

COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL

Resolution Index

Condensed by Darla Camden, CBC Recording Secretary

SPECIAL SESSION on August 16, 2001

Council Members Present: Shirley Charley, Margie Hutchinson, Jeanne Jerred, Gene Joseph, Joanne Leith, Deb Louie, Mike Marchand, DR Michel, Joe Pakootas, Kevin Rosenbaum, John Stensgar, Richard Swan.

Delegation/Absent: Louella Anderson, leave; Colleen Cawston, delegation.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10 Signature: 2001-436.e&e	Immediate termination of Lease No. #97-57 with Mr. Garry Zacherle, for use of the Malott Community Center in operation of the Omak Play Center as the lease has been out of compliance and non payment since 1999. Further be it recommended that the facility be immediately vacated by lessee. Further that all payments in the arrears be paid in accordance to the lease agreement. Finally, be it resolved that the Early Childhood Education Department be provided for use of the facility for the operation of Headstart programs to the Omak area. AS AMENDED: to extend lease for 90 days.	10 FOR (MH, DRM, JS, KR, JL, SC, CC, RS, GJ, MM) 0 AGAINST 0 ABSTAINED. RATIONALE: To expedite the transition, inspection, repair, advertisement of staff.
10 Signature: 2001-437.nat	To allow for emergency forwarding of the Dan Canyon Fire Burned Area Rehabilitation Plan as written and recommended by the CCT Burned Area Rehabilitation Team (B.A.R.T.) with concurrence of Colville Agency Superintendent, NRD Director, and other affected programs to Northwest Area office of Bureau of Indian Affairs for approval and funding.	10 FOR (DRM, DL, GJ, RS, JP, JS, CC, SC, JL, JJ) 0 AGAINST 0 ABSTAINED. RATIONALE: to efficiently activate the reimbursement costs of fire.
10 Signature: 2001-438.gov	To approve wake and burial benefits for Raymond Jamison DOB: 4/25/29 at Headley, BC. DOD: August 10, 2001, spouse of Faustine Edwards (enrolled member). They have four children enrolled: Wesley, Donna, Gail and Shelly Edwards.	10 FOR (JL, SC, JS, GJ, JP, CC, MM, DL, RS, DRM) 0 AGAINST 0 ABSTAINED. RATIONALE: None given.
10 Signature: 2001-439.nat	Because of extended high temperatures, along with low relative humidities and precipitation occurring throughout the Colville Reservation, the Industrial Fire Precaution Level (IFPL) is currently at a Level III (IFPL Levels attached). The ongoing fires, both locally and regionally, are adversely impacting the ability of Forestry and Fire Management to respond adequately to any additional fires because of the	10 FOR (CC, JL, DL, DRM, SC, JJ, JS, JP, RS, MM) 0 AGAINST 0 ABSTAINED. RATIONALE: None given.

	scarceness of available resources. It is the recommendation to temporarily shutdown all Burning Permits and both Free Use and Resale Wood permits until the Reservation Fire Danger returns to IFPL Level II.	
10 Signature: 2001-440.nat	Emergency Resolution CCT 2001-439, which temporarily shutdown all Burning Permits and Free Use/Resale Wood Permits, will be rescinded because the Industrial Fire Precaution Level has gone up to an IFPL Level 4 - General Shutdown (IFPL Levels attached). In addition, additional fires have started which are adversely impacting the ability of Forestry and Fire Management to respond adequately to these additional fires because of the scarceness of available resources. The potential for additional fire starts is extremely high, with weather forecasts indicating a continuation of current hot, dry conditions. It is the recommendation to rescind resolution 2001-439 and concur with the Forestry/Fire Management decision to go to the IFPL Level 4, and temporarily shutdown all woods operations until the Reservation Fire Danger returns to a IFPL Level 3.	10 FOR (CC, JL, DL, DRM, SC, GJ, JJ, JS, JP, KR) 0 AGAINST 0 ABSTAINED. RATIONALE: None given.
2001-441 thru 2001-453. Gov	Are all enrollments, adoptions, relinquishment. Please contact enrollment for any questions.	
2001-454.gov	To authorize Enrollment to send all necessary documentation to Tribal Prosecutor's Office for investigation and follow up for possible fraud. Allen has collected per capita's and 181-D payments from the Colville Tribes since September 5, 1996, when she relinquished her membership with the Colville Tribes in favor of enrollment with the Skokomish Tribe. Enrollment did not receive notice of the relinquishment until July 6, 2001.	7 FOR (JL, DL, MM, DRM, KR, JS, RS) 4 AGAINST (SC, MH, JJ, GJ) 0 ABSTAINED. MOTION CARRIED.
2001-455.l&j	Tribal Gaming Commission has determined that Francis X. Lamebull is qualified for the Director position; and CBC has approved that appointment; and that the Colville Business Council approve the attached contract, and authorize the Chairperson or designee to sign all contract related documents on the CBC's behalf.	9 FOR (SC, MH, JJ, DL, MM, DRM, KR, JS, RS) 2 AGAINST (JL, GJ) 0 ABSTAINED. MOTION CARRIED.
2001-456.m&b	To accept the bid of Ribail, Stauffer and Associates firm to provide audit services and special services "Internal Auditing" for CCT and CTEC for three years, with an option of an additional year based on performance and to authorize the chairperson or designate to sign the engagement letter. Effective September 2001. Expire 2004.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-457.m&b	To carry over Richard Hart contract unspent funds from FY2001 to be carried over to FY2002. No additional dollars necessary. Chair authorized to sign all documents necessary.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-458.m&b	that (1) the FY2001 budget for the Litigation Fund,	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR,

	cost center 587.63210, be modified with a new appropriation of \$30,000.00, (2) such funds be allocated to support a contract to be developed with Gordon T.C. Taylor, Ph.D., of Taylor Economic Research, for the performance of the Phase I initial economic analysis of the impacts of Wells Dam on the rights and interests of the Colville Tribes (as set forth in the attached letter from Mr. Taylor of July 24, 2001), with the understanding that an additional budget would be submitted for Phase II work that would include preparation of a document suitable for submission to the Federal Energy Regulatory Commission (FERC) or other agencies or tribunal in support of tribal claims for compensation, (3) the contract with Mr. Taylor be concluded as promptly as possible, (4) funds appropriated hereunder which are not expended during the balance of FY2001 shall be carried over to FY2002 to support Mr. Taylor's continued work hereunder. Funds to come from General Fund Reserve, adjust budget accordingly.	JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-459.nat	To approve Alternative A (Proposed Action) as developed by the PPP Team including the harvest of approximately 28.8 million board feet of timber and the treatment of approximately 3,719 acres of forest land to improve the forest health. Chairperson or her designee has authority to sign all documents.	10 FOR (SC, MH, JJ, GJ, JL, MM, DRM, KR, JS, RS) 1 AGAINST (DL) 0 ABSTAINED. MOTION CARRIED.
2001-460.nat	To approve the addition of the roadless area within the Sleepy Hollow project the recommended Sleepy Hollow Project Alternative A. Chairperson or designee has the authority to sign all documents.	9 FOR (MH, JJ, GJ, JL, MM, DRM, KR, JS, RS) 1 AGAINST (DL) 0 ABSTAINED (SC - out of room). MOTION CARRIED.
2001-461.nat	The consideration for the use of these roads by Boise Cascade Corporation, shall be waived in consideration for reciprocal use of roads on the fee property belonging to Boise Cascade Corporation granted to the Bureau of Indian Affairs and Colville Confederated Tribes forestry personnel. The Natural Resource Committee recommends that Boise Cascade Corporation be granted a Revocable Road Use Permit to use existing Tribal roads to haul logs from CBC lands in the Sleepy Hollow area. The Permit shall commence and be operative for a period of five (5) years from the date of approval.	10 FOR (SC, MH, JJ, GJ, JL, MM, DRM, KR, JS, RS) 1 AGAINST (DL) 0 ABSTAINED. MOTION CARRIED.
2001-462.nat	To select the Integrated Alternative for the Cache Creek Project. The project encompasses approximately 10,700 acres, which 2470 acres are scheduled for treatment this entry. The recommended alternative emphasizes generating approximately 2 million dollars in stumpage revenue while minimizing risk to natural and cultural resources. This alternative calls for 63% regeneration cuts (shelterwood & regeneration with reserve trees) and 37% intermediate cuts (sanitation and commercial thins). Chairperson or designee has authority to sign all pertinent documents.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-463.nat	To select Alternative 1 for the Deadhorse Project. The project encompasses 12,870 acres of which 1,328	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION

	acres are scheduled for treatment of this entry. The recommended alternative emphasizes extracting approximately 7.9 million board feet while minimizing risk to natural and cultural resources. This alternative calls for 53% regeneration cuts (seedtree/overstory removal, shelterwood, seedtree, and regeneration reserve tree) and 47% of other treatments (UA, overstory removal, commercial thin). Chairperson or designee has authority to sign all pertinent documents.	CARRIED.
2001-464.nat	Approve the request of Sharey Cleveland, tribal member, to modify existing homesite lease #96-98 on a portion of Tribal Fee (Former Rushton) to add an additional 2.50 acres per Tribal Resolution 1998-521, dated July 2, 1998 to restore the maximum acreage for sale to tribal members to 5.00 acres. Affirm the motion that all members that received 2.50 acres, that this is retroactive, and they receive 5.00 acres. Description: a formal survey of the 5.00 acres will be done upon approval. Rental: \$83.32 per month all rentals are current. Term: 25 years beginning 01/01/96 to 12/31/2020.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-465.nat	To assign the assets of Barney Miller Short Plat No. 98-011 Lot 1, 2, and 3 to CTEC to utilize in conjunction with Barney's Junction Restaurant.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-466.nat	To approve the attached FY2001 Archery Elk Season.	8 FOR (JJ, GJ, JL, DL, MM, KR, JS, RS) 3 AGAINST (SC, MH, DRM) 0 ABSTAINED. MOTION CARRIED.
2001-467.nat	To approve the attached FY2001/2002 Non-Member Hunting Season.	10 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS) 1 AGAINST (RS) 0 ABSTAINED. MOTION CARRIED.
2001-468.l&j	To authorize the Legal Office and the Office of the Reservation Attorney to seek assistance from and possibly collaborate with Columbia Legal Services' Native American Project in pursuing claims to protect the rights of incarcerated Colville Tribal Members to trust income, including per capita and Grand Coulee Dam Settlement funds.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-469.com	To delegate John F. Stensgar to represent the Tribes on the Economic Committee for development of the Economic Development Plan for the Lake Chelan area.	10 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, RS) 0 AGAINST 1 ABSTAINED (JS). MOTION CARRIED.
2001-470.com	To approve the Memorandum of Agreement of FY2001 of IHS and authorize the Chairperson or designee to sign all relevant documents.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-471.com	To request the National Park Service to grant an extension to the end of the calendar year, December 31, 2001, to review, update, and resubmit the Business Plan to them, and authorize the Chairperson, or designee, to sign all related documents to this project.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
	To support the Business Plan's action to develop a	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR,

2001-472.com	new policy to open all services of the proposed new Keller Health Care Clinic to the public, with equal access in the delivery of health care.	JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-473.com	To support the Business Plan's action to develop a new policy to open all services of the proposed new Inchelium Health Care Clinic to the public, with equal access in the delivery of health care.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-474.com	To amend resolution #2001-360 to include that all interest earned to date be equally distributed to each of the three health facilities account.	10 FOR (MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 1 AGAINST (SC) 0 ABSTAINED. MOTION CARRIED.
2001-475.com	That Lester Herman be appointed to the vacant Keller District Tribal Member seat on the Colville Tribes Land Use Review Board. Mr. Herman has been a rancher in the Keller District for many years and a past Colville Business Council person. This board position was vacated in July 2001 and advertised in the Colville Statesman, Wilbur Register, Republic News Miner, and Tribal Tribune, Lester's was the only letter of interest received. This board member will serve the remainder of a three year term seat which will end up on December 11, 2001. Lester's appointment was approved by unanimous vote during August 2, 2001 Land Use Review Board hearing. This recommendation will rescind resolution #1997-194.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-476.com	That Nicholee Bradbury be appointed the vacant non member Ferry County seat on the Colville Tribes Land Use Review Board. She has been a Ferry County resident for the past six years making her home in Inchelium and creating an architecture business. This board position was vacated in November 2000 and through numerous advertisements in the Colville Statesman, Wilbur Register, Republic News Miner, and Tribal Tribune, Nicholee was the only letter of interest received. This board member will serve the remainder of a three year term seat which will end on December 11, 2003. Nicholee's appointment was approved by unanimous vote during August 2, 2001 Land Use Review Board hearing. This recommendation will rescind resolution #1999-628.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-477.gov	To rescind resolution 1999-742 which appointed Lou Stone as the Alternate Official Voting Colville Confederated Tribes delegate to serve as liaison with the Sinixt Nation of Winlaw, B.C., Canada, and appoint Kevin Rosenbaum as the Alternate official voting CCT delegate to serve as liaison with the Sinixt nation of Winlaw, B.C., Canada.	9 FOR (SC, MH, JJ, GJ, JL, MM, DRM, JS, RS) 0 AGAINST 1 ABSTAINED (KR) (DL - out of room). MOTION CARRIED.
2001-478.hum	To accept the FY2002 Food Distribution Program grant proposal in the estimated amount of \$182,635.00 (USDA - \$143,695; Tribal Match - \$29,690; In-kind \$9,250) and to authorize the Colville Business Council Tribal Chairperson or her designee to sign the proposal.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.

2001-479.hum	To accept the FY2002 Low Income Home Energy Assistance (LIHEAP) grant proposal in the estimated amount of \$235,939.00 and to authorize the Colville Business Council Tribal Chairperson or her designee to sign the proposal.	11 FOR (SC, MH, JJ, GJ, JL, DL, MM, DRM, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
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