



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

December 03rd, 2009
Resolution Index

Condensed by, Ciciley M. Yellowwolf, CBC Recording Secretary

Council Members Present: Shirley K. Charley, Michael Finley, Jeanne Jerred, Brian Nissen, Susie Allen, Michael Marchand, Harvey Moses Jr., Juanita Warren, Virgil Seymour (in at 9:28 am), John Stensgar

Delegation/Absent: Ernie Williams, Andy Joseph Jr., Gene Joseph, Carleen Anderson

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2009-881.e&e/m&b	To authorize the Paschal Sherman Indian School Board to purchase and install two replacement boilers, total expenditure not to exceed one hundred thousand dollars (\$100,000.00). No tribal funds required; payment from already received and budgeted federal funding.	10 FOR (BN,MM,AJ,EW,HM,MF,SC,VS,JJ,SA) 0 AGAINST 0 ABSTAIN **Rationale: Boiler replacement necessary ASAP to avoid failure of boilers and closure of PSIS to repair**
10-Signature 2009- 882.m&b/nat/hhs	To request the Board of Directors of the Colville Tribal Enterprise Corporation to direct the appropriate officials of CTEC to transfer all deeds, currently held by CTEC for property in the 7 Bays area to the Colville Tribes.	10 FOR (AJ,MF,BN,JJ,VS,EW,SC,SA,JW,CA) 0 AGAINST 0 ABSTAIN **Rationale: Need ASAP. No Special until Dec 3, 2009**
10-Signature 2009- 883.m&b/nat/hhs	To request the Board of Directors of the Colville Tribal Enterprise Corporation to direct the appropriate officials of CTEC to send the entire amount of any settlement received by CTEC from the National Park Service for CTEC's possessory interest in the Keller Ferry Marina, to the Colville Tribes' General Fund, within three (3) business days of CTEC's receipt of the settlement amount.	10 FOR (AJ,MF,BN,JJ,VS,EW,SC,SA,JW,CA) 0 AGAINST 0 ABSTAIN **Rationale: Need ASAP. No Special until Dec 3, 2009**
10-Signature 2009-884.m&b/hhs	Approve emergency funds to be dispersed from the Wells Dam 1/3 Elders & Youth account for emergency roof repairs for the Inchelium Senior Meal Site and contract with Ben Marchand contract amount not to exceed \$25,000.00	10 FOR (HM,CA,SC,VS,JW,SA,MF,MM,GJ,AJ) 0 AGAINST 0 ABSTAIN **Rationale: Time limit / Emergency**
10-Signature 2009-885.m&b/hhs	To approve emergency funds to be dispersed from the Wells Dam 1/3 Elders & Youth account for the TOSHA vehicle being transferred to the Inchelium Senior Meal site, vehicle repairs; cost not to exceed \$1,300.00.	10 FOR (HM,CA,SC,JW,SA,VS,MF,MM,GJ,AJ) 0 AGAINST 0 ABSTAIN * Rationale: Time limit/Emergency**
10-Signature 2009-886.com/m&b	To authorize the Tribal Energy Program to submit a \$100,000.00 planning grant application to the Department of Agriculture, Rural Business Cooperative Service for developing a canola into biodiesel program utilizing Colville Tribal lands. A standard in-kind	10 FOR (EW,CA,SC,AJ,HM,JW,MM,VS,BN,MF) 0 AGAINST 0 ABSTAIN **Rationale: Deadline 11/30/09

	match of tribal lands and employees is authorized. The Chairman or designee is authorized to sign the grant application documents.	
10-Signature 2009-887.gov	An accurate census count is vital to our community and residents' well being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs, the Colville Business Council proclaims commitment to partnering with the US Census Bureau to help a full and accurate count in 2010. As a 2010 Census partner, we will: 1.) Support the goals and ideals for the 2010 Census 2.) Encourage people on the Colville Reservation to place an emphasis on the 2010 Census 3.) Support Census Takers 4.) Create or seek opportunities to collaborate with other like-minded groups in our community. Chairman or designee is authorized to sign all pertinent documents.	11 FOR (SC,GJ,SA,JW,HM,CA,MM,AJ,VS,MF,BN) 0 AGAINST 0 ABSTAIN **Rationale: Timelines**
10-Signature 2009-888.m&b	To direct the Executive Director to vacate his office immediately and to relinquish all Colville Tribal property (i.e. office keys, cell phones) to an Officer of the Colville Tribal Police Department.	10 FOR (HM,CA,SC,EW,BN,MM,JS,JJ,SA,VS) 0 AGAINST 0 ABSTAIN **Rationale: Timelines**
2009-889.ele	Appoint Desi LaPlante, as Alternate to the Election Committee in Keller District for the 2010 Election Season.	8 FOR (SC,JJ,BN,S,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN
2009-890.ele	Appoint Cindy Jo Marchand, as Alternate to the Election Committee in the Inchelium District for the 2010 CBC Election season.	8 FOR (SC,JJ,BN,S,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN
2009-891.ele	Appoint Diana O'Neil, as Alternate to the Election Committee in the Omak District for the 2010 CBC Election season.	7 FOR (SC,JJ,BN,SA,MM,JW,JS) 0 AGAINST 0 ABSTAIN **HM out of room**
2009-892.ele	Appoint Dorthey Zacherle, as Alternate to the Election Committee in the Nespelem District for the 2010 CBC Election season.	8 FOR (SC,JJ,BN,S,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN
2009-893.nat	Rescind CCT Resolution 2008-592 and designate Virgil Seymour as the primary CCT delegate to the Intertribal Timber Council, with Cody Desautel as the alternate CCT delegate.	8 FOR (SC,JJ,BN,S,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN
2009-894.nat	Debra Wulff-Rosenbaum be hired as Agency Superintendent at the Colville Agency/BIA and that the process for her hiring be expedited.	6 FOR (SC,JJ,BN,SA,MM,JW) 2 AGAINST (HM,JS) 0 ABSTAIN
2009-895.nat	Approve BPA contract Land/Water acquisition of Carlson property. It has been determined this 17 acre parcel on Tax Parcel 3326080047, 33260800048, Parcel 5 in Okanogan County, located within a portion of Sections 8 & 17, Township 33N, Range 27E meets the goal of protecting the Salmon Creek corridor for the Colville Tribes Fisheries enhancement projects. This purchase is authorized in the amount of \$125,000.00	8 FOR (SC,JJ,BN,S,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN

	and will also authorize any additional associated closing costs. This authorizes the Chairperson or designee to sign all related documents necessary to complete this land acquisitions.	
2009-896.nat	Approve a lease agreement to Ina R. Harry and Gordon J. Harry Sr. of the homesite located at 717 Index Street, Omak WA 98841 and legally described as Lot 4, Block 132, plat of the Townsite of Omak, Colville Indian Reservation as per plat thereof recorded in the Office of the Auditor of Okanogan County, Washington. Lease terms to commence December 1, 2009 to December 31, 2011 (24 months) at the monthly rental rate of \$200.00 in "as is condition." Chairman or designee to sign all pertinent documents.	8 FOR (SC,BN,SA,MM,HM,JW,VS,JS) 1 AGAINST (JJ) 0 ABSTAIN
2009-897.nat	Purchase the Macarena's fee property located at 17 Okanogan Drive, Inchelium WA to include tax parcel no. 53211500602000; short legal described as Lot 2, Blk 6: North Twin Lakeview AFN 151305, containing 0.26 acres more or less and tax parcel no. 53211500601000: a short legal described as Lot 1, Blk 6: North Twin Lakeview AFN151305, containing 0.27 acres more or less, with improvements located in Ferry County, Washington. The Colville Confederated Tribe is authorizing the purchase of the aforementioned property for \$90,000.00 with closing date of on or before December 30, 2009. Upon purchase, property to be immediately transferred from fee to trust status. Funds for purchase plus associated closing costs to be disbursed from the Land Purchase Wells Dam 1/3 account. Chairperson or designee to sign all pertinent documents and legal instruments.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-898.nat	Approve the attached 2010 budget award for the Tribal Fish Hatchery in the amount of \$1,094,700.00 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-899.nat/cul	Approve Research Permit Application 2009-23, Mark Solomon, representing EPA GROUP Fellowship (recipient) U of I, Moscow, +Dissertation project project+ entitled "Minimizing Barriers to Achievement of Water Resource Objectives in Jurisdictionally complex Watersheds." Through interviews Mr. M Solomon will adhere to the Research Ordinance and all recommendation attached herein. Research permit is *incorporated in access agreement*. The Colville Tribes will retain copy right to all materials during this project. This information collected will not be used for any other purpose unless written approval has been obtained. Mr. M. Solomon is required to provide a final	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN

	copy of this study to the Archives & Records Center, and Natural Resources Dept. Mr. M. Solomon has until April 30, 2010 to complete his study and produce evidence of completed work on PRA. Failure to comply with the Research Ordinance, deadline, and recommendation will result in possible legal action in Colville Tribal/Federal COURT.	
2009-900.nat	Authorize Monica Desautel and/or Paul Tilman to bid on the Okanogan County Foreclosure List tax parcels that are unredeemed by the December 11, 2009 sale date, current list attached. A check in the amount of \$213,400.00 to be made payable to Okanogan County-Treasurer to be delivered to said foreclosure sale by authorized CCT representatives. Funds for purchases to be disbursed from the Land Purchase Wells Dam 1/3 account. Chairperson or designee to sign all pertinent documents and legal instruments.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-901.nat	Authorize Monica Desautel and/or Paul Tilman to bid on the Ferry County Foreclosure List tax parcels that are unredeemed by the December 11, 2009 sale date, current list attached. A check in the amount of \$24,200.00 to be made payable to Ferry County-Treasurer to be delivered to said foreclosure sale by authorized CCT representatives. Funds for purchases to be disbursed from the Land Purchase Wells Dam 1/3 account. Chairperson or designee to sign all pertinent documents and legal instruments.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-902.nat/m&b	Approve an EPA 319 base grant application for \$50,000.00 for FY2011 for the purpose of monitoring watershed projects. No Tribal dollars are required and matching in-kind is all from the Tribes' BIA 638 Water Resources contract budget #1881. The Chairman or his designee is authorized to sign all relevant documents.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-903.nat/m&b	Approve the Competitive Grant Application for 319 non-profit source water pollution control program funding in the amount of \$150,000.00. It funds 1/2 FTE, logging road improvements, and streamside planting. Matching funds are all in-kind from the Tribes' BIA Water Management & Budget Account #1881. The Tribal Chairman or his designee is authorized to sign all relevant documents. No Tribal dollars are required.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN
2009-904.m&b	Approve the attached amendment #20 for the Symetra Life Insurance Policy to waive Proof of Good Health Ins. up to \$90,000.00	8 FOR (SC,JJ,BN,SA,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN **VS out of room**
2009-905.m&b	Effective immediately, to appoint Dan Brudevold as the Interim Executive Director until further notice.	8 FOR (SC,JJ,BN,SA,MM,HM,JW,JS) 0 AGAINST 0 ABSTAIN **VS out of room**
2009-906.m&b	A requested \$2.5 million loan to the Colville Tribal Enterprise Gaming LLC be disbursed to the LLC in	7 FOR (SC,JJ,BN,SA,MM,HM,VS) 2 AGAINST (JW,JS) 0 ABSTAIN

	<p>eight equal quarterly payments, with reporting required prior to disbursement of each payment, at an interest rate of 5.5% with a late fee of 10%; further that the loan agreement shall expressly prohibit the Colville Tribal Enterprise Gaming LLC from taking on debt additional to the anticipated KeyBank loans, and this indebtedness to the Tribes, until these three loans have been paid in full. The Colville Tribes' loan shall be subordinate to the anticipated KeyBank loans; however, the Gaming LLC shall make monthly interest-only payments on the total principal amount loaned by the Tribes until January of 2015, or the KeyBank loans are repaid, whichever last occurs, at which time the LLC shall make 24 equal principal and interest payments until the entire amount owed is repaid. Additional terms to be negotiated between the parties.</p>	
2009-907.com/m&b	<p>The U.S. Department of Homeland Security has a funding opportunity available for eligible projects. The Community Development Committee directs the Executive Director to modify the contract with SparrowHawk Consulting Company for \$7,280.00 and related travel fees, to prepare the application to the U.S. Department of Homeland Security, with funds coming from the 1/3 Wells Dam Economic Development Funds.</p>	<p>7 FOR (JJ,BN,SA,MM,JW,VS,JS) 2 AGAINST (SC,HM) 0 ABSTAIN</p>
2009-908.com/m&b	<p>The U.S. Department of Health & Human Services, Administration for Native American (ANA) has a funding available through the Social & Economic Development (SEDS) Program to fund up to \$1 million dollars over a 24 month period for eligible projects; the Community Development Committee directs the Executive Director to modify the contract between the Tribes and SparrowHawk Consulting Company for \$22,765.00 plus related travel fees, to prepare the applications to ANA with funds coming from the 1/3 Wells Dam Economic Development funds.</p>	<p>6 FOR (BN,SA,MM,JW,VS,JS) 3 AGAINST (SC,JJ,HM) 0 ABSTAIN</p>
2009-909.com/m&b	<p>The U.S. Department of Housing & Urban Development has a funding opportunity available through the Indian Community Development Block Grant (ICDBG) program for eligible projects up to \$90,000.00 over 24 months. The Community Development Committee directs the Executive Director to modify the contract with SparrowHawk Consulting Company for \$18,920.00, plus related travel fees, to prepare the application to the ICDBG Program, with funds coming from the 1/3 Wells Dam Economic Development Funds.</p>	<p>6 FOR (BN,SA,MM,JW,VS,JS) 3 AGAINST (SC,JJ,HM) 0 ABSTAIN</p>
2009-910.l&j	<p>An emergency exists in order to preserve the life, health, safety of the Colville Tribe and community and</p>	<p>9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN</p>

	recommends to enact New Chapter 4-22, Wireless Telecommunications Facilities as proposed (attached). New Chapter 4-22 has been processed utilizing CBC Procedural Rule 3 (e). Once approved a copy shall be forwarded to the Code Reviser for certification and distribution.	
2009-911.l&j/m&b	Approve the attached FY2010 Consultant Contract Hart West & Associates in the amount of \$40,000.00 for work related to matters pertaining to the history of the Colville and Moses Columbia Reservation waters, and the North Half of the Colville Reservation, including but not limited to right of ways; mining claims; and the demarcation line between the North Half and South Half of the Colville Reservation. Consultant shall research land ownership of the other 11% referenced Wells Dam Settlement.	9 FOR (SC,JJ,BN,SA,MM,HM,JW,VS,JS) 0 AGAINST 0 ABSTAIN