





SPECIAL SESSION January 6, 2011 Resolution Index

Condensed by, Rachel Abrahamson-Sherman, CBC Recording Secretary

Council Members Present: Ernie Williams, Shirley K. Charley, Michael Finley, Sylvia Peasley, Andy Joseph Jr,

Ricky Gabriel, Brian Nissen, Cherie Moomaw, Susie Allen, Harvey Moses Jr,

John Stensgar

Delegation/Absent: Michael Marchand (delegation), Doug Seymour (not present), Virgil Seymour

(delegation)

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
2010-892.nat 10 Signature	To approve the BPA contract purchase/land acquisition of the Petitt property. It has been determined this 4.01 acre piece of property located within tax parcel #8864000020 short legal description: Lot 2 Petitt Acres #68 in Okanogan County meets the goal of protecting the Salmon Creek corridor for the Colville Tribes Fisheries enhancement projects. The Colville Tribe is authorizing the purchase of the property in the amount of \$65,000.00 with a projected closing date of February 11, 2011. Funds for the purchase of the property and allowable closing costs to be disbursed by BPA under mitigation purchase MOA between the Colville Tribes and FCRPS Action Agencies, no Tribal dollars expended. Upon purchase, property to be immediately transferred from fee to trust status. Chairperson or designee to sign all pertinent documents and legal instruments.	10 FOR 0 AGAINST 0 ABSTAINED
2010-893.nat 10 Signature	To approve the good faith donation from Stephen Smith, Fisheries Consulting, Inc., in the amount of \$750.00 to assist tribal members families in need during the Christmas Holiday.	10 FOR 0 AGAINST 0 ABSTAINED
2010-894.nat 10 Signature	To grant full authority to the Range Management Department to implement the Wildhorse Management Plan in its entirety; including permitting of chase and capture. Also to include the approval of Wildhorse Chase and Capture Regulations and Seasons as amended. Chair or designee is authorized to sign all pertinent documents.	10 FOR 0 AGAINST 0 ABSTAINED
2010-895.m&b/e&e 10 Signature	To approve and support Justin R. Boyd, an enrolled Colville Tribal Member, for a loan contract and work	10 FOR 0 AGAINST 0 ABSTAINED

	agreement as reflected in the attached contract. The	
	loan will provide appropriate funding while he is	
	achieving his higher education at the University of	
	Arizona. Funds to be allocated and paid from the 1/3	
	Wells Dam Elders/Youth Account. Chairman or	
	designee to sign all related documents.	
2010-896.cdc	To authorize the Tribal Energy Program to submit a 3	10 FOR
10 Signature	year, \$300,000.00 (\$100,000.00 annually) grant	0 AGAINST 0 ABSTAINED
	application to US Department of Agriculture, NRCS,	
	for demonstration of a crop rotation sequence of canola,	
	cellulosic alfalfa and annual alfalfa to enhance the Bio	
	Fuels project. There is a cash match required of	
	\$12,500.00 annually in the form of a cash contribution	
	to the project, to be paid from Tribal Energy funds.	
2010-897.tg/m&b	To approve the purchase of the Progeny Enrollment	10 FOR
10 Signature	Software. Funds to come from Enrollment Account.	0 AGAINST 0 ABSTAINED
6	Purchase amount is \$46,879.00. Chairperson or	VADSTAINED
	designee to sign all pertinent documents.	
2010-898.nat	To approve Grant County PUD Professional Service	10 FOR
10 Signature	Contract #430-3159 Funding in the amount of	0 AGAINST
	\$300,435.00, for the Summer Steelhead Project at	0 ABSTAINED
	Cassmire Bar Hatchery. No Tribal dollars. Chairman or	
	designee has authorization to sign all related	
	documents.	
2010-899.nat	To grant full authority to the Range Management	10 FOR
10 Signature	Department to implement the Wildhorse Management	0 AGAINST
10 Signature	Plan in its entirety; including permitting of chase and	0 ABSTAINED
	capture. Also to include the approval of Wildhorse	
	Chase and Capture Regulations and Seasons as	
	amended. Chair or designee is authorized to sign all	
	pertinent documents.	
2010-	To rescind CBC Resolution 2010-890, attached hereto,	10 FOR
900.hhs/e&e/l&j	in its entirety, effective immediately.	0 AGAINST
10 Signature	in its churcty, criective ininiculatory.	0 ABSTAINED
2010-901.nat	To allow the capture and transfer of up to 50 Wild	10 FOR
10 Signature	Turkeys to the Yakima Nation. A Colville Tribes Fish	0 AGAINST 0 ABSTAINED
	& Wildlife Biologist will be present & supervise all	
	operations. The Yakima Biologist will be responsible	
	for obtaining trapping equipment. Chair or designee is	
	authorized to sign all pertinent documents.	
2010-902.nat	To approve submittal of a competitive grant application	10 FOR
10 Signature	to US EPA for 319 non-point source water pollution	0 AGAINST 0 ABSTAINED
	control program funding in the amount of \$150,000.00.	
	It funds 1/2 FTE, logging road stream crossing and	
	drainage improvements, and road decommissioning.	
	Matching funds are all in-kind from the Tribes' BIA	
	Water Management Account #1881. The Tribal	
1		
	Chairman or his designee is authorized to sign all	
	Chairman or his designee is authorized to sign all relevant documents. No tribal dollars are required.	

2010.05		10 FOD
2010-903.cdc	To approve the contract renewal with Pacific Energy	10 FOR 0 AGAINST
10 Signature	Systems, Inc Consultant will perform the mechanical	0 ABSTAINED
	Engineering portion of the investment grade feasibility	
	study for a new woody biomass power plant at Omak,	
	WA. The \$125,000.00 contract will be paid for with	
	funds provided by the Program's BIA Energy grant.	
2011-001.cdc/m&b	To fund the one third share request for the City of	10 FOR (HM, SP, EW, AJ, RG, SC, VS, MM, DS,
10 Signature	Nespelem's Town Water project change order for I.H.S.	BN) 0 AGAINST
	PO-07-K79. The Town of Nespelem will pay	0 ABSTAINED
	\$8,000.00, CIHA will pay \$8,000.00 and the Colville	
	Tribes will pay \$8,000.00 for a total cost of \$24,000.00.	
	Tribal share funds in the amount of \$8,000.00 will be	
	dispersed from the Wells Dam 1/3 Economic	
	Development account. The Chairman or designee is	
	authorized to execute all necessary documents.	
2011-002.cdc	To identify Michael O. Finley, CBC Chairman, and	10 FOR (EW, RG, SA, VS, AJ, SP, HM, SC, MM,
10 Signature	Jason Palmer, CCT Transportation Planner as the	JS) 0 AGAINST
8	delegates for the Washington State Department of	0 ABSTAINED
	Transportation Consultation January 19 th , 2011.	
2011-003.m&b	To approve the donation request of Susan D. Clark on	10 FOR (RG, BN, AJ, JS, DS, EW, SC, MF, HM,
10 Signature	behalf of son, Brandon N. Smith, to attend the National	SP)
- v ~ · g ··············	Young Leaders State Conference in Seattle, WA. The	0 AGAINST 0 ABSTAINED
	amount of \$3,076.70 will be paid out of the 1/3 Wells	
	Dam Elders and Youth account. Chairman or designee	
	to sign all pertinent documents.	
2011-004.m&b	To approve the donation request of Scott Abrahamson	8 FOR (BN, AJ, RG, JS, SA, EW, SC, SP)
2011-004.111&0	and Daniel Campobasso to attend the National Young	1 AGAINST (CM)
	Leaders State Conference in Seattle, Wa. The amount	0 ABSTAINED
	of \$3,076.70 per attendee, will be paid out of the 1/3	
	Wells Dam Elders and Youth account. Chairman or	
	designee to sign all pertinent documents.	
2011-005.exec/m&b	To select, hire, and enter into the attached employment	9 FOR (HM, AJ, RG, CM, JS, SA, EW, SC, SP)
2011-003.cxcc/m&b	contract with Jill Nanpuya for the Executive Assistant	0 AGAINST
	Position as authorized by resolution 2010-759. The	0 ABSTAINED
	Chairman or designee is authorized to execute all	
	necessary documents.	
2011-006.m&b	To approve the purchase of a 2011 GMC Terrain for the	10 FOR (HM, AJ, RG, JS, SA, EW, SC, SP, CM,
2011-000.III&D	11 1	BN)
	amount of \$33,983.25 from Becker Buick GMC for the Colville Business Council. All funds are allocated in	0 AGAINST 0 ABSTAINED
		V1251111(22
	the approved 2010 CBC Budget. Chairman or designee	
	authorized to sign all pertinent documents.	
	Amendment: Authorize the carryover of the approved	
2011 00= 0:	FY 2010 funds to purchase.	O EOD (A L DC CM IS SA EW SC SD)
2011-007.m&b	To appoint Sylvia Peasley as the Colville Business	8 FOR (AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST
	Council second alternate representative for meetings	1 ABSTAINED (SP)
	with Gates Foundation representatives regarding the	
	needs of Indian Tribes in Washington State.	
2011-008.m&b		8 FOR (AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST

	Gates Foundation representatives regarding the needs of	
2011-009.m&b	Indian Tribes in Washington State. To appoint Michael O. Finley as the Colville Business Council representative for meetings with Gates Foundation representatives regarding the needs of	8 FOR (JS, AJ, RG, CM, SA, EW, SC, SP) 0 AGAINST 1 ABSTAINED (MF)
2011-010.m&b	Indian Tribes in Washington State. To amend Emergency Resolution 2009-648 to the following: "to allow Council members to donate sick and vacation leave to employees in need, in accordance with the Employee Policy Manual (EPM)".	8 FOR (AJ, RG, CM, JS, SA, EW, SC, SP) 1 AGAINST (HM) 0 ABSTAINED
	MOTION TO AMEND: "Amend Language", Furthermore upon approval this language will be inserted into EPM in appropriate places.	
2011-011.nat	To amend Resolution 2008-208 for an additional three (3) year period to allow the use of pesticide chemicals for forest regeneration and/or noxious weed control until March 18 th , 2014. Monitoring and annual updates will occur. CBC can rescind at any time.	10 FOR(HM, BN, AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST 0 ABSTAINED
2011-012.tg	To approve the attached Schedule of Events for the 2011 Elections, and in accordance with Law & Order Code, 8-3 Elections, Section 8-3-91 (a), the Election process will begin upon approval.	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-013.nat	To approve the exchange of lands of equal value with Laurie Charette, wherein the Colville Confederated Tribes will convey 5.01 acres, more or less, within Tribal Tract No. 101-T4098-A (por), and described as follows:	9 FOR (BN, AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST 0 ABSTAINED
	That portion of the Ophir Placer Claim, Mineral Survey No. 681, in Section 21, Township 32 North, Range 36 East, Willamette Meridian, described as follows: Commencing at the corner common to Sections 16, 17, 20, and 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 13 th 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, more or less. Reserving there from all easements of record or common usage. Situated within the Colville Indian Reservation in the County of Ferry, State of Washington.

IN EXCHANGE: Laurie Charette will convey Colville Allotment Nos. 101-4098-B and 101-4098-D described as follows:

101-4098-B:

A parcel of land located in the NW1/4 of Section 21, Township 32 North, Range 36 East, Willamette Meridian, Ferry County, Washington, described as: Commencing at the NW corner of Section 21, said Township and Range; thence S.74°38'E., 355.70 feet; thence S.37°57'W., 630.00 feet; thence S.52°03'E., 547.50 feet to the true point of beginning; thence S.37°57'W., 259.30 feet; thence S.59°03'E., 201.82 feet; thence N.37°57'E., 234.50 feet; thence N.52°03'W., 200.00 feet to the point of beginning, EXCEPT a .22-acre parcel, Lots 18, 19, 20 of Block 8, Meteor Townsite, containing .92 acre, more or less, after the above exception.

101-4098-D:

A parcel of land situated in the Townsite of Meteor, Ferry County, Washington, more particularly describes as: Commencing at the NW corner of Section 21, Township 32 North, Range 36 East, Willamette Meridian; thence S.74°38'00"E., 355.70 feet; thence S.37°57'00"W., 630.00 feet; thence S.52°03'00"E., 417.50 feet to the true point of beginning; thence N.37°57'00"E., 330.00 feet; thence S.52°03'00"E., 330.00 feet; thence S.37°57'00"W., 330.00 feet; thence N.52°03'00"W., 330.00 feet to the point of beginning, being 2.50 acres, more or less.

All appraisals of the above mentioned allotments/tribal tract shall be waived, per the Colville Tribe's discretion. Both Tribal Deed and Deeds to Restricted Indian Land shall state....."an exchange of mutual benefit to the grantee in the amount of zero \$0."

2011-014.nat

To approve the Realty-A&D office to proceed with requesting timber cruise/appraisals for the land exchange of equal value whereby Sharleen Yellowwolf wishes to exchange her undivided interest within the attached listing of Colville Allotments for 15.00 acres, more or less, within Tribal Tract No. 101-T2279(por). Properties are described as follows:

101-198:

Undivided 31185/89812800 interest within the S1/2N1/2SE1/4, and the S1/2SE1/4 of Section 23, Township 30 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 120.00 acres, more or less. (Equivalent to 0.04 acres, more or less)

101-198-A:

Undivided 31185/89812800 interest within the SW1/4NE1/4 of Section 2, Township 30 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 40.00 acres, more or less. (Equivalent to 0.01 acres, more or less)

101-485:

Undivided 226800/2721600 interest within the S1/2NE1/4 and the N1/2SE1/4 of Section 17, Township 30 North, Range 31 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less. (Equivalent to 13.33 acres, more or less)

101-660-B:

Undivided 840/30240 Interest within Tract 2, Brooks Tracts, approved by John E. Edwards, assistant sec., on Sept. 4, 1930 being a Gov. Lot 8, in Section 36, Township 34 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 5.04 acres, more or less. (Equivalent to 0.14 acres, more or less)

101-914:

Undivided 55/26400 interest within the E1/2SE1/4 of Section 14, Township 32 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 80.00 acres, more or less. (Equivalent to 0.17 acres, more or less)

101-945:

Undivided 5/960 interest within the NW1/4 of Section 14, Township 32 North, Range 26 East, Willamette

10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST

0 AGAINST 0 ABSTAINED

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th 10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
T88- 10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED nity me I- o. ithin n 19, g ption ng.
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	Compensation: \$250.00 per annum, subject to Fair	
2011-017.nat	Market Rental. To approve a Home Site Lease No. 09-23 to Shawn McCraigie, Tribal Member, for Tribal Tract No. 101-T663 (por) described as follows: That portion of Tribal Tract No. 101-T663 situated within the W1/2NE1/4 of Section 14, Township 33 North, Range 28 East, Willamette Meridian, Okanogan County, Colville Indian Reservation, Washington, more particularly described as follows: Commencing at the section corner common the Sections 11, 12, 13, and 14 of said Township and Range; Thence S.00°00'12"W., a distance of 660.06 feet; thence N.89°57'37"W., a distance of 1319.73 feet; thence N.89°49'14"W., a distance of 329.95 feet to the true point of beginning; thence S.0°07'05"E., a distance of 988.19 feet; thence N.89°54'41"W., a distance of 330.07 feet; thence N.00°06'29"W., a distance of 329.95 feet to the point of beginning, containing 7.49 acres, more or less. TERM: 5 year lease with the option to renew for additional 5 years, upon good standing, until land exchange is finalized, beginning on 5/31/09 ending 04/30/14. Compensation: \$500.00 per annum, subject to Fair	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-018.nat	Market Rental. To approve a Home Site Lease No. 09-54 to Rosaline James, Tribal Member, for Tribal Tract No. 101-T88-B (por) described as: Lot 17, Nespelem/Mushroom corner HUD community site, as recorded March 16, 2004 on Page 31, Volume I-1 of plats, under Okanogan County Auditor's file no. 3082822, records of Okanogan County, situated within Government Lot 3 and the NE1/4SW1/4 of Section 19, Township 31 North, Range 31 East, Willamette Meridian, within the Colville Indian Reservation, Okanogan County, State of Washington, containing 1.285 acres, more or less. TERM: 25 years, form date of approval, with the option to renew for additional 25 years, upon good standing. Compensation: \$250.00 per annum, subject to Fair Market Rental.	9 FOR (HM, AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST 0 ABSTAINED
2011-019.nat	To approve a Home Site Lease No. 08-16 to Monte	9 FOR (HM, AJ, RG, CM, JS, SA, EW, SC, SP) 0 AGAINST

	r.	SP) 0 AGAINST 0 ABSTAINED
2011-026.tg 2011-027.tg	Adopt ZayLnn Michael Carden Adopt Darrell Patrick Carden	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED 10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG,
	hour, effective January 1, 2011. This will benefit clients that are paid minimum wage during their training. May affect Tribal Wage positions at pay range 9 on the current pay rate chart and lower as the step A for a pay range 9 is \$8.55 per hour.	0 ABSTAINED
2011-025.e&e/m&b	To accept the minimum wage as approved by the State of Washington to increase from \$8.55 to \$8.67 per	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST
2011-024.election	To appoint Cindy Jo Marchand as Alternate for the Election Committee in the Inchelium District, for the 2011 CBC Election Season.	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-023.election	To appoint Glenda Gleason as Alternate for the Election Committee in the Keller District, for the 2011 CBC Election Season.	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-022.election	To appoint Ernie Williams, Omak District, as Alternate for the Election committee for the 2011 CBC Election Season.	9FOR (HM, BN, AJ, RG, CM, JS, SA, SG, SP) 0 AGAINST 1ABSTAINED (EW)
2011-021.nat/m&b	To approve the change order to increase contract value to Innes Wood Products, contract number C11-079 to \$70,000.00. Change order of \$40,500.00 is to increase contract value to include an additional \$3,000.00 for road maintenance and \$37,500.00 for the removal of additional biomass material. No tribal dollars required. Chairman or designee is authorized to sign all necessary or pertinent documents.	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-020.nat	To approve the attached request to the BIA Office of Trust Services Program in the amount for \$132,000.00 for litigation support for the development of a Natural Resources Damage Claim in the Upper Columbia River. No Tribal Dollars are requested. The Tribal Chairman or designee is authorized to sign all relevant documents.	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
	TERM: 25 years, from date of approval, with the option to renew for additional 25 years, upon good standing. Compensation: \$250.00 per annum, subject to Fair Market Rental.	
	Marchand, Tribal Member, for Tribal Tract No. 101- T2336 (por) described as: The N1/2SW1/4SE1/4SE1/4 of Section 11, Township 31 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 5.00 acres, more or less.	0 ABSTAINED

2011-028.tg	Adopt Cammie louise Carden	10 FOR (HM, BN, AJ, RG, CM, JS, SA, EW, SG, SP) 0 AGAINST 0 ABSTAINED
2011-029.tg 10 SIG.	To make an exception to Resolution #2004-320 and approve additional payment from the Wake and Burial Grant for Gabriel J. Moses Jr. who is a tribal member. Precht-Harrison-Nearents Chapel paid Heritage Memorial Chapel and arranged for the release of Mr. Moses, which allows the family to transport him home. In order to bring Mr. Moses home, extra cost occurred which resulted the final billing to exceed the \$3,000.00 burial grant. At this time the request for additional funding shall not exceed \$2,000.00.	10 FOR (RG, AJ, SP, EW, DS, JS, CM, BN, SC, MF) 0 AGAINST 0 ABSTAIN