



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL



Special Session October 21st, 2021 Resolution Index

Condensed by, Deanna James, Executive Office Assistant

Present: Andrew Joseph Jr., Richard Swan Sr., Norma Sanchez, Dustin Best, Shar Zacherle, Roger Finley, Alison Ball, Joe Somday, Virgil (Smoker) Marchand, Marvin Kheel, Jarred Michael-Erickson, and Tyler-Zacherle Boyd

Delegation/Leave: Jack Ferguson, Karen Condon

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
2021-765.hhs.tg	To authorize the Chairman to sign, on an annual basis, the necessary documents for certification through the Medicare Provider Enrollment, Chain, and Ownership System (PECOS). This certification is required for continued billing for Medicare and Medicaid. This is not a new agreement, instead an update of the individual within the Tribes who has managing control.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-766.e&e	To approve the Confederated Tribes of the Colville Reservation Early Childhood Education/Head Start FY 2020 Self-Assessment. Tribal Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-767.e&e	To approve the revision of the Confederated Tribes of the Colville Reservation Early Childhood Education/Head Start Transportation Policy (CBC RES 2018-388, PC RES 2018-006.) Tribal Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-768.e&e.m&b.cdc	To carry over \$3,546.00 to FY2021/2022 from the Nespelem Community Center budget 671 to replace windows at the Nespelem Community Center which were vandalized.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-769.e&e.m&b.cdc	To carry over Contract #C21-365, in the amount of \$12,595.00 due to back order of parts. Funds to come out of Omak Community Center budget 691.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED

Special Session
October 21st, 2021
Deanna James, Executive Office Assistant

2021-770.e&e.m&b.cdc	To approve the contract for Jamie Yallup as PSIS Ninth Grade Teacher for the 2021-2022 school year. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-771.e&e.m&b.cdc	To approve Indian Nation Program Agreement No. 2162-31386 for the continuation of Basic Food Employment & Training program with the State of Washington Department of Social and Health Services, Economic Services Administration in the amount of \$143,911.00. The Program Agreement end date is 09/30/2022. The Chairman or designee is authorized to sign related documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-772.l&j.m&b.cdc	To approve the attached FY 22 contract for Alice Koskela. Funds are available in the FY 2022 budget. The Chairman or designee to sign all pertinent documents.	11 FOR (AJ, RS, NS, SZ, RF, AB, JS, VSM, MK, JME, TZB) 1 AGAINST (DB) 0 ABSTAINED
2021-773.l&j	To approve the attached contract with Arrow Creek Law PLLP to continue to provide legal services related to the Tribes Water Rights Claim. Funds appropriated in the FY 2022 ORA/Outside Litigation 587 line. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-774.l&j	To approve the attached contract with Meyer, Walker & Walker, P.C. to continue to provide legal services related to the Tribes Water Rights Claim. Funds appropriated in the FY 2022 ORA budget/587 line. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-775.l&j	To approve the attached contract with Ziontz Chestnut. The tribes hereby retains attorney to represent the Tribes (1) on matters concerning renegotiation and implementation of the Columbia River Treaty between the United States and Canada; (2) on matters affecting the Tribes regarding fisheries and hydropower issues on the Columbia River; (3) on matters related to avian predation; (4) on matters related to boundary waters jurisdiction; (5) matters related to the ongoing MA-8 litigation Grondal; (6) matters related to the ongoing breach of trust litigation; and (7) on other matters as may be agreed upon by the parties. Attorney shall render such legal services to the Tribes as requested by the Natural Resources Departments or History & Archaeology. Funds appropriated in the FY 2022 ORA budget/587 line. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-776.l&j.m&b.cdc	To approve amendments for Chapter 6-20 Commercial Marijuana Production, Processing, and Retail Sales to amend the indemnity provisions to minimize risks to the Tribes. Whereas it is further recommended that an	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST

	emergency be declared pursuant to CBC Procedural Rule 3 (c). Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	0 ABSTAINED
2021-777.nrc	<p>To approve AVISTA to proceed with the GIS Pole Inventory going over across trust property within the Colville Indian Reservation and Colville Public Domain lands. Real Estate Services will work with AVISTA in determining the scope of work to help with the legal descriptions required for appraisal services. Real Estate Services will work towards completing the Right of Way applications using the GIS Pole Inventory in lieu of surveys on the trust lands as required under the 25 CFR 169.</p> <p>Purpose: Waive survey requirements Terms: 3 years UPON DATE OF SIGNATURE and EXTEND IF REQUESTED</p> <p>Compensation: \$none Administrative FEE: \$none</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>11 FOR (AJ, RS, NS, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>1 AGAINST (DB)</p> <p>0 ABSTAINED</p>
2021-778.nrc	<p>To accept and approve Maurice Joy Agriculture Lease Renewal for PAUL CASS Allotment No. 101-481. The Colville Tribes own an undivided interest in this allotment. The recommendation is to approve the Colville Tribes undivided interest 49.16% for the agriculture lease. The property is described as:</p> <p>101-481: The E1/2 E1/2 W1/2 NE1/4, W1/2 E1/2 E1/2 E1/2 NE1/4, W1/2 E1/2 E1/2 NE1/4, and the W1/2 E1/2 NE1/4 of Section 34, Township 31 North, Range 26 East, Willamette Meridian, Okanogan County, Washington, containing 90.00 acres, more or less.</p> <p>TERM: 5 years, Upon approval Compensation: \$1/3 Crop Share & 1/3 CRP Bond: Required</p> <p>Subject to a Fair Market Value Appraisal and subject to the conditions cited in IRMP Coordinator's review. Chairman or designee has authority to sign all pertinent documents.</p>	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-779.nrc	<p>To request the Ferry County Commissioners to transfer a portion of the East San Poil Road to the Confederated Tribes of the Colville Reservation. The portion would include the approximately 1.2-mile stretch starting at the Bridge Creek Junction, and south to the junction with Silver Creek Road. See attached map. This section of the road will be added to the TTIP, and the Tribe will assume maintenance of said road sections. Chairperson or designee has the authority to sign all pertinent documents.</p>	<p>10 FOR (AJ, RS, DB, SZ, RF, JS, VSM, MK, JME, TZB)</p> <p>2 AGAINST (NS, AB)</p> <p>0 ABSTAINED</p>

<p>2021-780.nrc</p>	<p>To approve Mr. Dauble to Perform Survey to determine access for ingress/egress going over and across Colville Tribal Tract 101-T1232-2, 101-TF4369 described as:</p> <p>101-T1232-2: LOT 9 (NORTH-HALF NORTHEAST-QUARTER NORTHEAST-QUARTER) OF SECTION 4, TOWNSHIP 29 NORTH; THE SOUTH-HALF SOUTHEAST-QUARTER SOUTHEAST-QUARTER OF SECTION 33 AND THAT PART OF THE SOUTH-HALF SOUTHWEST-QUARTER SOUTHWEST-QUARTER OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 33 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34, THENCE EAST ALONG THE SOUTH BOUNDARY OF SECTION 34 FOR 429 FEET; THENCE NORTH 68°40' EAST, 396 FEET; THENCE NORTH 49°30' EAST, 353 FEET; THENCE NORTH 66°00' EAST TO THE EAST LINE OF THE SOUTH-HALF SOUTHWEST-QUARTER SOUTHWEST-QUARTER; THENCE NORTH TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE WEST 1,320 FEET TO THE WEST BOUNDARY LINE OF SECTION 34; THENCE SOUTH 660 FEET TO THE PLACE OF THE BEGINNING, CONTAINING 54.62 ACRES, MORE OR LESS.</p> <p>101-TF4369: SILVER CREEK, LOT 7: THE NORTH-HALF SOUTHWEST-QUARTER SOUTHWEST-QUARTER OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 33 EAST, WILLAMETTE MERIDIAN, FERRY COUNTY, WASHINGTON, CONTAINING 20.00 ACRES MORE OR LESS, TOGETHER WITH THE RIGHT TO TRAVEL ANY ROADS THAT THE SELLER HEREIN HAS THE RIGHT TO CROSS TO REACH SUBJECT PROPERTY.</p> <p>Purpose: PERFORM SURVEY Terms: 2 MONTHS UPON DATE OF SIGNATURE Compensation: -WAIVE- Administrative Fee: -request to waive survey-Chairman or designee has authority to sign all pertinent documents</p>	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
<p>2021-781.nrc</p>	<p>To approve the contract change order with Elite Excavation in the amount of \$20,750.00 for additional watershed restoration work to protect Tribal water resources and habitat. The original contract price was \$315,831.00,</p>	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p>

	bringing the change order total to \$336,581.00. The contract end date is changed from 11/18/2021 to 12/17/2021. Work will include additional stream crossings and roadway treatments to alleviate erosion and provide for safe travel of the membership and other authorized users. Contract change order to be paid from account #461002. Chairman or designee is authorized to sign all pertinent and relevant documents.	0 ABSTAINED
2021-782.e&e.m&b.cdc	To approve the Confederated Tribes of the Colville Reservation Early Childhood Education/Head Start Wage Comparability Study. Tribal Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-783.m&b.cdc	To accept the Absher Construction Guaranteed Maximum Price proposal in the amount of \$8,870,000.00 for the construction of the new Omak Head Start Facility located in Omak, WA. Funding to include funds from OHS Head Start Facility Funding 90CI9932-04-01, Office of Head Start Early Head Start Facility Funding 90WI000020-01-00 and Tribal Funds CBC RES 2021-520 and their contract subject to administrative review and approval. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-784.m&b.cdc	To approve Moyer Construction Inc., to perform construction for the Culvert Replacement, located near Inchelium, WA. Time and material not to exceed \$616,864.00. Chairman or designee to sign all pertinent documents.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-785.nrc.m&b.cdc	To recommend a renewal on business lease for Colville Gaming LLC (CTFC) at the Coulee Dam Business Office of Tribal Tract No. 101-T5575. This Business lease is subject to the Confederated Tribes of the Colville Reservation HEARTH ACT. This lease will be for 5 years with approval from Colville Business Council. Tribal Tract described as: 101-T5575: The following described real estate, situated in County of Okanogan, State of Washington: Beginning at the SE corner of Lot 3, Block 46, Town of Coulee Dam, Washington, according to replat of Blocks 30, 31 and 46 of second revised Okanogan County Assessor's plat thereof, filed in Okanogan County, February 1, 1960 (Auditor's file No. 470403), located in Section 36, Township 29 North, Range 30 East, Willamette Meridian, thence northerly along the easterly line of said Lot 3 a distance of 30 feet to the true point of beginning, thence continuing northerly along the said easterly line of said Lot 3 a distance of 40 feet; thence westerly parallel with the southerly line of said Lot 3 a	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED

	<p>distance of 57 feet; thence southerly parallel with the easterly line of said Lot 3 a distance of 40 feet; thence Easterly parallel with the Southerly line of said Lot 3 a distance of 57 feet to the true point of beginning, containing 0.005 acres, more or less.</p> <p>Term: Beginning on 01/01/2021 and ending on 12/31/2025, 5 years</p> <p>Compensation: \$11,000.00 per annum, subject to Fair Market Rental Value</p> <p>Insurance: Required</p> <p>Lease Fee: \$waived</p> <p>Lease subject to condition cited in the IRMP Coordinator Review. Chairman or designee to sign all pertinent documents.</p>	
2021-786.m&b.cdc	To approve the attached Master Service Agreement (MSA) between the Confederated Tribes of the Colville Reservation and Resultant, LLC., to purchase Google Workspace Platform in the total amount of \$497,488.95 for a three-year term. Funds to be identified. Chair or designee to sign all relevant documents.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-787.fish.tg	To approve change order #2 for 316621 Wiley Construction adding an additional \$50,000.00 bringing the total contract value to \$721,940.00 and the contract date remains the same and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is change order #2.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-788.fish.tg	To approve the new award for 320021 Lake Roosevelt Fisheries Evaluation in the amount of \$198,699.00 and the dates are from August 1, 2021 to July 31, 2022 and authorize the Chairman or his/her designee to sign all pertinent documents. Attached is new full award.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-789.fish.tg	To approve budget modification #1 doing a line item transfer of funds and the contract value and dates remain the same and authorizes the Chairman or his/her designee to sign all pertinent documents. Attached is budget modification #1.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-790.tg	To adopt Brianna Marie Trotter as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance and Constitution of the Confederated Tribes of the Colville Reservation.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2021-791.tg	To adopt Jaron Mitchell Trotter as applicant meets requirements of Section 8-1-160 of Enrollment Ordinance and Constitution of the Confederated Tribes of the Colville Reservation.	<p>12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

2021-792.tg	To send the attached letter to the Executive Director of the Washington State Redistricting Commission, wherein the Tribes endorses the maps proposed by commissioners Sims, Graves, and Fain and urges the commission to reject the map proposed by Commissioner Walkinshaw which is in contravention to resolution 2021-653. Chairman or designee is authorized to sign.	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED
2021-793.tg	CONFIDENTIAL	12 FOR (AJ, RS, NS, DB, SZ, RF, AB, JS, VSM, MK, JME, TZB) 0 AGAINST 0 ABSTAINED