



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

May 9, 2011

SPECIAL SESSION

Resolution Index

Condensed by, Rachel Abrahamson-Sherman, CBC Recording Secretary

Council Members Present: Ernie Williams, Michael Finley, Ricky Gabriel, Cherie Moomaw, Susie Allen,
Michael Marchand, Harvey Moses Jr, Doug Seymour

Delegation/Absent: Shirley Charley, Sylvia Peasley, Andy Joseph Jr, Brian Nissen, Virgil Seymour, John
Stensgar

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10 sig. 2011-278.cdc	<p>Community Development Committee to amend Resolution 2007-415 to the following language :</p> <p>Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.</p> <p>WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;</p> <p>WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;</p> <p>WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.</p> <p>WHEREAS THE COLVILLE BUSINESS COUNCIL HEREBY CERTIFIES</p> <p>1. The Chairman of the Colville Business Council or his/her designee is authorized to execute and file application for Federal assistance on behalf of Confederated Tribes of the Colville Indian Reservation with the Federal Transit Administration for Federal Assistance authorized by 49.U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration,</p> <p>2. The Chairman of the Colville Business Council or his/her designee is authorized to execute and file with its application the Annual Certification and Assurances with the Federal Transportation Administration as it requires before awarding a Federal assistance grant or cooperative agreement.</p> <p>3. The Chairman of the Colville Business Council or his/her designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Confederated Tribes of the Colville Indian Reservation.</p> <p>4) The Chairman of the Colville Business Council or designee is authorized to certify as official & attorney on behalf on the Colville Confederated Tribes,</p> <p>5) Authorize the Comptroller of the Colville Tribes or designee to draw down all funding awards from the FTA on behalf of the Confederated Tribes of the Colville Indian Reservation.</p>	<p>10 FOR (EW, HM, RG, SA, SP, CM, BN, VS, JS, MM)</p> <p>0 AGAINST</p> <p>0 ABSTENTIONS</p> <p>Rationale: Funding Award waiting for draw down authorization</p>
10 sig.	Law and Justice/Management and Budget Committees to approve	10 FOR (SC, HM, RG, CM, EW, SP, MM, SA, HM, AJ)

2011-279.l&j/m&b	whereas, in compliance with the Tribal-State Compact, Appendix A, 6. Closed Circuit Television System (CCTV), it is the recommendation of the Law and Justice/Management and Budget Committees to approve the Gaming Commission's Fiscal Year 2011 budget modification moving \$300,000 from salaries and fringe to capital equipment for a surveillance system upgrade from analog to digital at Okanogan Bingo Casino (OBC). No additional dollars are requested for this project and expenses to be reimbursed by CTFC.	0 AGAINST 0 ABSTENTIONS Rationale: No quorum, L&J cancelled, timelines
10 sig. 2011-280.l&j/m&b	Law and Justice/Management and Budget Committee to approve WHEREAS, in compliance with the Confederated Tribes of the Colville Reservation and State of Washington Class III Compact under Appendix A, it is the recommendation of the Law and Justice/Management and Budget Committees to approve the attached Gaming Commission Fiscal Year 2011 Budget Modification and the purchase of replacement surveillance equipment not to exceed \$75,000.00 for Gaming Commission's surveillance system at Coulee Dam Casino (CDC) Mill Bay Casino (MBC). No additional dollars are requested for this project and these expenses to be reimbursed by CTFC.	10 FOR (SC, SP, MM, SA, HM, EW, AJ, CM, JS, RG) 0 AGAINST 0 ABSTENTIONS Rationale: No quorum, L&J cancelled, timelines
10 sig. 2011-281.hhs	Health and Human Services Committee to accept the Susan G. Komen Foundation Grant Funds in the amount of \$30,000 for the BEAR (Breastcancer Empowering Assistance and Resources) Project for the financial assistance for breast cancer patients and provide assistance for breast cancer patients and provide assistance for early detection and awareness for the people of the Colville Reservation from April 1, 2011 to March 31, 2012. No tribal monies required. Chairman or designee authorized to sign all pertinent documents.	10 FOR (BN, CM, JS, SA, EW, SP, MF, MM, CM, RG) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-282.l&j	Law and Justice Committee to appoint interim Commissioner Deb Louie for a full term of three years on the Colville Gaming Commission commencing upon passage of resolution by the full Colville Business Council. The Chairman or designee shall have authority to sign any and all necessary documents.	10 FOR (SC, SP, MM, SA, HM, EW, AJ, CM, JS, RG) 0 AGAINST 0 ABSTENTIONS Rationale: No quorum, L&J cancelled, timelines
10 sig. 2011-283.l&j	Law and Justice Committee to aproove the Colville Tribal Police Department to apply for the 2010 BIA Indian Highway Safety Grant. This grant will enhance the department traffic and investigate abilities. It will also enhance the communities knowledge of traffic laws. There is no matching funds required. Chairman or designee has authority to sign all related documents.	10 FOR (SP, CM, HM, EW, JS, BN, MF, MM, DS, SC) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines, notified it is due 5/2/11
10 sig. 2011-284.cdc	Community Development Committee whereas, the Tribe continues to work toward reservation wide broadband coverage. Whereas, the community of Keller and the San Poil Valley is an unserved area in terms of broadband deployment. Whereas, a wireless backhaul from Keller Butte into the town of Keller via the broadband backhaul from Okanogan County P.U.D. is in alignment with future expansion of broadband services. Therefore, the Community Development Committee recommends the Tribe submit the 2011 Community Connect Grant to the Rural Utility Service division of the USDA in the amount of \$405,868.58 which includes \$41,594.82 in Indirect Dollars. No Tribal Dollars are needed. The Chair or his designee has authority to sign all related paperwork.	10 FOR (EW, DS, MF, JS, RG, SA, CM, BN, VS, HM) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines, notified due today @ 2pm
10 sig. 2011-285.cdc	Community Development Committee to direct the Tribal Roads and Transportation Program Manager to develop and submit a proposal to enter into a PL 93-638 contract for the	10 FOR (EW, RG, HM, SP, SA, SC, CM, DS, VS, JS) 0 AGAINST

	Indian Reservation Road and Bridge Projects on the Tribes approved TIP. Funding to come from the Tribes annual Construction Shares of the Highway Trust Fund. Chairman or designee to sign all pertinent and relevant documents.	0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-286.tg	Tribal Government Committee to make an exception to Resolution #2001-618 and approve full burial benefits for Raymond "Duffy" Sammaripa. Duffy was a spouse of a tribal member, long time residence of the reservation, and a father of tribal members. Duffy also assisted many tribal members by providing caskets to the Tribe.	10 FOR (SP, SC, EW, DS, CM, JS, AJ, RG, BN, MF) 1 AGAINST (VS) 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-287.tg	Tribal Government Committee to appoint Guy Moura Interim Manager of History/Archaeology Department/THPO. Chairman or his designee to sign all pertinent documents.	10 FOR (SP, RG, HM, SC, DS, MM, MF, BN, EW, CM) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-288.cul	Culture Committee to approve NRCS to seek grant funding to NRCS for CIG Program. This funding would allow the Cultural Committee to initiate a pilot program to determine feasibility to restore culturally important native plants within the Colville Reservation. Chairman or designee authorized to sign all pertinent documents. Amended: amend the word "of" to "to"	10 FOR (SP, HM, MM, AJ, DS, VS, SA, SC, EW, CM) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-289.cul	Culture/Natural Resources Committee to approve Research Permit 2011-12. To determine the history of the Lakes people within their traditional territory in what is today British Columbia and Washington State, including the Colville Reservation, and their continued relationship with their territory in British Columbia. All copy rights will be retained by Colville Confederated Tribes. A copy of the report will be given to Enrollment, History, ORA, and Archives. Failure to comply with the Research Ordinance will result in the Colville Tribal Court.	10 FOR (JS, BN, MF, SA, EW, SP, DS, CM, MM, HM) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-290.tg	Tribal Government Committee to direct Land Use Administrator and Real Property Manager to expedite the permitting process and fee to trust application for conversion to serve future development purposes on parcel nos. 3326020001 and 3326114000 within Okanogan County boundaries of the Colville Indian Reservation. Chairman or designee to sign all pertinent documents.	10 FOR (RG, MM, SC, SP, JS, MF, BN, EW, DS, HM) 0 AGAINST 0 ABSTENTIONS Rationale: Timelines
10 sig. 2011-291.nrc	Natural Resource Committee to approve excavator piling Contract to J-Pack Excavation Contract for Mechanical Mastication/Mowing on the Simpson Lake WUI Project in the amount of \$41, 370.00. This project is part of the fuel break construction along the Inchelium-Kettle Highway. This contract includes 9 blocks for a total of 105 acres. No tribal dollars required. Chairman or designee is authorized to sign all necessary or pertinent documents.	10 FOR (CM, SP, JS, MF, EW, BN, DS, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS Rationale: Project is time sensitive, construction of the fuel break for a WUI burn, the contractor is set to begin work on May 2, 2011
2011-292.ele	Elections Committee to amend Resolution #2011- 012 Schedule of Events for the 2011 Elections. In accordance with the Law and Order Code, 8-3-105 (a) the Council-elect shall be officially sworn in and seated in the Colville Business Council on the second Thursday in July. The Oath	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS

	of Office will be July 14, 2011. Chair or his designee is authorized to sign all pertinent documents.	
2011-293.nrc	Whereas the Fish and Wildlife Department has revised and provided a recommended draft of the 2011 Fishing Regulations for the Colville Wenatchi Spring Chinook Wenatchapam Fishery on Icicle Creek for the Natural Resource Committee's review and action, the Natural Resource Committee approves the 2011 Fishing Regulations for the Colville Wenatchi Spring Chinook Wenatchapam Fishery on Icicle Creek.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-294.nrc	Natural Resources Committee to approve 10 year lease (Equip Program) to Ed Townsend, non-tribal member, for 101-T568, 101-T570, 101-T732 also known as former Wendell George Farm, containing 352.40 acres, more or less. (Exception of Homesite). Per bid proposal, the lease will begin May 2011 and end December 31, 2020. Terms will be as follows: a cash rental payment of \$15,000 for year 1 and 2, followed by a 1/3 crop share minus the depreciated cost of improvements made on the property for years 3-9. The lease will be re-evaluated at year 4, 6, and 8 to determine cost of improvements (with documentation, dates, and receipts), approval of EQUIP applications, and fair market value of crop. Once improvements costs are recouped, the lessee will pay a 1/3 crop share to the Colville Tribe for each year remaining on the contract. There will be a \$15 lease fee, made payable to the Colville Confederated Tribes.	6 FOR (EW, DS, CM, SA, MM, HM) 1 AGAINST (RG) 0 ABSTENTIONS
2011-295.nrc	Natural Resources Committee to rescind Resolution No. 1988-250 dated May 19, 1988 in its entirety which states: Portions of the following tribal tracts be assigned to CTEC for lease for the purpose of planting orchard on the tracts. This assignment will be for 25 years and a 25 year renewal with approval from Business Council. Tribal Tracts described as: 101-T5325: A portion of T5325 described as being in the W1/2SW1/4NW1/4NW1/4 of Section 14, Township 29 North, Range 25 East, Willamette Meridian, Okanogan County, Washington, containing 5.00 acres, more or less. 101-T4381: A portion of T4381 described as being in the SE1/4SW1/4 of Section 12, Township 29 North, Range 25 East, Willamette Meridian, Okanogan County, Washington, containing 10.00 acres, more or less.	6 FOR (EW, DS, CM, SA, MM, HM) 1 AGAINST (RG) 0 ABSTENTIONS
2011-296.cul	Culture Committee to approve Research Permit Application 2011-03, Quannah Matheson Culture Dept. Director, Coeur d'Alene Tribe permission to use (Ethnobotany Information contained in the Colville Confederated Tribe's Publication) Field Guide to Cultural Plants on the Colville Reservation. As captions for a PUBLIC PHOTO EXHIBIT. This request is to USE text that appears in publication. The photo collected will not be used for any other purpose unless written approval has been obtained. Mr. Matheson will provide a final copy of his project to the Archives and Records Center. Failure to comply with the Research Ordinance will result in possible legal action in Colville Tribal Court.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-297.cul	Culture Committee to approve the Confederated Tribes of the Colville Reservation to participate in filing joint intertribal Native American Graves Protection and Repatriation (NAGPRA) claims with the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation, the Confederated Tribes and Bands of the Yakama Nation, the Wanapum Band, the Nez Perce Tribe and other neighboring tribes of the Columbia Plateau for repatriation. Our ancestors' remains,	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS

	their associated and unassociated funerary objects, sacred items, and items of cultural patrimony discovered along the Columbia and Snake River drainages are held in universities, museums, and in federal, state and local agency repositories and other facilities. This authorizes the Chairman or designee to sign all documents related to this matter.	
2011-298.cul	Culture Committee to approve Research Permit 2011-11. The Tribal Research Guidelines Project is in full swing and the first part of its objectives was meant in 2009 through the financial support of NW Tribes. The intended final products are the following: 1) Identify tribally-driven research needs of Tribes/Nations in WA state 2) Identify "research protocols or guidelines" of Tribes/Nations in WA state 3) Make the survey results available to Tribes/Nations, students and researchers. All copy rights retained by Colville Confederated Tribes. A copy of report will be given to the Colville Confederated Tribes. Failure to comply with the Research Ordinance will result in Colville Tribal Court. Amended: change "steate" to "state"	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-299.m&b/nrc	Management and Budget/Natural Resources Committees to accept and approve the National Business Center negotiated Indirect Cost Rates for the following years: FY 2006 at 24.91%; FY 2007 at 27.02%; FY 2008 at 30.45%; FY 2009 at 27.65%; FY 2010 at 27.65%; and FY 2011 at 27.65% for final negotiation processing. This approval authorizes the Chairman or designee to sign all pertinent documents.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-300.cdc/nrc	Community Development/Natural Resources Committees directs CTEC/CTFC to pay the property taxes associated on the following parcels under CTEC management/lease: Ferry County parcel nos. 73614330001370, 73614330001100, 73614330001200, 73614330001300 and Okanogan County Parcel no. 2931300025 and any other properties under CTEC/CTFC management.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-301.cdc/nrc	Community Development/Natural Resources Committee to approve the total of \$63,000.00 direct payable to Sheilah Crowder for reimbursement costs associated with well drilling, casing, pump, and pump house and Okanogan County open space taxation removal to be paid upon successful closing of BPA mitigation funded purchase of 82.68 acres along the Okanogan River. Seller to provide copy of final closing statement to Real Property Manager as proof of closing before funds disbursement from the Wells Dam 1/3 Land Purchase Account. Chairman or designee to sign all pertinent documents.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-302.cdc/m&b	Community Development/Management and Budget Committees to approve the purchase of 20 Box Seats for the Omak Stampede 2011 Rodeo, August 11th thru 14th in the amount of \$2,000.00 to accommodate Plateau Tribal Leaders and Dignitaries. Chairman or designee authorized to sign all pertinent documents. Funds to come from 1/3 Wells Dam Economic Development Fund.	6 FOR (EW, DS, RG, SA, MM, HM) 1 AGAINST (CM) 0 ABSTENTIONS
2011-303.cdc	Community Development Committee to approve MOA PO-11-B43G between I.H.S. and the Colville Confederated Tribes. The memorandum of agreement will provide I.H.S. funding for individual sanitation systems for qualified tribal members. These systems may include wells, water systems and septic systems. The total estimated cost of the proposed facilities is \$300,000 for	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS

	Tribes in Eastern Washington. The Chairman of the Colville Business Council or authorized designee shall sign all related documents.	
2011-304.cdc/hhs	Community Development/Health and Human Services Committee to approve the Emergency Assistance Criteria. The effective date for this policy will be dated April 26, 2011.	7 FOR (EW, DS, CM, SA, MM, HM, RG) 0 AGAINST 0 ABSTENTIONS
2011-305.cdc/m&b/nrc	Community Development/Management and Budget/Natural Resources Committees to approve a lease agreement with Cody and Chris Desautel of the homesite located at 2212 East Lacrosse Avenue, Spokane, WA 99207, short legal: Hughson and Chamberlins Arlington Heights Lots 7&8, Block 28, Spokane County, WA. Lease terms to commence May 6, 2011 to May 31, 2012 (12 months) at the monthly rental rate of \$795.00. Chairman or designee to sign all pertinent documents and legal instruments	6 FOR (EW, DS, RG, SA, MM, HM) 1 AGAINST (CM) 0 ABSTENTIONS