ALL OF SECTION 36, TOWNSHIP 30 NORTH, RANGE 25 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 640.00 ACRES, MORE OR LESS.</p> <p>THE S½S½S½SW¼ (10.00) AND THE NW¼NE¼ (38.08) OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 25 EAST, WILLAMETTE MERIDIAN, OKANOGAN COUNTY, WASHINGTON, CONTAINING 48.08 ACRES, MORE OR LESS.</p> <p>A TOTAL OF 1,063.08 ACRES, MORE OR LESS.</p> <p>Term: 25 year with option of 25 year renewal; 1/1/15 to 12/31/2064 Compensation: Enter a bid of 5% crop share on the warehouse return on permanent crops such as apples, pears, cherries or other tree fruit crops. Bonus bid a one-time \$50.00 per acre payment for each crop acre being tilled or in a crop rotation. Also bid \$1.00 per acre for each crop is on an annual basis that is utilized for pasture before the orchards are developed. Any non-crop acre or non-orchard development acre bid \$0.80 cents per acre as pasture. Bond: Required (Equivalent to one year rent) Insurance: Required Admin fee: \$15.00. 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>	<p>6 FOR (SB, EM, MM, AJ, WN, JS)</p> <p>2 AGAINST (AH and NJ)</p> <p>0 ABSTAINED</p>
2014-609.nrc	<p>To accept Gebbers Farms and Assigns bid on Item No. 5, of Invitation for Bid No. RL-2014-2, for Colville Tribal Tract No. 101-T5764 (por) described as:</p> <p>The S½NE¼ of Section 17, Township 30 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 80.00 acres, more or less.</p> <p>The S½NW¼ of Section 16, Township 30 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 80.00 acres, more or less.</p>	<p>6 FOR (SB, EM, MM, AJ, WN, JS)</p> <p>2 AGAINST (AH and NJ)</p> <p>0 ABSTAINED</p>

	<p>The SW¼ of Section 9, Township 30 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less.</p> <p>A total of 320.00 acres, more or less.</p> <p>Term: 25 year with option of 25 year renewal; 1/1/15 to 12/31/2064. Compensation: Enter a bid of 5% crop share on the warehouse return on permanent crops such as apples, pears, cherries or other tree fruit crops. Bonus bid a one-time \$50.00 per acre payment for each crop acre being tilled or in a crop rotation. Also bid \$1.00 per acre for each crop is on an annual basis that is utilized for pasture before the orchards are developed. Any non-crop acre or non-orchard development acre bid \$0.80 cents per acre as pasture. Bond: Required (Equivalent to one year rent) Insurance: Required Admin fee: \$15.00</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>	
2014-610.nrc	<p>To accept Craig Vejraska/Circle V Ranches proposal of 4 AUM's from May 1 to November 1 of each year. The Colville Confederated Tribes own an undivided 5899500/12150000 (47%) interest within Colville Allotment No. 101-817-A described as:</p> <p>The SE¼NW¼ of Section 8, Township 34 North, Range 27 East, Willamette Meridian, Okanogan County, Washington, containing 40.00 acres, more or less.</p> <p>TERM: 5 year lease from October 1, 2014 to November 30, 2019. Compensation: \$400.00 per year. Bond: Required (Equivalent to one year rent) Lease fee: \$15.00</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>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-611.nrc	<p>To rescind Resolution No. 2013-371 in its entirety per Mr. Swan-Boschec phone call on September 4, 2014 to cancel his Recreational Lease. Attached is the withdrawn letter sent to him on September 5, 2014. Property is described as:</p> <p>101-T2028 (por): Trailer Space #04 within Colville Tract No. T2028 is described as: Beginning at the corner common to Section 14, and 15, T32N, R35E, Willamette Meridian, Ferry County, WA thence North 10 chains; thence West 10 chains; thence South to the northerly shore of South Twin Lakes; thence southeasterly along said shoreline to a point due South of true point of beginning surround the developed trailer sites. Chairman or designee has authority to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-612.nrc	<p>To approve the Army Corp of Engineers Revocable Use Permit for a term to begin September 1, 2014 and end October 30, 2014.</p> <p>Whereas, the Army Corp of Engineers have applied for a Revocable Use Permit for staging/stockpiling/barge loading</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>for bank protection project numbers OK 196 and OK 197 on the Peninsula located near Seaton's Grove Boat Launch described as follows:</p> <p>A portion situated in section 7, Township 29 North, Range 31 East, Willamette Meridian, Okanogan County, Washington also known as the "Peninsula" located next to Seaton's Grove Boat Launch. Aerial photos are attached for location information.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
2014-613.nrc	<p>To approve the contract for King Contracting to remove and or repair existing fence of approximately 2.1 miles of old degraded fence that at this time is a hazard to livestock and wildlife within Morgan Place. The contractor will replace the degraded fence with new four strand fence in areas requiring replacement and construct new fence of approximately 3.2 miles ensuring the fence will be wildlife friendly. The amount awarded for the contract is in the amount of \$53,906.60. Chair or designee is authorized to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-614	<p>To approve the attached FY 2015 Forestry Projects (FP) Expenditure Plan as presented. The plan lists the expenditures that will be taken from the FP Account (FP0001FR14). These expenditures will be deposited into a special tribal account to be expensed per reforestation and site preparation requirements for each timber sale contract. Any balance remaining unused after obligations are complete shall be surplussed and deposited to the tribe as additional stumpage. These Special Project Funds will be added to the Tribes FY 15 annual budget through modification. The Colville Business Council Chairperson or his designee has the authority to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-615.nrc	<p>To extend the current "Timber Use Policy" for the 3 year period beginning FY2015 through FY 2018. Chairperson or designee has the authority to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-616.nrc/m&b	<p>To approve the FY 2015 Forest Management Deduction Expenditure Plan as presented. The attached FY 2015 Forest Management Deductions (FMD) Expenditure Plan lists the expenditures that will be taken from the Forest Management Deduction account. These expenditures are included as part of the Tribe's FY 2015 budget. Chairperson or his designee has the authority to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-617.l&j/m&b	<p>To approve the attached budget modification for the Prosecutor's Office, fund 741. No additional dollars are being requested. Chairman or designee authorized to sign all pertinent documents.</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-618.l&j	<p>To enter into an agreement by and between the following U.S. Federally Recognized Indian Tribes of: The Coeur d'Alene Tribe, The Confederated Tribes of the Colville Reservation, Kalispell Tribe of Indians, the Kootenai Tribe</p>	<p>8 FOR (SB, AH, EM, MM, NJ, AJ, WN, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	of Idaho, The Nez Perce Tribe and the Spokane Tribe of Indians in consideration of the mutual benefits to be derived and the promises set forth in INTERTRIBAL LAW ENFORCEMENT COOPERATION AGREEMENT. Chairman or his designee is authorized to sign all pertinent documents.	
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