



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

December 17th, 2009
Resolution Index

Condensed by, Lawrence Waters, CBC Recording Secretary

Council Members Present: Susie Allen, Carleen Anderson, Shirley Charley, Michael Finley, Gene Joseph, Harvey Moses, Virgil Seymour, John Stensgar, Ernie Williams, Juanita Warren
(In at 9:42 am)

Delegation/Absent: Jeanne Jerred, Andy Joseph Jr., Mike Marchand, Brian Nissen

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2009-912.com/hhs	The US Department of Health & Human Services, Substance Abuse and Mental Health Services Administration has funds available through the Child Mental Health Initiative (CMHI) for a cooperative agreement that will provide the Tribes grand funds between the amount of \$1 million and \$2 million dollars a year, up to \$9 million over a 6 year period, with matching funds required each year as follows: Years 1-3 \$1.00 to each \$3.00 of federal funds, all of which may be in the form of in-kind donations; the Tribes available in-kind match will determine the amount of the grant, Therefore, it is a recommendation of the Health & Human Services Committee and the Community Development Committee to approve the submission of an application for grant funds to the Department. The Chair of designee is authorized to sign all pertinent documents.	10 FOR (AJ, MF, JS, JW, SA, MM, VS, BN, EW, JJ) 1 AGAINST (SC) 0 ABSTAINED **Rationale: Timelines**
10-Signature 2009-913.com	Approve the Purchase of an 2009 Townmaster T-120TG Haul Trailer for \$67,150.00 from Puget Sound Truck Sales for the Roads Program; all funds are federal monies from the approved 638 Roads Contract (CTP03T10165). No tribal dollars.	10 FOR (EW, SC, JS, HM, JJ, GJ, SA, CA, VS, AJ) 0 AGAINST 0 ABSTAINED **Rationale: Timeliness – Need to haul crusher and return old one to GSA**
10-Signature 2009-914.com	Approve the Purchase of an 2006 Caterpillar 950H Loader for \$103,200.00 from NC Machinery/CAT for the Roads Program; all funds are federal monies from the approved 638 Roads Contract (CTP03T10165). No tribal dollars.	10 FOR (EW, SC, JS, HM, JJ, GJ, SA, CA, VS, AJ) 0 AGAINST 0 ABSTAINED **Rationale: Timeliness – Loader needed for sand/winter operations**
10-Signature 2009-915.com	Approve the Purchase of an 2006 Peterbuilt Dump Truck for \$70,000.00 from Western Peterbuilt, Inc. for the Roads Program; all funds are federal monies from the approved 638 Roads Contract (CTP03T10165). No tribal dollars.	10 FOR (EW, SC, JS, HM, JJ, GJ, SA, AJ, CA, VS) 0 AGAINST 0 ABSTAINED **Rationale: Timeliness – Need replacement of GSA for winter use**
10-Signature 2009-916.nat/m&b	Approve the FY 2009 Carryover Budget for the Upper Columbia RI/FS. No tribal funded requested. Tribal Chairman or designee is authorized to sign all relevant documents. Total carry over budget is \$547,937.00.	10 FOR (CA, GJ, AJ, EW, JW, VS, BN, JJ, SC, MF) 0 AGAINST 0 ABSTAINED **Rationale: Timelines/Emergency**
10-Signature 2009-917.com	Amend the timelines in Resolution 2009-598 for retrocession of the Roads Maintenance and Inchelium Ferry to no later then September 30 th , 2010. Additional extension of time is	10 FOR (EW, GJ, SA, VS, JJ, BN, JW, MF, HM, SC) 0 AGAINST 0 ABSTAINED

	required for BIA to complete staffing requirements.	**Rationale: Year end December 31st programs will shut down without extension**
10-Signature 2009-918.l&j	Approve Kathleen Hathaway, Colville Tribes Legal Office, from January 1, 2010 to September 30, 2012. It is further recommended that the Chairperson or his designee is authorized to sign all pertinent documents.	10 FOR (SA, CA, MM, JW, GJ, SC, AJ, EW, MF, BN) 0 AGAINST 0 ABSTAINED **Rationale: Timelines L&J cancelled 12/9/09 No Quorum)
10-Signature 2009-919.l&j	Approve a request from John Arum, Colville Tribes' contract attorney, to file a motion to dismiss, without prejudice, in the Colville Tribes Complaint against the Washington State Parks and Recreation Commission and Rex Derr, Director of Parks and Recreation.	10 FOR (SA, VS, HM, JW, JS, MF, CA, SC, EW, GJ) 0 AGAINST 0 ABSTAINED **Rationale: Timelines/Emergency**
2009-920.gov	Approve a referendum vote to increase the CBC term limits from 2 years to 4 years; and to direct the Elections Committee to carry out this referendum, consistent with Sections 8-3 and 8-4 of the Tribal Law & Order Code.	8 FOR (SA, CA, SC, GJ, HM, VS, JS, EW) 0 AGAINST 0 ABSTAINED
2009-921.ele	Appoint Glenda Gleason, as the alternate to the Election Committee in the Keller District for the 2010 CBC Election season.	8 FOR (SA, CA, SC, GJ, HM, VS, JS, EW) 0 AGAINST 0 ABSTAINED
2009-922.nat	Authorize the establishment of a Natural Resources Project Committee to act at the direction of the CBC and in cooperation with the appropriate tribal government programs and departments to evaluate potential economic development projects involving tribal natural resources and bring recommendations to the CBC regarding the development of such projects.	7 FOR (SA, CA, SC, GJ, HM, VS, EW) 0 AGAINST 0 ABSTAINED **MF out of room**
2009-923.nat/cul	Approve the Research Permit Application submitted by Kathy Holland, Dallas Goodwater, Lenore Burke, and Ruby Alexis of the Okanogan Nation Alliance and have research access to Enrollment, History and Archaeology, and Archives and Records. ONA will adhere to the Research Permit Code and recommendations made by the Archives and Records Center. The Colville Tribes will retain copyrights to all materials produced during this project. Upon completion of the project ONA is required to provide a hard copy to Archives & Records. Lastly ONA has until July 31, 2010 to complete the project or request an extension. Failure to comply with the Research Code stipulations, and deadline will result in possible legal action in Colville Tribal Court.	8 FOR (SA, CA, SC, GJ, HM, VS, JS, EW) 0 AGAINST 0 ABSTAINED
2009-924.nat	Purchase the fee property located at 133 Stepstone Creek Road, Nespelem to include tax parcel no. 3231083006 containing 38.00 acres more or less; legally described as the north ½ of the north ½ of the SW ¼ of Section 8, Township 32 N, Range 31 E.W.M. Okanogan County, Washington. The Colville Tribe is authorizing the purchase of the property in the amount of \$59,900.00, plus associated closing costs with a closing date of on or before January 29, 2010. Upon purchase, property to be immediately transferred from fee to trust status. Funds for purchase and 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.	6 FOR (SA, CA, HM, VS, JS, EW) 2 AGAINST (SC, GJ) 0 ABSTAINED
2009-925.nat	Approve Fish And Wildlife Department to accept the grant	8 FOR (SA, CA, SC, GJ, HM, VS, JS, EW) 0 AGAINST

	of the Conservation Easement appurtenant to a .54 acre parcel of land located at the mouth of Salmon Creek and the Okanogan River known as the “Fry Property” in order to protect the conservation values of the Property and allow the Tribe to access the mouth, bed, and banks of Salmon Creek in order to conduct routine monitoring, restoration, and habitat maintenance activities for salmon and steelhead. Authorize the Tribal Chairman or designee to sign Conservation Easement document that memorializes this transaction.	0 ABSTAINED
2009-926.nat	Approve the grant contract with the National Fish and Wildlife Foundation in the amount of \$42,377.60 to conduct anadromous fish habitat restoration activities within the Wanacut Cr. watershed. In kind contributions in the amount of \$24,722 have been identified through ongoing federal contracts (BPA) P07. No tribal dollars. The Council Chairman or designee has the authority to sign all relevant documents.	7 FOR (SA, CA, SC, GJ, HM, VS, EW) 0 AGAINST 1 ABSTAIN (JW)
2009-927.nat	Approve Fish and Wildlife Department’s contract with Timber Products Manufacturer’s Association (“TPM”) in the amount of \$60,000.00 for human resources consultant services. This project was approved and placed out to bid. The proposal authorizes TPM to conduct a comprehensive evaluation of Department’s employee eligibility for wage/salary step increases, and to provide position descriptions and classification schedules for several F&W positions that are not currently classified with the Tribes’ Human Resources Department. The work product will assist F&W in attracting and retain highly-qualified staff, as well as provide a basis for training plan development, and to be competitive with comparable Tribal, federal, and state entities throughout the region. Approve F&W’s request to waive TERO fees for this contract. Authorize the Tribal Chairman or designee to sign all contract related documents as needed to carry out this	6 FOR (SA, SC, GJ, VS, EW, JW) 3 AGAINST (CA, JS, HM) 0 ABSTAINED
2009-928.nat	Transfer the following property from the Colville Tribal Credit Corporation to the Confederated Tribes, of the Colville Reservation: Allen Michel: Lot 1. DOMINION VIEW SUBDIVISION, as per plat thereof recorded September 11, 1984, under Auditor No, 540105, and recorded September 27, 1984, under Auditor’s File No. 540541, Stevens County, Washington. Valued at \$72,820.	9 FOR (SA, CA, SC, GJ, HM, VS, JS, EW, JW) 0 AGAINST 0 ABSTAINED
2009-929.nat	Approve Precommercial Thinning and Brush Cutting Contract to Brenda Llamas for 202 acres in the RedGeorge HFR project in the amount of \$33,330.00. No tribal dollars required. Chairman or designee is authorized to sign all necessary or pertinent documents.	8 FOR (SA, CA, SC, GJ, HM, VS, JS, EW) 0 AGAINST 0 ABSTAINED
2009-930.m&b	Approve for payment the first installments due on the Tribes Property Casualty Insurance, in the amount of \$238,400, to Conover Insurance Company. Chair or authorized designee to sign all related documents.	8 FOR (SA, CA, SC, GJ, HM, JS, EW, JW) 0 AGAINST 1 ABSTAINED (VS)
2009-931.m&b	Approve the Retirement Committee recommendation to adopt amendment 2 to the Confederated Tribes of Colville Reservation Retirement Plan. Amendment to clarify	9 FOR (SA, CA, SC, GJ, HM, VS, JS, EW, JW) 0 AGAINST 0 ABSTAINED

	language in the Retirement Plan document regarding in-service distribution provisions for early retirement. Chair or authorized designee to sign all related documents.	
2009-932.m&b	Donate \$5,000 per year for three years to the NNALSA Moot Court Team at Gonzaga University School of Law. Funds to be out of the General Fund.	8 FOR (SA, CA, SC, HM, VS, JS, EW, JW) 1 AGAINST (GJ) 0 ABSTAINED
2009-933.m&b	Allow the Planning Program to submit a Proposed FY10 Budget for the Recycling Program into the current budgetary process for consideration.	7 FOR (SA, CA, SC, HM, VS, EW, JW) 2 AGAINST (GJ, JS) 0 ABSTAINED
2009-934.m&b	Approve the Broker of Record Contract to Conover Insurance for the Tribe's Property & Casualty Insurance for a period of three years effective October 1, 2009 through September 30, 2012. Fees for services will be 15% commission on insurance policies procured. Chair or authorized designee to sign all related document.	9 FOR (SA, CA, SC, GJ, HM, VS, JS, EW, JW) 0 AGAINST 0 ABSTAINED
2009-935.com	Concur with the approval made during public hearing on November 19, 2009 by the Colville Tribes Land Use Review Board for land use and development permit #07.191. The permit is for the Omak Mountain MET Tower placement and is approved with conditions listed in the staff report on file with the official record at the Colville Tribes Planning department. The MET tower placement will be within the NW 1/4, Township 34 North, Range 28 East, Section 15; the project lies within the boundaries of the Colville Indian Reservation and Okanogan County. This decision will fulfill requirements of Chapter 4.3.123 of the Land Use and Development Code.	7 FOR (SA, SC, JS, EW, CA, JW, VS) 1 AGAINST (HM) 0 ABSTAINED
2009-936.com	Required by NAHASDA 403 & 24 CFR 1000.512 the APR covers the program year ending September 30, 2009; sources and uses of funds; inspections, monitoring, audits public accountability, and jobs created by NAHASDA. All open grants reported, including the 2 ARRA Grants. No tribal funds involved. Copies of APR distributed for CDC meeting of 10.08.09. Chairman or designee is authorized to sign pertinent documents	9 FOR (SA, CA, SC, GJ, HM, VS, JS, EW, JW) 0 AGAINST 0 ABSTAINED
2009-937.hhs/m&b	Approve the 2010-2011 Area Plan Update, 2010 Area Plan Budget, and 2010 Cost Allocation Plan. This is the area plan update narrative for the Colville Indian Agency on Aging that covers the period from January 1, 2010 through December 31, 2011. The Area Plan Budget is a preliminary budget for January 1, 2010 to December 31, 2010, and the written cost allocation plan is for calendar year 2010. Chairperson or designee has authority to sign all necessary documents.	9 FOR (SA, CA, SC, GJ, HM, VS, JS, EW, JW) 0 AGAINST 0 ABSTAINED