



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

## Special Session September 20<sup>th</sup>, 2017 Resolution Index

Condensed by, Naomi Yazzie, Executive Office Assistant

**Present:** Dr. Michael Marchand, Sheilah Cleveland, Jack Ferguson, Georgia Simpson, Susie Allen, Larry Allen, Willie Womer, Andy Joseph Jr., Melissa Louis-Williams, Joseph Somday, Joel Boyd, Norma Sanchez

**Delegation:** Edwin Marchand, Rodney Cawston

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>2017-481.hhs</b> <b>10-Signature</b>	To accept Amendment Number Four (4) increasing contract amount of \$8,300.00 this is a unilateral amendment issued in accordance with FY 2016 AFA Section 9.C. No additional tribal dollars. Chair or designee to sign all pertinent documents.	<b>11 FOR (SC, JS, MM, SA, EM, LA, JF, GS, MLW, NS, AJ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-482.e&amp;e</b> <b>10-Signature</b>	To approve a contract change order for The Ultimate Software to increase the amount by \$16,052.65 to cover 3rd quarter costs. The new Contract prices will be \$308,652.65 in FY 2017. Chairman or designee to sign all pertinent documents.	<b>11 FOR (MLW, SA, EM, LA, JF, JS, SC, MM, GS, NS, AJ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-483.cdc</b> <b>10-Signature</b>	To approve the following amendment to the FTA Transit Award Management (TRAMS) existing resolution number 2017-426 that strikes the attorney name listed and replaces with "Managing Attorney or designee". Chairman or designee to sign all pertinent documents.	<b>10 FOR (EM, JS, GS, NS, JB, SC, MLW, WW, LA, SA)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-484.cdc</b> <b>10-Signature</b>	To initiate a resolution to PO-17-C08 between I.H.S. and the Colville Confederated Tribes. The memorandum of agreement will provide I.H.S. funding 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 \$194,000, for The Colville Confederated Tribes. The Chairman of the Colville Business Council or authorized designee shall sign all related documents.	<b>10 FOR (MLW, SC, GS, AJ, EM, JS, LA, WW, MM, JB)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-485.l&amp;j.m&amp;b</b> <b>10-Signature</b>	To approve the attached surveillance equipment purchase order	<b>12 FOR (JB, RC, JS, MM, WW, EM, GS, NS, SC, AJ, LA, SA)</b>

	for \$142,751.57 (20% replacement plan). Funding available in the FY17 Gaming Commission Budget and reimbursable by Colville Gaming, LLC.	0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-486.cdc</b> <b>10-Signature</b>	To approve the following RoadTech, Inc. contract to perform V600H Asphalt FDR services (5.9 miles, 18 feet) Pulverize and blend Permazyme product lump sum. Work will be done on Alice Flats, and Rebecca Lake, and Joe Moses. Chairman or designee to sign all pertinent documents.	10 FOR (EM, JS, LA, WW, NS, SC, AJ, JB, JF, MLW) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-487.nrc</b> <b>10-Signature</b>	To approve new sub contract for 312016 Flowers & Sons in the amount of \$300,097.12 and the dates are from signed document to December 31, 2107 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is sub contract and the SOW. No Tribal dollars associated.	10 FOR (RC, GS, NS, SC, EM, AJ, WW, LA, SA, JF) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-488.nrc</b> <b>10-Signature</b>	To approve new sub contract for 312016 Shannon Industrial in the amount of \$128,415 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is sub contract and the SOW. No Tribal dollars associated.	10 FOR (RC, GS, NS, SC, EM, AJ, WW, LA, SA, JF) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-489.l&amp;j.m&amp;b</b> <b>10-Signature</b>	To approve the contract with Northwest Fence Company, at the Request for Proposal price of \$138,700.00 (One Hundred Thirty-Eight Thousand, Seven Hundred Dollars). Scope of Work is to include installation of a Six Foot (6') tall chain link fence around the perimeter of the Colville Tribal Correctional Facility. 100% Federally funded. No Tribal dollars involved. Also to authorize the Chairman or designee to sign all pertinent documents.	10 FOR (JB, RC, SC, GS, AJ, WW, LA, MLW, SA, EM) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-490.l&amp;j</b> <b>10-Signature</b>	To appoint Veronica Redstar, Tribal Member to the vacant Sahaptin Cultural Facilitator (G-8160) position. Hire will be contingent upon passing required background clearances. In the event that Veronica Redstar does not pass the background check or declines the position, the position will remain open until filled. Chairman or designee to sign all pertinent documents.	13 FOR (JB, RC, GS, NS, SC, EM, JS, MLW, AJ, WW, LA, SA, JF) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-491.l&amp;j</b> <b>10-Signature</b>	To appoint Shelly Boyd, Tribal Member to the vacant Arrow Lakes Cultural Facilitator (G-8161) position. Hire will be contingent upon passing required background clearances. In the event that Shelly Boyd does not pass the background check or declines the position, the position will remain open until filled. Chairman or designee to sign all pertinent documents.	12 FOR (SC, RC, GS, NS, EM, JS, MLW, AJ, WW, LA, SA, JF) 0 AGAINST 0 ABSTAINED <b>Rationale: Timelines</b>
<b>2017-492.tg</b> <b>10-Signature</b>	To appoint Michael E. Marchand, Edwin Marchand, Sheilah Cleveland, Jack Ferguson, and Georgia Simpson as the	10 FOR (NS, RC, JB, WW, LA, SA, JF, GS, MM, SC)

	delegates for the Affiliated Tribes of the Northwest Indians, all Current Council as alternate delegates. This recommendation will supersede all previous recommendations for ATNI delegates. Chairman or designee authorized to sign all pertinent documents.	0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-493.l&amp;j</b> <b>10-Signature</b>	To apply and accept if offered, a Tribal Emergency Management Performance Grant from Washington Emergency Management Division up to \$11,160. Funding will be used for radios for the Tribal Emergency Operations Center and to fund training, exercises, and workshops. The grant requires a 50% match, which will be covered by the Tribal salaries of the Emergency Manager and Emergency Planner. This authorizes the Tribal Chairman or designee to sign all pertinent documents.	10 FOR (JB, SA, LA, WW, MLW, SC, JS, NS, GS, MM) 0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-494.l&amp;j</b> <b>10-Signature</b>	To enter into contract with Washington Emergency Management Division to receive FEMA and State reimbursement for tribal losses due to Mr. Tolman Fire Center flooding on February 15-16, 2017, authorized under presidential disaster declaration 4309-DR-WA. The Tribe is eligible for up to 87.5% reimbursement of the Tribe's \$25,000 insurance deductible and any overtime labor costs incurred for cleanup. This recommendation authorizes the Tribal Chairman or designee to sign all pertinent documents.	10 FOR (JB, SA, LA, WW, MLW, SC, JS, NS, GS, MM) 0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-495.nrc</b> <b>10-Signature</b>	To approve the 2017 CCT Ps'quosa Hunting Regulations as amended. The Chair or designee is authorized to sign all pertinent documents.	11 FOR (RC, NS, GS, SC, MLW, LA, SA, MM, JF, EM, WW) 0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-496.nrc</b> <b>10-Signature</b>	To approve new sub contract for 3132 Skone Irrigation Inc. in the amount of \$128,918.76 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is sub contract. No Tribal dollars associated.	10 FOR (RC, LA, MLW, SC, NS, GS, MM, JF, EM, WW) 0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-497.nrc</b> <b>10-Signature</b>	To approve new full award for 7703 Columbia River Water Management Plan in the amount of \$500,000 and the dates are from July 1, 2017 to June 30, 2018 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new full award. No Tribal dollars associated.	10 FOR (RC, LA, MLW, SC, NS, GS, MM, JF, EM, WW) 0 AGAINST 0 ABSTAINED Rationale: Timelines
<b>2017-498.nrc</b> <b>10-Signature</b>	To approve Leah Cate, Colville Tribal Member, to purchase a portion of 101-T886 per Resolution 2015-436, 2016-356, and 2016-394 at the appraised value, of \$40,697.16, with \$250.00 rental and \$3,380.55 renovation deducted from purchase price with a total purchase price is \$37,066.61. The property is	10 FOR (RC, SA, LA, MLW, SC, GS, MM, EM, JF, WW) 0 AGAINST 0 ABSTAINED

	<p>described as:  101-T886 (por): That portion of the southwest quarter of the northwest quarter (SW¼NW¼) of Section Four (4) Township Thirty-Three (33) North, Range Twenty-seven (27) East, W.M., described as follows: Commencing at the point of intersection of the west line of Section 4 with the south right of way line of State Route SR 155, from which the quarter corner common to Sections 4 and 5 bears S.0°01'27"E, 885.77 feet distance; thence southeasterly along said right of way line, along a curve to the right, the radius point of which bears S.16°59'04"W, a distance of 2790.00 feet, and along said curve along an arc length of 366.23 feet, having an interior angle of 7°31'15" to the point of beginning. Thence S.0°01'27"E, a distance of 556.88 feet; thence N.89°58'33"E a distance of 464.48 feet; thence N.0°01'27"W a distance of 333.65 feet to a point on said south right of way line of State Route 155; thence N.64°17'11"W along said right of way line a distance of 456.60 feet; thence on a curve to the left having a radius of 2790.00 feet. an interior angle of 1°12'30" and an arc length of 58.84 feet to the point of beginning. Situated on the Colville Indian Reservation, County of Okanogan, State of Washington, containing 4.75 acres more or less.  Chairman or designee has authority to sign all pertinent documents.</p>	<b>Rationale: Timelines</b>
<b>2017-499.tg</b> <b>10-Signature</b>	To approve Michael E. Marchand to run for President of the Affiliated Tribes of the Northwest Indians. This recommendation will supersede all previous resolutions for delegations to ATNI Presidents. Chairman or designee authorized to sign all pertinent documents.	11 FOR (NS, RC, SC, AJ, WW, LA, SA, JF, GS, MM, EM)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-500.m&amp;b</b> <b>10-Signature</b>	To appoint Kenneth Stanger, Tribal Member, to the vacant CFED Board of Director's (G-8123) position for a two year term. Hire will be contingent upon passing required background clearances. In the event that Kenneth Stanger does not pass the background check or declines the position, the position will remain open until filled. Chairman or designee to sign all pertinent documents.	10 FOR (JF, NS, GS, SC, MM, EM, WW, RC, MLW, JB)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-501.tg</b> <b>10-Signature</b>	To approve the attached letter for the 2017 Affiliated Tribes of the Northwest Indians (ATNI) membership dues payment in the amount of \$4,500.00. Chairman or designee to sign all pertinent documents.	10 FOR (NS, GS, SC, JB, MM, JF, EM, WW, RC, MLW)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-502.nrc</b> <b>10-Signature</b>	To approve the Northstar BIA Culvert Project in the amount of \$141,532.69 charged to the 1750.20150175.W1-1A account.	10 FOR (RC, SA, LA, MLW, SC, GS, NS, JB, WW, EM)  0 AGAINST  0 ABSTAINED

		<b>Rationale: Timelines</b>
<b>2017-503.nrc</b> <b>10-Signature</b>	To approve the Tunk Forest Roads Culvert Project in the amount of \$76,014.17 charged to the 1750.20150176.W1 account.	10 FOR (RC, SA, LA, MLW, SC, GS, NS, JB, WW, EM)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-504.hhs</b> <b>10-Signature</b>	To approve 2017-2018 proposed insurance renewal with Conover Insurance. The renewal amount for 2017-2018 year is one million, three hundred twenty seven thousand, nine hundred and forty-nine dollars (\$1,327,949). These are tribal dollars with partial reimbursement through 638 contracts and grant dollars. To authorize the Chairman or designee the authority to sign all pertaining documents and approve monthly payments to the Conover Insurance.	10 FOR (JF, EM, WW, RC, NS, JB, LA, SA, JS, MLW)  2 AGAINST (SC, GS)  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-505.hhs.m&amp;b</b> <b>10-Signature</b>	To approve the enclosed Consulting contract with Johns Hopkins University for a self-injury/suicide data surveillance system and technical assistance in the amount of \$80,748.00. Chair or designee authorized to sign all relevant documents.	10 FOR (EM, LA, GS, WW, RC, JB, NS, JF, SA, JS)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-506.m&amp;b.l&amp;j</b> <b>10-Signature</b>	To approve the carryover funds obligated in FY 2016-2017 of Colville Tribal Court for Discount Glass for the amount of \$6,300. (Due to issues involving the framing in the glass, this project is on hold until further notice). The Chair or his designee is hereby authorized to sign all pertinent documents.	11 FOR (JF, SC, EM, WW, GS, NS, SA, AJ, MM, RC, LA)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-507.hhs</b> <b>10-Signature</b>	To approve the Budget Modification to Contract N22325/Fund 540017 and Fund 540018, which is an interagency agreement between the State of Washington Department of Health WIC Program and the Colville Confederated Tribes. This budget modification #3 increases the allocation of WIC Funds for the period of January 1, 2017 to September 30, 2018 by \$15,792.00. Chairman or designee to sign all pertinent documents.	10 FOR (AJ, WW, LA, SA, MLW, MM, SC, NS, JF, RC)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-508</b> <b>10-Signature</b>	To approve for construction cost for Fire Station in Nespelem. This will be to house Vehicles and Equipment in accordance with loan agreement on Structure Trucks. Payment from an approved municipal loan for EMS in the amount of \$158,400.00. Chairperson or designee has the authority to sign all pertinent documents.	11 FOR (JF, GS, MM, RC, MLW, NS, JB, WW, LA, JS, SA)  0 AGAINST  0 ABSTAINED  <b>Rationale: Timelines</b>
<b>2017-509.hhs</b> <b>10-Signature</b>	To approve Lake Roosevelt Community Health Centers (LRCHC) to pursue the Indian Health Services; Behavioral Health Integration Initiative Grant in the amount of \$500,000 to allow for Behavioral Health Integration into the LRCHC	10 FOR (AJ, WW, LA, SA, SC, GS, JF, MM, RC, NS)  0 AGAINST  0 ABSTAINED



	Primary Care setting. No tribal dollars identified.	<b>Rationale: Timelines</b>
<b>2017-510.l&amp;j</b> <b>10-Signature</b>	To approve the following resolution language related to the protection of the Colville Tribes Arrow Lakes Aboriginal Society property in Winlaw, British Columbia: The Confederated Tribes of the Colville Reservation (Colville Tribes) through its Arrow Lakes Aboriginal Society, a Washington State private non-profit corporation which is also registered in British Columbia with an agent residing in British Columbia, is the owner of a parcel of property in Winlaw, British Columbia and has the absolute authority to grant and prohibit access to this property as the owner. The Colville Tribes specifically grants access to this property to Melissa Dorey, Robert Watt, Shelly Boyd, Rick Desautel and any member of the Colville Business Council ONLY, and prohibits access to all other persons without prior written approval signed by the Chairman/designee of the Colville Business Council. Any person or persons not named above or not possessing such prior written approval are in trespass if they enter upon the property in any way at any time. The Colville Business Council further requests assistance from the Royal Canadian Mounted Police and/or other appropriate Canadian Law Enforcement officials to assure that trespassers are removed and that trespass charges are filed against them.	<b>10 FOR (JB, GS, NS, SC, LA, SA, JF, RC, AJ, MM)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-511.cdc</b> <b>10-Signature</b>	To approve the following Moyer Construction Inc. contract to perform Crack Seal and Chip Seal approximately 13.9 miles of Columbia River Road in Omak on BIA Route 140,. Located near Omak, WA. Time and material not to exceed \$1,060,500.34. Chairman or designee to sign all pertinent documents.	<b>10 FOR (JF, WW, LA, EM, SA, GS, NS, MM, JS, RC)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-512.cdc.m&amp;b</b> <b>10-Signature</b>	To approve the contract submittal for the FY 16 638 Roads Maintenance Contract in the amount of \$1,318,255. This contract identifies by AFA and budget the road maintenance activities and equipment purchases needed for this funding cycle.	<b>10 FOR (JF, WW, LA, EM, SA, GS, NS, MM, JS, RC)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-513.cdc</b> <b>10-Signature</b>	To approve the sole source contract with Moyer Construction for a double chip seal to protect the full depth reclamation projects: Alice Flats, Rebecca Lake, and Joe Moses roads. The project is for time and materials not to exceed \$772,909.62. The Tribal Chairman or designee is authorized to sign all pertinent documents.	<b>10 FOR (JF, WW, LA, EM, SA, GS, NS, MM, JS, RC)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-514.cdc.m&amp;b</b> <b>10-Signature</b>	To approve the following Red Plains Professional Inc. 638 Contract to perform and provide technical assistance for the Long Range Transportation Plan (LRTP) and the National Tribal Transportation Facility Inventory (NTTFI) and update including GIS services and road mapping on BIA IRR System	<b>10 FOR (JF, WW, LA, EM, SA, GS, NS, MM, JS, RC)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>

	roads. Chairman or designee to sign all pertinent documents.	<b>Rationale: Timelines</b>
<b>2017-515.cdc.m&amp;b</b> <b>10-Signature</b>	To approve the new 638 Moyer Construction Inc. Keller Community Center project to include construction of a paved parking lot including asphalt pavement, concrete curves, concrete sidewalks, drainage improvements, signing and striping, retaining wall construction and erosion control. A new WSDOT approach and approximately 1150 linear feet of paved frontage road will be constructed to access the site. ADA compliant ramps and parking stalls will be included. Project includes approximately 3600 cubic yards of excavation, and placement of approximately 1350 tons of hot mix asphalt. Chairman or designee to sign all pertinent documents.	<b>10 FOR (JF, WW, LA, EM, SA, GS, NS, MM, JS, RC)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>Rationale: Timelines</b>
<b>2017-516.hhs.m&amp;b</b>	To allocate Qwam Qwmpt' funds to the Convalescent Center for commercial oven (\$10,000), commercial washer and dryer (\$8,000), a new TV with surround sound in the Activity Room(\$2,000), a recreation/smoker's gazebo with heating/cooling for the residents with fire retardant patio furniture (\$12,000), four new beds and one being bariatric size (\$4,000), two wheelchairs (\$2,000), a transport van with four tie-downs and overhead storage (\$56,000); two secure storage sheds with properly installed flooring for maintenance equipment and financial record storage (\$2,000), and to cut down the bid tree in front of the Convalescent Center building and have a wooden sculpture created in the stump of the tree (\$4,100). This totals \$104,000.	<b>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2017-517.hhs</b>	To approve \$50,000 to come out of the Health Qwam Qwmpt' Account for Lab Fees for Enrolled Colville Tribal Members at IHS Funded Facilities. Chairman or Designee to sign all pertinent documents.	<b>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2017-518.m&amp;b</b>	WHEREAS, the Confederated Tribes of the Colville Reservation (the "Tribes") is a federally recognized Indian tribe organized pursuant, and established pursuant to a Constitution and By-Laws adopted by the members of the Tribes on February 26, 1938, and approved by the Commissioner of Indian Affairs on April 19, 1938 (as amended to date, the "Constitution"); and WHEREAS, Article II of the Constitution provides that the Tribes shall be governed by the Colville Business Council (the "Colville Business Council"); and WHEREAS, the Colville Business Council possesses constitutional authority to approve the Tribes entering into contracts, which power the Colville Business Council has continuously and openly exercised since on or about the date of the effectiveness of the Constitution; and WHEREAS, the Tribes and KeyBank, National Association ("KeyBank") are each a party to a Credit and Security Agreement dated as of December 3, 2014, pursuant to which	<b>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>

	<p>KeyBank provided the Tribes up to \$38,250,000 of financing subject to a variable interest rate (the “Financing”) for the purpose of funding the Tribes’ obligations in connection with the new administration building in Nespelem, Washington; and WHEREAS, the Colville Business Council desires to enter into an interest rate “swap” (the “Interest Rate Swap”) with KeyBank (in such capacity, the “Swap Counterparty”) to manage all or a portion of the risk associated with potential increases in the variable interest rates applicable to the Financing; and</p> <p>WHEREAS, it is necessary or desirable that the Tribes execute certain agreements or instruments relating to the Interest Rate Swap, including:</p> <ul style="list-style-type: none"> <li>(a) the ISDA 2002 Master Agreement (the “Master Agreement”) to be entered into between the Tribes and the Swap Counterparty;</li> <li>(b) the ISDA Schedule to the 2002 Master Agreement (the “Schedule”) to be entered into between the Tribes and the Swap Counterparty; and</li> <li>(c) the letter agreement constituting a “Confirmation” as referred to in the Master Agreement (the “Confirmation”) to be entered into between the Tribes and the Swap Counterparty;</li> </ul> <p>together with such other agreements, documents, instruments or certificates as may be necessary or desirable for the Tribe to execute in connection with the Interest Rate Swap (collectively with the documents described above, the “Swap Documents”); and</p> <p>WHEREAS, it is the recommendation of the Tribes Management &amp; Budget Committee that the Colville Business Council approve the Swap Documents necessary for the Interest Rate Swap; and</p> <p>WHEREAS, it is the recommendation of the Tribes Management &amp; Budget Committee that the Colville Business Council approve and authorize the execution and delivery of the Swap Documents pursuant to which the Tribes will make certain representations and warranties, agree to certain limited covenants, and agree to a limited waiver of sovereign immunity and specified dispute resolution provisions in favor of the Swap Counterparty.</p> <p>THEREFORE, BE IT RESOLVED, that we, the Colville Business Council, meeting in a Special SESSION this 20th day of September, 2017, acting for and on behalf of the Tribes, do hereby approve the above-described recommendations of the Management &amp; Budget Committee.</p> <p>BE IT FURTHER RESOLVED, that we, the Colville Business Council, acting for and on behalf of the Tribes, hereby ratifies any and all prior actions heretofore or hereafter taken by any</p>	
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	<p>Authorized Officer(s) (as defined below) of the Tribes in connection with the Interest Rate Swap and the matters described in this Resolution be, and hereby are, ratified, confirmed, approved and authorized in all respects as the acts and deeds of the Tribes as fully as if each such action had been presented to and approved by the Colville Business Council prior to being taken.</p> <p>BE IT FURTHER RESOLVED, that we, the Colville Business Council, acting for and on behalf of the Tribes, hereby approves the Interest Rate Swap. The Colville Business Council hereby approves the form of each of the Swap Documents, in each case in the form presented to the Colville Business Council, and with such changes as may be approved by the Chairman of the Colville Business Council, the Chief Financial Officer of the Tribes, or the Chairman of the Management &amp; Budget Committee, which changes do not materially alter or affect the Interest Rate Swap or the transactions contemplated thereby, or diminish the Tribes' rights thereunder, as presented to the Colville Business Council (each, an "Authorized Officer"), and such Authorized Officers are listed on the Incumbency Certificate attached hereto. The Colville Business Council hereby further authorizes and directs the conversion of each Swap Document into the final form thereof, together with such changes or modifications as deemed necessary or desirable by an Authorized Officer upon the recommendation of legal counsel. The Authorized Officers, acting alone or together, are hereby authorized and directed to execute the final form of each Swap Document in the name and on behalf of the Tribes, and such signature shall be conclusive evidence of the approval of the Colville Business Council hereunder.</p> <p>BE IT FURTHER RESOLVED, that we, the Colville Business Council, acting for and on behalf of the Tribes, further authorize each of the Authorized Officers, acting alone or together, to execute such other documents contemplated under any Swap Document and such other documents as he or she determines necessary and appropriate in connection with the Interest Rate Swap upon the recommendation of legal counsel and provided such other documents do not materially alter or affect the Interest Rate Swap or the transactions contemplated thereby, or diminish the Tribes' rights thereunder, as presented to the Colville Business Council.</p> <p>BE IT FURTHER RESOLVED, that we, the Colville Business Council, acting for and on behalf of the Tribes, do further specifically approve the limited waivers of sovereign immunity of the Tribes, the waiver of exhaustion of tribal remedies, and the agreement to arbitration, in each case described in the Swap Documents as irrevocable, in favor of the Swap Counterparty.</p> <p>BE IT FURTHER RESOLVED, that we, the Colville Business</p>	
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	<p>Council, acting for and on behalf of the Tribes, do further specifically approve and determine, for the sole purpose of the Interest Rate Swap and for the transactions contemplated in each Swap Document, each of the following (collectively, the “Arbitration Provisions”):</p> <p>(a) The Swap Documents contain provisions requiring the Tribes and the other parties thereto, if elected by any party thereto, to submit to binding arbitration for resolution and final determination of certain claims (each, a “Claim”), and such provisions shall be and hereby are valid, irrevocable and enforceable.</p> <p>(b) If any action or proceeding is commenced in any court or dispute resolution forum of the Tribes (a “Tribal Court”) with respect to any Claim, and any party thereto elects to submit the Claim to binding arbitration in accordance with the terms of the Swap Documents, then it is the intent of the Colville Business Council that, notwithstanding any provision of any code, ordinance, rule, regulation, statute or other law of the Tribes, (i) all matters governed by the arbitration and dispute resolution provisions contained in the Swap Documents shall be honored in strict accordance with their terms, (ii) the agreements to arbitrate set forth in the Swap Documents shall be enforceable in the Tribal Court and such other courts as are contemplated therein, and (iii) without limiting the generality of the other provisions hereof, all such matters are specifically excluded from the application of any contradictory or inconsistent provisions of the Law and Order Code (including Section 1-1-71, 2-2-102, and Section 7-1-30 thereof).</p> <p>(c) Any party may make application to a Tribal Court for an order confirming an arbitration award with respect to a Claim (an “Arbitration Award”), and it is the intent of the Colville Business Council, and the Colville Business Council hereby provides in accordance with Section 2-2-201 of the Law and Order Code, that each Arbitration Award is intended to be confirmed and reduced to a judgment by the Tribal Court strictly as provided by the arbitrators and shall be enforceable in the Tribal Court and such other courts as are provided in the arbitration and dispute resolution provisions of the Swap Documents.</p> <p>BE IT FURTHER RESOLVED, the Authorized Officers, acting alone or together, are hereby authorized and directed to execute and deliver, and to attest to the final forms of the documents referenced in this Resolution when the same have been prepared for and in the name of the Tribes, and such execution and delivery shall be deemed as conclusive evidence of the approval thereof. The Authorized Officers are hereby further authorized and directed, on behalf of the Tribes, to do any and all things and to take any and all actions, including execution</p>	
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	and delivery of the agreements described in this Resolution, assignments, certificates, requisitions, notices, consents, instruments of conveyance, warrants, and other documents which any of such officers may deem necessary or advisable in connection with the execution and delivery of each Swap Document upon the recommendation of legal counsel and provided such other documents do not materially alter or affect the Interest Rate Swap or the transactions contemplated thereby, or diminish the Tribes' rights thereunder, as presented to the Colville Business Council.	
<b>2017-519.m&amp;b</b>	To authorize the following Tribal Officials of the Confederated Tribes of the Colville Reservation, State of Washington, to act as Authorized Officials for health service payer contracts/credentialing enrollments; Executive Director, CFO, and CMB Manager. Chair or designee to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-520.m&amp;b.l&amp;j</b>	To approve CCT Corrections Department FY18 Budget in the amount of \$2,847,972.00. Chair or designee authorized to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-521.m&amp;b</b>	To approve the attached memorandum to be signed by the Executive Director regarding Century Link use of a conduit for 100 MB service in Inchelium.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-522.m&amp;b</b>	To approve the attached invoice to Audio Solutions in the amount of \$87,909.15 for the Government Center Auditorium sound system. Funds to come from approved budget. Chair or designee approved to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-523.m&amp;b</b>	To approve the fiscal year 2018 Tribal Budget in the amount of \$53,727,970.50. These budgets are in addition to currently approved budgets for Federal, State, and other awards. The Chairman or designee is authorized to sign all pertinent documents.	7 FOR (SC, JF, GS, WW, AJ, JS, JB)  4 AGAINST (SA, LA, MLW, NS)  0 ABSTAINED
<b>2017-524.tg</b>	To appoint Michael E. Marchand, Edwin Marchand, Sheilah Cleveland, Jack Ferguson, and Georgia Simpson as the delegates for the National Congress of American Indians (NCAI). With Larry Allen and Norma Sanchez as alternates. This recommendation will supersede all previous recommendations for NCAI Delegates. Chairman or designee authorized to sign all pertinent documents.	5 FOR (WW, AJ, MLW, JS, JB)  0 AGAINST  6 ABSTAINED (SC, JF, GS, SA, LA, NS)
<b>2017-525.tg</b>	To appoint Rodney Cawston as the delegate for the Upper Columbia United Tribes with the alternate delegate to be William Womer. This recommendation will supersede all previous resolutions for delegations to UCUT. Chairman or designee authorized to sign all pertinent documents.	10 FOR (SC, JF, GS, SA, LA, AJ, MLW, JS, JB, NS)  0 AGAINST  1 ABSTAINED (WW)

<b>2017-526.tg</b>	To appoint Michael E. Marchand as the delegate for the Intertribal Monitoring Association. Alternate delegate is Rodney Cawston. This recommendation will supersede all previous resolutions for delegations to ITMA. Chairman or designee authorized to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-527.tg</b>	To appoint Edwin Marchand as the delegate for the National Indian Gaming Association with Joel Boyd as the alternate and Michael Marchand as 2nd alternate. This recommendation will supersede all previous resolutions for delegations to NIGA. Chairman or designee authorized to sign all pertinent documents.	10 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, NS)  0 AGAINST  1 ABSTAINED (JB)
<b>2017-528.tg</b>	To appoint Edwin Marchand as the delegate for the Washington Indian Gaming Association with Joel Boyd as the alternate and Jack Ferguson as 2nd alternate. This recommendation will supersede all previous resolutions for delegations to WIGA. Chairman or designee authorized to sign all pertinent documents.	9 FOR (SC, GS, SA, LA, WW, AJ, MLW, JS, NS)  0 AGAINST  2 ABSTAINED (JF, JB)
<b>2017-529.tg</b>	To appoint Michael E. Marchand as the delegate for the Native American Finance Office Association with Jack Ferguson as an alternate and Norma Sanchez as second alternate. This recommendation will supersede all previous resolutions for delegations to NAFOA. Chairman or designee authorized to sign all pertinent documents.	9 FOR (SC, GS, SA, LA, WW, AJ, MLW, JS, JB)  0 AGAINST  2 ABSTAINED (JF, NS)
<b>2017-530.tg</b>	To appoint Sheilah Cleveland as the delegate for the American Indian Health Commission for Washington State with Georgia Simpson as an alternate. This recommendation will supersede all previous resolutions for delegations to AIHC. Chairman or designee authorized to sign all pertinent documents.	9 FOR (JF, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  2 ABSTAINED (SC, GS)
<b>2017-531.tg</b>	To approve the 2017 November Elder Quarterly Stipend, pending 2018 budget approval, 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 November 1, 2017. Eligibility for the Elder Stipend shall be: each member must be age 55, enrolled and living as of midnight of October 9, 2017. The following shall not apply to the 2017 November Elder Stipend: Debt Set-Off Ordinance and Retro Active Payments. Department hold lists are due October 2, 2017. The following departmental holds shall be approved for deposit into the tribal members IIM account: 1. Social Services (Regular) Court Order/Voluntary consent for adults 2. Enrollment Deceased Elders/Unclaimed Checks past 90 days.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
<b>2017-532.tg</b>	To approve a \$200.00 Per Capita, pending 2018 budget approval, from account PL7219709 to be distributed on or	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)

	<p>before December 4, 2017 to each eligible tribal member of the Confederated Tribes of the Colville Reservation. Eligibility requirements: must be enrolled/adopted/living as of October 26, 2017; The following deadlines apply: DNA Testing October 2, 2017; Completed Enrollment Application October 16, 2017; Court Orders for Minors and Adults is October 26, 2017; Hold list are due October 2, 2017. The following shall not apply: Retro-Active payments and Debt Set-Off Ordinance, with the following exception. The following departmental holds are approved and shall apply.</p> <ol style="list-style-type: none"> <li>1. Children &amp; Family Services Court Orders/Voluntary consent for minors and adults</li> <li>2. Social Services-Regular Court Orders/Voluntary consent for minors and adults</li> <li>3. Enrollment Department Court Orders/Voluntary consent/Administrative Error's for minors and adults/Unclaimed checks past 90 days.</li> <li>4. Child Support Court Orders/Voluntary consent</li> </ol>	<p>0 AGAINST</p> <p>0 ABSTAINED</p>
2017-533.tg	<p>To approve the following Enhanced Tribal Card (ETC) fees. Once the process is successfully completed, each Tribal Members shall receive the first ETC card for the cost of \$20. Each replacement cards shall cost \$30. Each Tribal Members shall only be allowed to receive three (3) replacement ETC's within the eight year expiration period per card. The ETC expires every eight years.</p>	<p>10 FOR (JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>1 AGAINST (SC)</p> <p>0 ABSTAINED</p>
2017-534.e&e.m&b	<p>To approve the cash donation and contribution(s) of materials and/or resources from BP Products North America Incorporation in the total amount of \$60,000 with \$20,000 per year for three years for academic and community enhancement initiatives outlined in the attached agreement. Chairman or designee authorized to sign all pertinent documents.</p>	<p>10 FOR (SC, JF, GS, SA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>*Out of the Room (LA)</p>
2017-535.nrc	<p>To amend resolution 2016-330 adding change order #3 for 316617 Mount Hood Environmental C15-293 adding \$20,828.85 bringing total contract value to \$55,860 and the Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the resolution 2016-330 &amp; CO#3. No Tribal dollars associated.</p>	<p>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2017-536.nrc	<p>To amend resolution 2017-488 replacing fund number 312016 Shannon Industrial to 1018-1762 Shannon Industrial and contract value and dates remain the same, and the Chairman or his/her designee is authorized to sign all pertinent documents. Attached is the resolution 2017-488. No Tribal dollars associated.</p>	<p>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2017-537.nrc	<p>To approve change order #4 for 316617 USDA Okanogan - Wenatchee National Forest Service C14-286 adding an additional \$20,686.88 bringing the total contract value to</p>	<p>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p>



	\$90,599.88 and the dates remain the same, and the chairman or his/her designee is authorized to sign all pertinent documents. Attached is the change order #4. No Tribal dollars associated.	0 ABSTAINED
2017-538.nrc	To approve change order #4 for 312217 Irrigation Technology & Control C15-312 adding an additional \$30,000 bringing the total contract value to \$145,000 and the dates remain the same, and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is the change order #4. No Tribal dollars associated.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
2017-539.nrc	To transfer the following property from Colville Tribal Credit Corporation to the Confederated Tribes of the Colville Reservation: Legal Description is attached. The Real Property or its address is commonly known as 610 Pine Street, Coulee Dam, WA 99116. The Real Property tax identification number is 0610543700. Valued at \$108,000. The Chairman or designee is authorized to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
2017-540.nrc	To accept and approve BID item 0-3 for Lacy Pakootas, Colville Tribal Member application for a Pasture lease. Tribal tract No. 101-T5748 (por) described as: 101-T5748 (por): That part of the N½SE¼ lying east of the Lyman Lake/Moses Meadows Road in Section 8, Township 33 North, Range 29 East, except the parcel that includes the home site located on the N½NW¼NE¼SE¼ of Section 8, Township 33 North, Range 19 East, Willamette Meridian, Okanogan County, Washington, containing 60.00 acres, more or less. TOTAL TRACT ACRES: 60.00 TERM: 5 years, from date of approval. Compensation: \$400.00 per annum. BOND: \$WAIVED. Lease Fee: \$15.00 (one-time fee). Subject to Fair Market Value Appraisal. Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)  0 AGAINST  0 ABSTAINED
2017-541.nrc	To accept and approve Jonnie Bray, Colville Tribal member, Home Site Lease application for Tribal Tract 101-T108 (por). Also, to allow Ms. Bray a lease with option to purchase the property. This will give Ms. Bray the capability of restoring the property to a habitable condition for insurance purposes which is required by any financial institution prior to obtaining a mortgage on any property. All lease payments of \$250.00 per annum will be applied towards the purchase of said property. Payment of closing costs to be negotiated with the seller. The property is described as: 101-T108 (por): That portion of the west half of the east half of the northeast quarter (W½E½E½NE¼) of Section 36, Township 32 North, Range 30 East, Willamette Meridian, Okanogan County, Washington described as follows: Commencing at the northeast corner of Section 36; thence S.90°00'00"W, a distance of 660.99 feet to the northwest corner of the W½E½E½NE¼; thence S.0°10'17"E, along the west line	8 FOR (SC, GS, SA, LA, WW, MLW, JB, NS)  0 AGAINST  3 ABSTAINED (JF, AJ, JS)

	<p>of the W½E½E½NE¼, a distance of 1,633.00 feet to the point of the beginning; thence continuing S.0°10'17"E, a distance of 507.00 feet; thence S.90°00'00"E, a distance of 328.16 feet to a point on the east line of the W½E½E½NE¼, thence N.0°06'32"W, along said east line, a distance of 760.00 feet; thence S.90°00'00"W, a distance of 126.14 feet to the point of beginning. RESERVING there from an easement for road and utilities along the east 30 feet thereof.</p> <p>Term: One (1) Year Lease, lease with option to purchase (2016-356) from the date of approval; with applicable lease payments be applied towards the option to purchase.</p> <p>Compensation: \$250.00 per annum, subject to Fair Market value. Bond: waived. Lease Fee: \$15.00 (one-time fee). Lease subject to conditions cited in IRMP Coordinator's review.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
<b>2017-542.nrc</b>	To amend resolution 2017-319 approving the contract change order for Lodestone Environmental Consulting Services, LLC in the amount of \$102,254 bringing the total to \$384,754. The funding for this change order is to provide technical assistance on the Upper Columbia River and Midnite Mine sites. No Tribal dollars requested. Chairman or designee authorized to sign all relevant documents.	<p>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<b>2017-543.cul.nrc</b>	For a quit claim deed to be signed by the Chairman for the Cashmere Indian Cemetery based on a 'mere change in identity'. The Cemetery is currently vesting in the name of the 'Wenatchee Indian Tribe', a constituent tribe of The Confederated Tribes of the Colville Reservation, but not a Federally Recognized Tribe. This change is for legal purposes only allowing the fee to trust conversion to begin, but does not change the historical and cultural significance of the property for the Wenatchi people. Once the deed is recorded the process to convert into trust status is authorized to begin. The Chairman is authorized to sign all documents.	<p>10 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p>*Out of the Room (JB)</p>
<b>2017-544.cdc</b>	By consensus vote of the Council with 8 for 0 against, that Nancy Michel be re-appointed to represent the CIHA Board of Commissioners Inchelium District Position. Term of appointment shall be four (4) years beginning at the date of approval.	<p>9 FOR (JF, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>1 ABSTAINED (SC)</p> <p>*Out of the Room (GS)</p>
<b>2017-545.l&amp;j.m&amp;b</b>	To approve the pass through 2 year funding of \$250,000 for FY 2017/2019 from the WDFW for law enforcement of fishery management activities and parks maintenance on Lake Rufus Woods. Contract WDFW #17-09295. No matching dollars. Indirect \$53,617. Chairperson or designees authorized to sign all documents pertaining to this contract.	<p>11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<b>2017-546.l&amp;j</b>	To approve striking language in current ORA attorney contracts allowing the Managing Attorney to terminate these contracts	<p>10 FOR (SC, JF, SA, LA, WW, AJ, MLW, JS, JB, NS)</p>

	without CBC resolution. Sample of language to be stricken is attached. Upon approval of this resolution by CBC, Chair/designee has authority to sign contract modifications for each affected contract removing this language.	1 AGAINST (GS) 0 ABSTAINED
<b>2017-547.l&amp;j</b>	To approve the attached Employment Contract with James R. Edmonds, Colville Tribal Legal Office, from October 1, 2017, to September 30, 2020. It is further recommended that the Chairman or his designee is authorized to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS) 0 AGAINST 0 ABSTAINED
<b>2017-548.l&amp;j.m&amp;b</b>	To approve CCT Corrections Department FY18 O&M Budget in the amount of \$492,508.16 (Four hundred ninety-two thousand, five hundred eight dollars and 16 cents). No Tribal dollars. Chair or designee authorized to sign all pertinent documents.	11 FOR (SC, JF, GS, SA, LA, WW, AJ, MLW, JS, JB, NS) 0 AGAINST 0 ABSTAINED
<b>2017-549.l&amp;j.m&amp;b TABLED</b>	To approve the Organizational Chart commencing October 01, 2017. The reorganization of the enforcement programs provide uniform application of duties and responsibilities, support coverage as well as cross-training and benefits for these critical/safety sensitive positions. It also provides a more equitable span of control within the Public Safety Department.	
<b>2017-550.l&amp;j.m&amp;b TABLED</b>	To approve the attached Organization Chart for the TOSHA program commencing October 01, 2017. The reorganization includes the transfer of the Communications Engineer and the Radio Communications Administrator from the Administration Public Safety. The office space and equipment is transferred with the reorganization of the program.	