

COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL

Resolution Index

Condensed by Darla Carden, CBC Recording Secretary

SPECIAL SESSION on April 19, 2001

Council Members Present: Louella Anderson, Ted Bessette, Mathew Dick, Margie Hutchinson, Jeanne Jerred, Deb Louie, Mike Marchand, Doc Mellon, DR Michel, Kevin Rosenbaum, Lou Stone, Rich Swan.

Delegation/Absent: Colleen Cawston, delegation. Gene Joseph, Leave.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10 Signature: 2001-198.e&e	To approve the Headstart grant for Quality Improvement and Training and Technical Assistance in the amount of \$65,433 federal funds. The non-federal share of \$16,358 has already been met. The Committee also recommends that the CBC approve the grant and authorize the Chairperson or designee to sign documents pertinent to this funding.	10 FOR (LA, JJ, TB, MM, DRM, DL, MH, RS, LS, KR) 0 AGAINST 0 ABSTAINED. RATIONALE: Grant application is due April 15, 2001. Rapid submission time from grant announcement. Additional program steps to process through Parent Policy Council. Timely process to assess and research program needs for grant submission.
2001-199.m&b	To approve a budget modification to Tribal Cost Center 746 PSIS General Fund in the amount of \$402,706.00, to cover the Omak School Apportionment Agreement Account through August 2001, and further, the funds to come from the General Fund reserves and modify the budget accordingly. As amended, due to the fact that there was gross mismanagement of tribal dollars in the Superintendent position at the PSIS, the Council has no choice but to put out a vote of no confidence, and further that the school board terminate this contract immediately and readvertised immediately. As amended, that this budget modification be contingent upon the implementation of the previous amendment.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-200.m&b	The Colville Tribal Court attempted, on behalf of Lori Stensgar and her daughter Shayleen Finley, to deposit IIM into the OTFM IIM account where said monies would have generated interest income, and such attempt was refused by the OTFM because the monies were not trust monies; and that the Colville Tribal Court did deposit such monies into the Tribes' account on behalf of Lori Stensgar and her children during the pendency of the action; and that the Colville Tribes returned the principal sum to the	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.

	Colville Tribal Court, but made no interest payment; and; that the Tribes placed said interest monies into the Reserve Account; and that the Tribal Financial Officer has determined that interest at 5.10 Percent would amount to \$4,722.39. Now therefore be it resolved, that the M&B Committee does hereby recommend that the CBC appropriate \$4,722.39 to be deposited in trust for the benefit of Shayleen Finley consistent with the Colville Tribal Court's Order of September 21, 2000. To come from general fund reserves and adjust the budget accordingly. As amended, to add \$142.53 to cover interest earned on \$4,722.39 from 09/15/00 thru 04/19/01 for a total of \$4,864.91.	
2001-201.m&b	To approve the attached amendments to the Defined Benefit Plan and the CBC Plan, according to IRS Specifications for the CAP filing, as stated in attached documents, and revise Retirement Plan Documents from Lukins & Annis, dated February 2, 2000 and authorize the Chairperson or their designee to sign all plan documents.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-202.nat	To approve the request by Billie J. Zilbert (for Richard Zilbert, deceased) and BIA Leasing to cancel resolution no. 1998-228. General location: Recreational lease #98-51, Tribal Tract #101-T2028: Space #12, Shady Cove Trailer Court. Rent: \$1,000.00 per annum, the payments are current. Term: 5 year Lease (4/1/98 to 3/31/03). Once this resolution is canceled, no more bids will be accepted on tribal tract #101-T2028, Shady Cove Trailer Court.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-203.nat	To approve the Application for Grazing Privileges for Range Unit #6, Roger Cate for 19 cattle, May 1st, 2001 through December 31st, 2003 be approved. Chairperson or her designee has authority to sign all documents.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-204.nat	To approve the Application for Grazing Privileges for Range Unit #18, Joanne Leith, 20 horses, be approved. Chairperson or her designee has authority to sign all documents.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-205.nat	To approve the Application for Grazing Privileges for Range Unit #5, Fred Carden, 11 horses, be approved. Chairperson or her designee has authority to sign all documents.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-206.nat	To approve the request from Mae Noyes and BIA Leasing to cancel resolution #1991-431, to rescind #2001-036. DESCRIPTION: Lease #01-021, Tribal Tract #101-2229-A: a five acre parcel located in Section 9, Township 33 North, Range 28 East, Willamette Meridian, Okanogan County, Washington. More commonly known as the former Timberline Store. RENT: CIHA paid the \$300.00 first month rent out of their "Emergency Grant Fund", BIA Realty (Leasing) has refunded the \$300.00 to CIHA. TERM: was one (1) year emergency homesite lease.	10 FOR (LA, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 1 ABSTAINED (TB). MOTION CARRIED.

2001-207.nat	To approve the offer from Toby Epperson, tribal member, for pasture lease bid item #K-3, Tribal Tract #101-T3750. Description: 101-3750: the SW4NW4 of Section 29, Township 32 North, Range 33 East, Willamette Meridian, Ferry County, Washington, containing 40.00 acres, more or less. RENT: \$75.00 per annum, (Bid). TERM: 5 Year lease, to begin upon approval.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-208.nat	Begin the process to seek the Secretary of the United States Dept. Of Interior's approval to transfer federal land back to the Colville Confederated Tribes. The subject land is located across the highway from Barney's Junction, Kettle Falls, Washington and is within our usual and accustomed fisheries and Lakes (Sinixt) Nation homeland; it is also lateral to the "falls" at the culturally rich Kettle Falls fishery site. The process shall include, but not be limited to, all necessary administrative actions such as land survey. The Chairman of the Colville Business Council is authorized to sign all documents necessary in this overall process.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-209.nat	The traditional/cultural importance of anadromous fisheries and summer steelhead is recognized and supported by the Tribal Membership and the CBC. CCT has authority to manage their Trust lands and natural resources. CCT along with Natural Resource Conservation Service have under taken the restoration of Omak Creek watershed. CCT has been planting summer steelhead smolts in the Omak Creek watershed for the last three years and reintroduced spring chinook salmon into Omak Creek in the Spring of 2001. Current water temperatures for spring chinook are too high for successful spawning in Omak Creek, and there is a lack of riparian vegetation for steam temperature modification which is a direct result of past improper land use practices. In addition, current livestock grazing precludes riparian vegetation restoration efforts. Therefore, be it resolved, that we, the CBC do hereby approve the recommendation of the Fish and Wildlife Dept., that a moratorium be placed on leasing Tribal range land along Omak Creek. The moratorium would be enacted as leases for range use are brought forth for renewal, and would remain in effect until a management plan and the goals for restoration of anadromous fisheries in Omak Creek watershed have been met.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-210.e&e .m&b	To approve the acceptance of Federal amendment number three to Grant #GTP03T101114 in the amount of \$221,300.00 for the PSIS allocation awarding partial funding for fiscal year 7-01-00 to 6-30-01 by the Dept. Of Interior, BIA, and authorize the Chairperson or her designee to sign the amendments.	9 FOR (LA, MD, MH, DL, MM, DM, DRM, KR, LS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED. (TB, RS - out of room).
2001-211.e&e .m&b	To approve the acceptance of Federal amendment number five to Grant #GTP03T101114 in the amount of \$426,854.00 for the PSIS allocation awarding	10 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED. (RS out of room).

	partial funding for fiscal year 7-01-00 to 6-30-01 by the Dept. Of Interior, BIA, and authorize the Chairperson or their designee to sign the amendment.	
2001-212.cul .m&b	To contribute \$3,000 from the 587 Litigation Budget, (approved by Resolution 2000-701) toward hiring an expert in the Ancient One case. The other member tribes of the tribal coalition are also to contribute funds. The expert is Deward Walker, an anthropologist. He will analyze the administrative record to help the coalition tribes to address the issues in their amicus briefs. He may also provide an affidavit to support the administrative decision of returning the remains to the coalition.	10 FOR (LA, TB, MD, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 1 ABSTAINED (MH). MOTION CARRIED.
2001-213.cul .m&b	Amend the FY2001 Hart West and Associates contract. Amendment to add attachment C, Scope of Work, schedule and budget for additional Wenatchapam, Moses Columbia and other work as directed by the Tribes. Add \$36,275 to the contract price for additional work as stated in attachment C, funds to come out of the General Reserves. The Hart West and Associates contract be amended to extend the term of September 30, 2001. And to amend the budget accordingly.	11 FOR (LA, TB, MD, MH, DL, MM, DM, DRM, KR, LS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-214.gov	The Tribal Government recommends that Resolution 2001-045 be amended to extend until 4:00 PM Wednesday, April 25, 2001 (by delivery to the Enrollment Office), the deadline for submission of required relevant data for enrollment (which is also needed to be eligible for retroactive payment of 2001 BPA Claims by Resolution 2001-045, in any case where the Enrollment Office relied on such information to make a favorable recommendation for enrollment but which upon review by the Committee has been determined to be incomplete and referred back to the Enrollment Office for further review pursuant to the Membership Code, CTC 8-1-124(3)(b).	6 FOR (MM, DL, TB, MD, LS, KR) 1 AGAINST (MH) 3 ABSTAINED (RS, DM, DRM). MOTION CARRIED. (LA - out of room).