



COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL

Regular Session October 9th, 2014 Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Allen Hammond, Mel Tonasket, Richard Tonasket, Michael Marchand, Edwin Marchand, Andy Joseph Jr., Nancy Johnson, Ricky Gabriel and Joseph Somday

Delegation/Absent: Jim Boyd Sr., Stevey Bylilly, Marvin Kheel, William Nicholson II and Jack Ferguson

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2014-632.nrc/m&b	To approve and proceed with the Devil's Elbow Logging Unit Salvage Contract. This project encompasses approximately 1,833 acres; of which 1,816 acres are Tribal trust land and 17 acres of Allotments and are scheduled for salvage. An estimated total volume of 10.836 million board feet of which 35 mbf is Allotted and 10,801 mbf is in Tribal trust land. Ponderosa Pine makes up approximately 41% and Douglas-fir/Western Larch makes up 59% of total of the species composition. The project terrain is comprised of approximately 92% tractor logging and 8% cable logging. For the benefit of all Tribal members the Colville Business Council enacted resolution 2001-583 which states: "For cultural, restoration and economic value..." All salvage operations... be handled in a manner that expedites the Tribes objectives." Chairperson or designee has the authority to sign all pertinent documents.	11 FOR (JS, JF, AH, RG, NJ, EM, RT, MT, WN, SB, JB) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2014-633.hhs	To approve Contract 1469-14549 between DSHS and the Colville Confederated Tribes. Chairman or designee to sign all pertinent documents.	10 FOR (AJ, SB, MT, RT, EM, WN, NJ, AH, MM, JB) 0 AGAINST 0 ABSTAINED *Rationale: Timelines
10-Signature 2014-634.nrc	To approve a construction contract for retaining wall repair and walkway replacement at Twin Lakes Dam by Cates & Erb, Inc. in the amount of \$84,250.00. Chairman authorized to sign all pertinent documents.	10 FOR (JS, AJ, JB, WN, JF, EM, RT, MM, RG, SB) 0 AGAINST 0 ABSTAINED *Rationale: Repair of Twin Lakes Dam retaining wall repair is needed before winter to assure integrity of the dam and public safety. Contract was advertised in early July thru TERO to 36 Tribal contractors but a proposal & quote wasn't

10-Signature 2014-635.hhs	<p>To approve the attached Administrator Change Notifications Forms to the Washington State Department of Social and Health Services to update the Administrator over Behavior Health and Chemical Dependency to Alison Ball, Services Director; and</p> <p>WHEREAS, the State Department of Social and Health Services requires the Confederated Tribes of the Colville Reservation to submit an update within 30 days of a change in the agency Administrator and an update is due by October 10, 2014; and</p> <p>WHEREAS, the Tribes appoints Alison Ball as the new Agency Administrator over Behavior Health and Chemical Dependency as the Interim Program Manager over the Behavior Health Program and the Director of Social Services; and</p> <p>THEREFORE, BE IT RESOLVED, we do hereby approve the recommendation of Health and Human Services to approve the attached Administrator Change Notification Forms to Washington State DSHS to appoint Alison Ball as the Administrator over Behavioral Health and Chemical Dependency and for the Chairman or Designee to sign all necessary documents.</p>	<p>received until September.</p> <p>10 FOR (AJ, MM, MT, RT, AH, EM, JS, RG, NJ, SB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p> <p><i>*Rationale: Timelines, to update the State in a timely manner and discussed during last HHS committee meeting that recommendation sheet would be forthcoming. At that time, HHS committee directed that the forms could be sent around via 10 signature because there is a quickly approaching deadline.</i></p>
2014-636.l&j	<p>To adopt a Policy that safeguards the protections guaranteed by the Colville Civil Rights Act. Historically, in-custody defendants have not always been afforded access to spokespersons admitted to practice in this jurisdiction. However, CTC 2-21-100 appoints the Public Defender when a Defendant asks for one. Adoption of this Policy, which is attached and incorporated herein, will guarantee that a defendant can call the Public Defender regardless of the time of day and seek advice relating to his Rights and Responsibilities in a criminal investigation.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-637.l&j	<p>To approve the abolishment of the Public Safety Department and approve the attached reorganization of the programs and Functions of the Public Safety Department under the direction and supervision of the Office of the Executive Director.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-638.nrc	<p>To approve new sub contract for Cramer & Associates in the amount of \$108,106.00 and the dates are from the signed document to June 30, 2015, and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new sub contract and the SOW. No Tribal dollars associated.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-639.nrc	<p>To approve new sub contract for 317014 Golder & Associates in the amount of \$34,217.00 and the Chairman or his/her designee authorized to sign all pertinent documents. Attached is sub contract and SOW. No tribal dollars associated.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

<p>2014-640.nrc</p>	<p>To amend Resolution No. 2011-013 to correct the legal descriptions in the land exchange with Laurie Charette on the following described tracts of land: 101-T4098-A: THAT PORTION OF THE OPHIR PLACER CLAIM, MINERAL SURVEY NO. 681, IN SECTION TWENTY-ONE (21), TOWNSHIP THIRTY-TWO (32), RANGE THIRTY-SIX (36) EAST, W.M. DESCRIBED AS FOLLOWS: COMMENCING AT THE CORNER COMMON TO SECTIONS SIXTEEN (16), SEVENTEEN (17), TWENTY (20) AND TWENTY-ONE (21); THENCE S.74°38'00"E, A DISTANCE OF 355.70 FEET; THENCE S.37°57'00"W, A DISTANCE OF 630.00 FEET; THENCE S.52°03'00"E, A DISTANCE OF 747.50 FEET TO A 5'8" DIAM. STEEL REBAR AS SHOWN ON AN UNRECORDED SURVEY BY JACK CONDON, P.L.S. #10968 DATED OCTOBER 13TH 1973. THENCE CONTINUING S.52°03'00"E, A DISTANCE OF 116.98 FEET TO CORNER 1 OF SAID LAURIE CHARETTE HOMESITE TRACT. THENCE N.37°57'00"E, A DISTANCE OF 222.91 FEET TO CORNER 2; THENCE S.52°03'00"E, A DISTANCE OF 487.00 FEET TO CORNER 3; THENCE S.37°57'00"W, A DISTANCE OF 379.91 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STRAY DOG CANYON COUNTY ROAD NO. 58 AND CORNER 4 OF THIS DESCRIPTION; THENCE S.89°52'23"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 17.08 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, ON A CURVE TO THE RIGHT HAVING AN INTERIOR ANGLE OF 37°48'33", A RADIUS OF 320.00 FEET, AND AN ARC LENGTH OF 211.17 FEET; THENCE N.52°19'04"W, A DISTANCE OF 277.70 FEET TO CORNER 5 AND ALSO BEING CORNER 3 OF THE YVONNE CHARETTE HOMESITE TRACT. THENCE LEAVING SAID RIGHT OF WAY LINE, N.37°57'00"E, ALONG THE EAST LINE OF SAID YVONNE CHARETTE HOMESITE TRACT, A DISTANCE OF 236.93 FEET TO CORNER 1 AND THE POINT OF BEGINNING, CONSISTING OF 5.01 ACRES. IN EXCHANGE, Laurie Charette will convey Tracts 101-4098-B and 101-4098-D described as follows: 101-4098-B: A PARCEL OF LAND ACCORDING TO THE SURVEY APPROVED MAY 10, 1977, DOCUMENT NO. 101-22264 WITHIN (NORTHWEST-QUARTER), SECTION 21, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON CONTAINING 0.912 ACRES, MORE OR LESS. METES AND BOUNDS: 101-4098-B: ALL THOSE PIECES OR PARCELS OF LAND SITUATED IN THE NORTHWEST-QUARTER OF SECTION 21, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY,</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
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	<p>COLVILLE INDIAN RESERVATION, STATE OF WASHINGTON, ACCORDING TO SURVEY APPROVED MAY 10, 1977, DOCUMENT NO. 101-22264, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, THENCE SOUTH 74°38'EAST, 355.7 FEET; THENCE SOUTH 37°57' WEST, 630.00 FEET; THENCE SOUTH 52°03' EAST, 547.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 37°57' EAST, 144.50 FEET; THENCE NORTH 52°03' WEST, 107.50 FEET; THENCE NORTH 37°57' EAST, 90.00 FEET; THENCE NORTH 52°03' WEST, 92.50 FEET TO THE POINT OF BEGINNING, BEING 0.912 ACRES, MORE OR LESS.</p> <p>101-4098-D: A PARCEL OF LAND SITUATED IN THE TOWN SITE OF METEOR, FERRY COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 32 NORTH, RANGE 36 EAST, WILLAMETTE MERIDIAN, THENCE SOUTH 74°38'00" EAST, FOR 355.70 FEET; THENCE SOUTH 37°57'00" WEST, FOR 630.00 FEET; THENCE SOUTH 52°03'00" EAST, FOR 417.50 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 37°57'00" EAST, FOR 330.00 FEET; THENCE SOUTH 52°03'00" EAST, FOR 330.00 FEET; THENCE SOUTH 37°57'00" WEST, FOR 330.00 FEET; THENCE NORTH 52°03'00" WEST, FOR 330.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.50 ACRES, MORE OR LESS.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
2014-641.nrc	<p>To approve and accept Betty J. Morris lease application for a Pasture Lease for Colville Allotment No. 101-954 described as:</p> <p>An undivided ½ interest within the Lots 11 and 12, SE¼SW¼, and the SW¼SE¼ of Section 31, Township 33 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 133.70 acres, more or less.</p> <p>TERM: 5 years, from date of approval.</p> <p>Compensation: \$375.00 per annum.</p> <p>Bond: \$375.00 (one-time fee).</p> <p>Lease Fee: \$15.00 (one-time fee).</p> <p>Lease subject to conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	pertinent documents	
2014-642.nrc	<p>To approve and accept Terry R. Birch application for a Recreational Lease for Shady Cove Tribal Tract No. 101-T2028(por), Space #4 described as: Space #4: A portion within Lot 2 (NWNE) and Lot 14 (SWNE) of Section 15, Township 32 North, Range 35 East, Willamette Meridian, Ferry County, Washington, containing 0.15 acres, more or less. TERM: 5 years, 04/01/2015 to 10/31/2020. Compensation: \$1,500.00 per annum, subject to Fair Market Rental Value. Bond: required (equivalent to one year rent). Lease subject to conditions cited in IRMP Coordinator's Review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-643.nrc	<p>To approve and accept Lori Holt lease application for a Home site Lease for Colville Tribal Tract No. 101-T5716 (por) described as:</p> <p>A portion within the E½SW¼NW¼NE¼ of Section 2, Township 32 North, Range 36 East, Willamette Meridian, Ferry County, Washington, containing 5.00 acres, more or less.</p> <p>It is strongly recommended that the BIA or Tribe establish/develop infrastructure (access) along this area to accommodate the home site leases in this area that has been identified as suitable for rural home sites to Tribal Members per the Categorical Exclusion.</p> <p>TERM: 25 + 25 years, from October 1, 2014 to September 30, 2064.</p> <p>Compensation: \$250.00 per annum, subject to Fair Market Rental Value.</p> <p>Bond: \$250.00 (Equivalent to one year rent).</p> <p>Lease Fee: \$15.00 (One-time fee).</p> <p>Lease subject to conditions cited in IRMP Coordinator's Review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-644.nrc	<p>To approve and accept William J. Tonasket lease application for a Home site Lease for Colville Tribal Tract No. 101-T772 (por) described as:</p> <p>The N½N½SW¼SW¼NW¼ of Section 20, Township 30 North, Range 33 East, Willamette Meridian, Ferry County, Washington, containing 2.50 acres, more or less.</p> <p>TERM: 25 + 25 years, from October 15, 2014 to October 14, 2039.</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>Compensation: \$250.00 per annum, subject to Fair Market Rental Value.</p> <p>Bond: Waived</p> <p>Lease Fee: \$15.00 (One-time fee)</p> <p>The Planning Department will require the following:</p> <ol style="list-style-type: none"> 1. Compliance cleanup of the property 2. Solid Waste Disposal Plan (for the property clean up and proper disposal, none of the waste at this site will be allowed to enter into the Tribal Transfer Stations and will be required to be disposed of at an off reservation land fill. 3. Prior permitting for the development (Land Use, Building, septic, water/well, electrical easements, etc.) 4. Land Use & Development Code 4-3 requires a six month temporary permit for a RV Trailer. <p>Lease subject to conditions cited in IRMP Coordinator's Review. Chairman or designee has authority to sign all pertinent documents.</p>	
2014-645.nrc	<p>To accept and approve Casey Nissen bid proposal of 20.00 acre pasture lease within Colville Tribal Tract No. 101-T203B. Mr. Nissen will pasture 15 horses in rotation with his other tribal lease and private land for approximately 2 months during the summer months and will fence the property and supplement feed as per the recommendation cited in IRMP Coordinator's review. The property is described as follows: 101-T203B: The S½SE¼NE¼ of Section 13, Township 31 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 20.00 acres, more or less.</p> <p>Term: 5 years 10/01/2014 to 09/30/2019.</p> <p>Compensation: \$80.00 per annum.</p> <p>Bond: Equivalent to one (1) year rent.</p> <p>Admin Fee: \$15.00</p> <p>Lease subject to conditions cited in IRMP Coordinator's Review. Chairman or designee has authority to sign all pertinent documents</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-646.nrc	<p>To approve and accept Brian Timentwa's lease application for a Home site Lease for Colville Tribal Tract No. 101-T49-A described as:</p> <p>That portion of the NW¼NE¼SE¼NW¼, N½SW¼NE¼SE¼NE¼ lying West of the centerline of State Hwy 155, Section 36, Township 31 North, Range 30 East,</p>	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>Willamette Meridian, Okanogan County, Washington, containing 3.30 acres, more or less.</p> <p>TERM: 25 years, from November 1, 2014 to October 31, 2039.</p> <p>Compensation: \$250.00 per annum, subject to Fair Market Rental Value.</p> <p>Bond: Waived.</p> <p>Lease Fee: \$15.00 (One-time fee).</p> <p>The Planning Department will require the following:</p> <ol style="list-style-type: none"> 1. Compliance cleanup of the property 2. Solid Waste Disposal Plan (for the property clean up and proper disposal, none of the waste at this site will be allowed to enter into the Tribal Transfer Stations and will be required to be disposed of at an off reservation land fill. 3. Prior permitting for the development (Land Use, Building, septic, water/well, electrical easements, etc.) <p>The water and septic system will need to be tested prior to occupancy and the applicant will need to apply for all land use and development applications prior to ground disturbing activities.</p> <p>Lease subject to conditions cited in IRMP Coordinator's Review. Chairman or designee has authority to sign all pertinent documents.</p>	
2014-647.nrc	To rescind Resolution 2003-204 (attached) in its entirety, dated April 4, 2003, per the Certified Cancellation Letter dated September 25, 2014 (attached); Mr. Richard Gabriel has been cancelled due to non-payment. See attached description which contains 5.00 acres, more or less, in Tribal Tract No. 101-T108 (por). Chairman or designee has authority to sign all pertinent documents.	<p>6 FOR (AH, EM, MM, RT, NJ, JS)</p> <p>0 AGAINST</p> <p>2 ABSTAINED (AJ and RG)</p>
2014-648.nrc	To approve the contract for Jesse Palmer Construction to remove and install livestock fencing. The contractor will be in RU-39 Root Diggers. Work to be performed will include the following: Removal of approximately 2.2 miles of old degraded fence-line that has fallen down over the years and has become a safety issue to livestock and wildlife, improve remaining standing fencing, also construct and install approximately 3.84 miles of 4 strand fence-line that is wildlife friendly that will meet NRCS specifications. The amount awarded for the contract is \$69,093.45. Chair or designee is authorized to sign all pertinent documents.	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2014-649.nrc/m&b	To modify the Mid Mountain Land Survey Contract in the amount of \$69,646.00 to increase contract by \$8,434.00. Modification is needed to extend the Term of the contract and to include a Land Tract involved in the devil's Elbow Fire that will be included in the Devil's Elbow Fire Salvage	<p>8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	(Sole Source Documentation Provided). No tribal dollars will be used in funding this contract. Chairperson or designee has the authority to sign all pertinent documents.	
2014-650.nrc	To approve the agreement between Bonneville Power Administration and Colville Tribes Parks and Recreation for the enforcement of the Archaeological Resource Protection Act (ARPA) and code of Federal Regulations relative to protection of cultural resources, including control of damage from off-road vehicle use in restricted archaeological sites and loss from artifact looting. Patrols will occur on Lake Roosevelt during primary drawdown periods from April 2015 through September 2015. No matching dollars. Indirect \$5,084.00. Chairman or designee to sign all documents pertaining to this agreement.	8 FOR (AH, EM, MM, RT, NJ, AJ, RG, JS) 0 AGAINST 0 ABSTAINED

CC:
 File
 Flodell Williams, Office Administrator (Broadcast)
 Colville Business Council
 Neeka Somday, Legal Assistant/Policy Analyst
 Dorothy Burke, Office Administrator
 Naomi Yazzie, Support Staff
 Peggy Circle, Support Staff
 Emby Stensgar, Support Staff
 Carrie Pakootas, Support Staff
 Francis Somday, Executive Director
 Cary Rosenbaum, Tribal Tribune
 Justus Caudell, Tribal Tribune
 Karen Condon, Archives & Records
 Anna Vargas, Office of the Reservation Attorney
 Debra Wulff, Superintendent Bureau of Indian Affairs