



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

November 21<sup>st</sup>, 2013

## Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: John E. Sirois, Joseph Somday, Andy Joseph Jr., William Nicholson II, Stevey Seymour, Ernest Brooks III, Jim Boyd, Allen Hammond (present at 10:37am), Jack W. Ferguson and N. Lynn Palmanteer-Holder

Delegation/Absent: Benny Marchand Jr., Michael O. Finley, Ricky Gabriel and Nancy Johnson

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>2013-852.cul</b>	To pursue a Native American/Native Hawaiian Museum Services Grant in the amount of \$50,000 of the planning and development of the Chief Joseph Hatchery Interpretive Display Center. The proposed funding would provide for planning of display area, design of kiosks representing the history of the fish, people, and lands prior to construction of Chief Joseph Dam, as well as outdoor sculptures depicting resident fish that travelled up the Columbia River. This project would provide for education opportunities for schools K-12 throughout Eastern Washington to learn about the tribe and its cultures. The Chief Joseph Fish Hatchery will collaborate with Colville Tribes History & Archaeology Department, USBR, Corp. of Engineers, Bonneville Power Administration, and downstream Public Utility Districts in the various phases of the planning process. This recommendation is primarily for authorization for the drafting and submittal of this grant, whereas this action authorizes the Chairman or designee to sign all pertinent information related to this document.	<b>8 FOR (WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-853.cul</b>	To approve the stabilization phases to complete the rehabilitation of the Skolaskin Church, through a continued subcontract through History/Archaeology to Peter Meijer Architect, PC/Logs & Timbers to conduct the rehabilitation efforts and document these efforts in the amount of \$65,000.00. All work to be completed in 2014. This authorizes the Chairman of the Colville Business Council or his designee to sign all documents. All funds from prior approved budgets. No Tribal Dollars.	<b>8 FOR (WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-854.hhs</b>	To approve the MOU with Mt. Carmel Hospital that would bring better continuity of care services to the patients of Lake Roosevelt Community Health Centers. No tribal dollars identified.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-855.m&amp;b</b>	To authorize the Chairman of the Colville Business Council, or designee, to sign the attached Master Lease on behalf of	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>

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	the Colville Confederated Tribes for its percentage ownership interest as the Lessor. Further, the Colville Business Council resolves, acknowledges, and confirms that this lease is for recreational and other public purposes, that the proposed land use under this lease conforms with applicable tribal law, that the Tribes has negotiated compensation under this lease satisfactory to the Tribes, that the Tribes hereby waives compensation valuation for this lease, and that the Tribes has determined that it is in its best interest to accept such negotiated compensation that is based on a percentage of income, to waive compensation valuation, and to not have compensation reviews or adjustments for this lease.	0 AGAINST  0 ABSTAINED
2013-856.nrc/m&b	To approve the chase and capture season for wild horse activity shall be year round for the 2013-2014 season, except for the months of March 1st, thru May 1st, when the season is closed and the season may change depending upon the number of horses captured. Capture limit for this season will be unlimited of wild free roaming horse per permit holder per year. Chair or designee is authorized to sign all pertinent documents.	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)  0 AGAINST  0 ABSTAINED
2013-857.nrc/m&b	To approve the Memorandum of Understanding between Bureau of Land Management, Spokane Field Office and the Confederated Tribes of the Colville Reservation, and authorizes Chair or designee to sign all pertinent documents.	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)  0 AGAINST  0 ABSTAINED
2013-858.m&b	To amend Resolution 2013-698 to include the extension of the Premera Blue Cross medical contract that was scheduled to end 09/30/2013. The new ending date would be December 31, 2013. At which point, the new medical rates that were previously approved would go into effect. Chair or designee to sign all relevant documents.	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)  0 AGAINST  0 ABSTAINED
2013-859.m&b/hhs	To approve the attached pleadings to finalize the settlement agreement with Indian Health Services for the Contract Support Costs for 2004 and years prior as well as the EMS litigation for a total of \$650,000 as outlined in Resolution 2013-740; and WHEREAS, subsequent to approval of the proposed settlement on September 23, 2013, the Tribe and Indian Health Service have drafted pleadings to file in both cases to settle and initiate the process for payment for \$650,000 to the Tribe out of the Judgment Fund; and WHEREAS, the pleadings indicate that \$400,000 is provided to the Tribe to settle the EMS case and \$250,000 is provided to the Tribe to settle the Contract support Costs Claims for years 2004 and prior although the settlement as previously approved did not have a specific breakdown assigned to each case; and WHEREAS, the Tribe gives approval for the attorney of record, Geoffrey Strommer from Hobbs, Straus, Dean & Walker, LLP, to sign any necessary pleadings jointly with the United States Attorney's Office representing Indian	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)  0 AGAINST  0 ABSTAINED

	Health Service to finalize settlement in the Contract Support Costs Case for 2004 and prior years as well as the EMS Case; and THEREFORE BE IT RESOLVED, that we, the Colville Business Council, do hereby approve the joint recommendation of the Management & Budget and Health & Human Services Committees the attached pleadings to settle for \$650,000.00 with Indian Health Service for Contract Support Costs Case for 2004 and prior years as well as the EMS appeal pending before the Ninth Circuit Court of Appeals and the attorney of record to sign any necessary documents as well as the Chairman or designee as needed.	
<b>2013-860.nrc/m&amp;b</b>	To approve new full award for Pacific Coastal Salmon Recovery Fund in the amount of \$200,000 and the dates are from July 1st, 2013 to July 31st, 2015 and authorizes the Chairman or his/her designee authorized to sign all pertinent documents. Attached is new contract and budget. No Tribal dollars associated.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-861.nrc/m&amp;b</b>	To approve budget modification #2 for 1762 Hatchery Cyclinical Maintenance for \$269,848 and the date extending to September 30, 2014 and the chairman or his/her designee is authorized to sign all pertinent documents. Attached is the budget mod. No tribal dollars associated.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-862.nrc/m&amp;b</b>	To approve the budget modification #1 for 320813 Upper Columbia United Tribes (UCUT) adding an additional \$29,631.00 bringing the total contract value to \$123,631.00 dates remain the same and authorize the Chairman or his/her designee to sign all or any related documents. Attached is budget mod. No CCT Tribal dollars associated.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-863.nrc/m&amp;b</b>	To approve the cost share MOA with PUD No. 1 of Chelan County (CPUD) and BPA. The MOA provides for CPUD to contribute 13% of the monitoring and evaluation (M&E) costs of the Chief Joseph Hatchery and provide rearing capacity for up to 576,000 smolts and notwithstanding fish feed costs, directly fund operations and maintenance of the Similkameen Pond for a portion of CJH production and, if the Okanogan weir is built, 13% of the M&E costs of the weir and 13% of the annual routine repair and maintenance of weir equipment necessary to undertake such M&E activities. The MOA includes a limited waiver of sovereign immunity if any disputes that arise cannot be resolved through mediation. Chair or designee authorized to sign all pertinent documents.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-864.m&amp;b/cul</b>	To approve an allocation of \$8,500.00 to the Wenatchee Valley Museum for the basket weavers traveling exhibit. Funds will be provided equally from the Donations account and the History/Archaeology program. Further be it resolved, that the Chairman or his designee shall be authorized to sign any and all required documents.	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2013-865.nrc</b>	To approve continuation of Memorandum of Agreement between Washington State University and Colville Confederated Tribes, for funding of \$73,849.00 as outlined	<b>9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b>  <b>0 AGAINST</b>

	in Amendment 21 to Appendix A of MOA (attached). Dollars already budgeted, no new dollars requested. Chairperson or designee authorized to sign Amendment 21 to Appendix A of existing MOA and all pertinent documents.	0 ABSTAINED
<b>2013-866.hhs/m&amp;b</b>	To approve Moss Adams consulting services to provide review of procedures and controls related to billing and charge capture for Tribal Health Program and Title XIX. Contract amount no to exceed \$11,000.00, and will be paid by Title XIX funding. Chairman or designee to sign all pertinent documents.	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH) 0 AGAINST 0 ABSTAINED
<b>2013-867.m&amp;b</b>	To authorize the payment of invoices generated by the Real Estate Appraisal & Information Services Contract - Resolution No. 2013-50, February 7, 2013. June Invoice \$8,400.00, July Invoice \$13,200.00 and August Invoice \$12,423.00 = \$34,023.00.	8 FOR (JSIROIS, AJ, JSOMDAY, JF, JB, AH, SS, LPH) 0 AGAINST 1 ABSTAINED (WN)
<b>TABLED</b> <b>2013-868.tg</b>	To appoint Cindy Marchand, as the Election Committee Alternate, in the Inchelium District, for the 2014 Election Season.	
<b>2013-869.tg</b>	To appoint Glenda Gleason, as the Election Committee Alternate, in the Keller District, for the 2014 Election Season.	8 FOR (JSIROIS, WN, JSOMDAY, JF, JB, AH, SS, LPH) 0 AGAINST 0 ABSTAINED *Out of the Room (AJ)
<b>2013-870.tg</b>	To accept the Colville Tribal Relinquishment request of Darryl Russell Carden, on the current Colville Tribal Membership Roll.	9 FOR (JSIROIS, WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH) 0 AGAINST 0 ABSTAINED
<b>FAILED</b> <b>2013-871.tg</b>	To make an exception to Resolution 1989-879 and approve the Natural Disaster Grant in the amount of \$1,000.00 payable to tribal member Linda Novotney. Damages occurred during the Keller Wind/Rain Storm. Tribal member was unaware of the assistance offered by the Tribe.	3 FOR (WN, AJ, JSOMDAY) 5 AGAINST (JF, JB, AH, SS, LPH) 0 ABSTAINED
<b>FAILED</b> <b>2013-872.tg</b>	To make an exception to Resolution 1989-879 and approve the Natural Disaster Grant in the amount of \$1,000.00 payable to tribal member Bernice E. Cate. Damages occurred during the Omak Wind/Rain Storm. Tribal member was unaware of the assistance offered by the Tribe.	2 FOR (AJ and JSOMDAY) 6 AGAINST (WN, JF, JB, AH, SS, LPH) 0 ABSTAINED
<b>FAILED</b> <b>2013-873.tg</b>	To make an exception to Resolution 1989-879 and approve the Natural Disaster Grant in the amount of \$1,000.00 payable to tribal member Judy L. Zunie. Damages occurred during the Omak Wind/Rain Storm. Tribal member was unaware of the assistance offered by the Tribe.	2 FOR (AJ and JSOMDAY) 6 AGAINST (WN, JF, JB, AH, SS, LPH) 0 ABSTAINED
<b>FAILED</b> <b>2013-874.tg</b>	To make an exception to Resolution 1989-879 and approve the Natural Disaster Grant in the amount of \$1,000.00 payable to tribal member John E. Gorr. Damages occurred during the Omak Wind/Rain Storm. Tribal member was unaware of the assistance offered by the Tribe.	2 FOR (AJ and JSOMDAY) 6 AGAINST (WN, JF, JB, AH, SS, LPH) 0 ABSTAINED
<b>2013-875.cul/m&amp;b</b>	To approve the attached proposal from the Salish School of Spokane to preserve and revitalize the nxa?mxin Language	8 FOR (WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)

	by 1) preserving, archiving, and distributing existing language assets, and 2) creating a fluency system and training new nxa?mxin speakers. Further be it resolved that the Chairman of the CBC or designee is authorize designee is authorized to enter into a standard tribal contract in the amount of \$177,975.00 from the Columbia River Initiative.	<b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2013-876.cdc</b>	To support the approval of Supplemental Assistance for \$500,000.00 of ICDBG funds from the ICDBG grant for the Eagle Nest Housing Development Community Center. The Eagle Nest Community Center is a single level 4500 square foot light frame wood structure providing Administrative Offices, Public Restrooms, Conference Room, Kitchen, and Gathering Area. Exterior improvements include parking, sport court, outdoor play structure, and picnic and bus shelters. Exterior site infrastructure includes septic tank, and drain field. No tribal funds involved. Chairman or designee is authorized to sign pertinent documents.	<b>8 FOR (WN, AJ, JSOMDAY, JF, JB, AH, SS, LPH)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>