

# COLVILLE CONFEDERATED TRIBES

## COLVILLE BUSINESS COUNCIL

### Resolution Index

Condensed by Darla Carden, CBC Recording Secretary

### ***REGULAR SESSION on October 11, 2001***

Council Members Present: Shirley Charley, Jeanne Jerred, Gene Joseph, Joanne Leith, Mike Marchand, DR Michel, Joe Pakootas, Kevin Rosenbaum.

Delegation/Absent: Louella Anderson, delegation; Colleen Cawston, delegation; Margie Hutchinson, leave; Deb Louie, delegation; John Stensgar, delegation; Richard Swan, delegation.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>10 Signature:</b> 2001-558.m&b	To waive the Donations Committee policy and authorize a contribution of \$20,000 and seek a match from CTEC to this amount for NCAI.	10 FOR (KR, JP, JL, JS, MH, LA, DRM, GJ, MM, CC) 0 AGAINST 0 ABSTAINED. Rationale: Assure contribution is in FY2001.
<b>10 Signature:</b> 2001-559.e&e .hum	To approve the EEOC request for information (RFI) Contract No. 1/5010/0086 in the amount of \$25,000 with no matching dollars. This contract is in agreement with the CCT TERO and EEOC. This contract is intended to provide continued development of Indigenous capacity to enhance the employment opportunities of Indians and to identify, remedy and eliminate unlawful employment discrimination occurring on or near the Colville Indian Reservation by supporting the work of a TERO. Further, that the Chairperson or designee is authorized to sign all related documents. Effective dates October 1, 2001 to September 30, 2002.	10 FOR (MH, DRM, JL, KR, JS, LA, MM, GJ, JP, CC) 0 AGAINST 0 ABSTAINED.  Rationale: Has to be mailed to DC, was due 26th calling to extend to Monday 10-1-01.
<b>10 Signature:</b> 2001-560.gov	To approve the request for Burial Benefits/Wake Grant for non-member spouse, Dorothy Lambert, who passed away September 25, 2001, wife of Frank Lambert, Enrollment #1375. Frank and Dorothy resided on the Colville Reservation for the majority of their lives.	10 FOR (JL, LA, JJ, GJ, MM, MH, KR, JP, JS, CC, DL) 0 AGAINST 0 ABSTAINED.  Rationale: No Special until October 11, 2001.
<b>10 Signature:</b> 2001-561.gov	To provide assistance for the burial benefits and wake grant for Kenneth Gourneau DOD 9-22-01, father of enrolled members Alene Clayton and Spokane Garry Gourneau. His burial will be 9-27-01.	10 FOR (GJ, JP, MH, JS, JL, LA, KR, MM, DL, SC) 0 AGAINST 0 ABSTAINED.  Rationale: Funeral Services scheduled 9-27-01.
<b>10 Signature:</b> 2001-562.gov	To authorize burial and wake benefits for Chester Poulson, spouse of enrolled member Laura Poulson, enrollment #1292, father of enrolled members Elizabeth and Megan Poulson.	10 FOR (JL, JP, CC, KR, LA, JS, MM, MH, DL, SC) 0 AGAINST 0 ABSTAINED.  Rationale: Funeral Services scheduled 9-29-01.
<b>10 Signature:</b> 2001-563.l&j	During the conversion of Title 13 to Chapter 5-1, paragraph (2) from section 13.7.06 was inadvertently	11 FOR (KR, JS, JL, LA, JJ, DRM, MM, MH, GJ, JP, CC) 0 AGAINST 0 ABSTAINED.

	omitted. The Law & Justice Committee recommends the repeal of CTC 5-1-224 as currently enacted and replace section 5-1-224 with language originally used in Title 13, section 13.7.06 to include paragraph (2).	Rationale: That the above mentioned information to correct the apparent transcriptional error is being made based on the attached document.
<b>AMENDING 2001-125.CUL</b>	Culture Committee has been provided the most recent culture survey for MA-8 which is dated 1987 and, it has been identified that there is a need for a current culture survey and, to amend to allow for a cultural survey for the MA-8 site.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
<b>AMENDING 2001-551.NAT</b>	To approve the purchase of Phillip Joy Estate's 21,051.20 fee acres at the negotiated price of \$5,742,558.00. The property is described on Attachment "A". This purchase will be paid out of the General Fund. The Branch of Fish & Wildlife will reimburse the General Fund in the amount of \$3,044,148.00 as Wildlife Habitat Monies become available, over next three fiscal years. 11,856.62 acres will be designated as a Wildlife Conservation Easement and be purchased directly into trust status. The remaining 9,194.58 acres will be converted into trust after the purchase.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-564.com .m&b	To submit the attached grant application to the First Nations Institute in the amount of \$50,000.00. These funds will be utilized to complete a Feasibility Study, including plans for Definition Needs, Strategic Partnership, Business and Operations Plan and a Revenue Plan & Forecasts which will be contracted to a qualified firm(s) for the Tribal Community Technology Plan. Chairperson or designee has authority to sign all documents pertaining to this grant application.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-565.com .m&b	To submit the attached grant application to the Seventh Generation Fund in the amount of \$10,000.00. These funds will be utilized to complete the Itemized Schedule for the Plan and the Capitalization Plan. Chairperson or designee has authority to sign all documents pertaining to this grant application.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-566.hum	To approve the amended Indian Nation Intergovernmental work order #21729 in the amount of \$115,152.48 for the CRC Bed Contract for Chiliwist and Serenity from 7-1-01 through 12-31-01, contingent on acceptable language change to this amendment by the DSHS Contract Officer and the mutual approval of the language changes by the CCT. Authorize the Chair or designee to sign the necessary documents.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-567.hum	To approve the amended Indian Nation Intergovernmental work order #15910 in the amount of \$54,696.00 for the Interim Bed Contract for Chiliwist and Serenity from 7-1-01 through 12-31-01, contingent on acceptable language change to this amendment by the DSHS Contract Officer and the mutual approval of the language changes by the CCT.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.

	Authorize the Chair or designee to sign the necessary documents.	
2001-568.hum	To approve the amended Indian Nation Intergovernmental work order #23858 for the Behavioral Rehabilitation Contract for Yellowcloud from 7-1-01 through 12-31-01, contingent on acceptable language change to this amendment by the DSHS Contract Officer and the mutual approval of the language changes by the CCT. Authorize the Chair or designee to sign the necessary documents.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-569.hum	To approve Distribution Plans for the minor "P" accounts for the annual BPA payments for the following reasons: 1. The half shares of the annual payment to the custodial parent. 2. High School Senior expenses. 3. Minors who are not 18 years old, but who graduated or received their GED. The BIA will not release the first payment (\$5,989.17) and all the interest earned until the individual has reached 18 years of age or is scheduled to graduate from high school, whichever is later in accordance with public law 103-486 passed on 11/2/94. All IIM accounts established by the BIA for minors will be supervised by the BIA. There will be no retroactive ½ share payments released. The ½ share will be released on an annual basis only.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-570.hum	To approve the Upper Columbia Health Coalitions appointment of Myra Aubertin as Chairperson of said committee.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-571.hum	To formally recognize the Upper Columbia Coalition as an entity of the CCT. To allow the Coalition to develop a Comprehensive Emergency Management Plan for the Colville Indian Reservation, this will compliment Tribal, Federal, and State entities. Approve attached Mission Statement, Goals and Strategies.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-572.com	The ATNI are representative of and advocates for national, regional, and specific Tribal concerns; and the ATNI Indians is a regional organization comprised of American Indians in the states of WA, ID, OR, MT, Northern CA, and Alaska; and the health, safety, welfare, education, economic and employment opportunity and preservation of cultural and natural resources are primary goals and objectives of ATNI; and in 1993, ATNI completed an assessment of tourism opportunities in Northwest Indian Country; and, this assessment found substantial interest by Tribes and Tribal members in development culturally appropriate tourism programs; and culturally appropriate tourism can have a substantial positive impact on economic development in Northwest Indian Country; and tourism economic development opportunities were a priority identified by Tribes at their Tribal Economic Summit, and through the Washington State Tribal Economic Vitality Initiative (TEVII); and the "One Washington"	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.

	<p>tourism development campaign in Washington State is an example of collaboration between Tribes and State agencies on Tourism development efforts; and the Washington Community Economic Revitalization Team (WA-CERT) formed a cooperative agreement to provide staff with technical assistance to Tribes to implement TEVI and is an example collaborative between Tribes and federal and state agencies and governments; and Tribes in Oregon, in partnership with the Oregon State Dept. of Tourism, produced an Indian Country tourism brochure, and participated in other tourism development and promotion efforts; and Tribes interested in developing their tourism resources, could benefit from a Tribal tourism assessment process along with regional and state-wide strategies based on individual Tribes tourism priorities; and the ATNI Tourism Sub-Committee, chaired by Walter Jackson, Quileutte Tribe, continues to facilitate regional Tribal meetings on tourism development issues, and Donna Wilkie, Makah Tribe, has been appointed as the Tribal representative to the Washington State Tourism Board; and that the Colville Tribes support the implementation of a region-wide tourism development process in Northwest Indian Country.</p>	
2001-573.com	<p>To request a modification to extend the Transportation Study Contract No. CTP03T10141 for a period of one year to September 30, 2002, with all terms and conditions of the contract to remain the same. Chairperson or designee is authorized to sign the contract documents.</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>
2001-574.m&b	<p>To approve the Indian Tribes coverage for State Unemployment tax rate for all tribal entities and enterprises under the taxable method effective retro-active to the States offer to apply as of Jan. 1, 2001.</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>
2001-575.m&b	<p>To approve amendment #4 to the White Noise Productions Contract, including the attached three page Exhibit A, not to exceed \$25,477.00. Authorize the Chair or designee to sign all related documents.</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>
2001-576.m&b	<p>To approve Payroll Check release for ALL tribal employee's to Thursday's beginning 10-25-01 beginning at 11:00 a.m.</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>
2001-577.m&b	<p>To approve the implementation of a \$65,000 individual stoploss, replacing the \$50,000, to the CCT group medical plan, in order to accommodate a no change in budgeted funding for the fiscal year ending 9-30-02. This change will not expose the plan to adverse financial risk based upon current revenue funding and claims, as per attached documents.</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>
2001-578.nat	<p>The CBC enact a resolution approving, and authorizing and directing the CBC Chair or designee to execute on behalf of CCT, the attached MOA among various Natural Resources Trustees (including CCT) and the US EPA regarding CERCLA response</p>	<p>7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.</p>

	activities at the Midnite Mine Superfund site, with the understanding that no tribal dollars are required, and subject to the provision that the Tribes' delegate to the Trustee Council established under the MOA must consult with the CBC prior to voting on initiation of a damages recovery action by the Trustee Council, and further recommends that Patti Stone shall be the Tribes' primary voting delegate, and Gary Passmore the alternate, to the Trustee Council established under the MOA and outside counsel Connie Sue Martin shall be the Tribes' non-voting legal/consultative delegate.	
2001-579.nat	Add \$77,600 to Hazardous Substances Account 422 to deal with Air Quality/emissions issues arising from CTEC purchase of "QVL Mill." Money appropriated by CTEC Board CTEC 01-30 resolution.	6 FOR (SC, JJ, JL, MM, DRM, KR) 1 AGAINST (GJ) 0 ABSTAINED. Motion carried.
2001-580.nat	To participate and attend the Intertribal Monitoring Association on Indian Trust Funds (ITMA) on October 25-26, 2001. Mike Marchand to attend as CBC voting delegate with Jeanne Jerred as alternate.	5 FOR (SC, GJ, JL, DRM, KR) 0 AGAINST 2 ABSTAINED (JJ, MM). Motion carried.
2001-581.nat	To recognize that each of the HUD unit contracts are established with land value, and whereas each Mutual Help and Occupancy Agreement contracts are separate from the Turnkey III home ownership and Whereas each contract specifies the land value, now therefore be it resolved that this value is the home buyers share for the Mutual Help and Occupancy Agreement land purchase.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-583.nat	For cultural restoration and economic value, the Nat. Res. Dept. Recommends to the CBC that ALL fire salvage logging operations that are under 10,000 acres be handled in a manner that expedites the Tribes objective in harvesting the fire-killed and fire-damage timber before extensive deterioration to log quality occurs. Quick action may also prevent a potential increase in insect populations which could affect future forest health conditions.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-584.nat	That the West Fork Logging Unit, Timber Contract #P03C14203003, be modified to extend the cut and pay date to September 30, 2002, and the contract expiration date to March 31, 2003. Because of the severe wildland fire situation, Forestry was unable to act on the Purchaser's request for an extension in a timely manner.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-585.nat	To approve the Borderline Fire Complex Burned Area Rehab. Plan as written and recommended by the CCT BART so that additional rehab funding can be approved with concurrence of Colville Agency Superintendent, NRD Director and other affected programs.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-586.cul	To rescind resolution 1999-593 and 2000-536, and in order to proceed there needs to be a recognized committee to meet with the City of Omak and Omak	6 FOR (SC, GJ, JL, MM, DRM, KR) 1 AGAINST (JJ) 0 ABSTAINED. Motion carried.

	Stampede Committee and, the following will be the recognized committee in future meetings: Omak District CBC, Omak Stampede Indian Encampment delegates: Flodell Williams and Linda Saint. Owner's and Jockey's Association delegates: Eddie Timentwa and Ralph Moses. Stickgame delegate: Arkie Andrews and that by November 8, 2001 the delegates will bring a report to the Culture Committee. There is a need to have the Suicide Race Committee select their two representatives from the Owner's and Jockey's Association that are not competing in the 2002 Suicide Race, as this has been a conflict of interest when decisions are to be made during the race weekend of the Suicide Race.	
2001-587.cul	Approve the 2001-2002 Mr. CCT list for attendance at pow-wows and other Social Functions, should attend at a minimum, the following functions (list attached).	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-588.cul	To approve Research Permit #074, "History of the North Half and Ronald & Benjamin McDonald", submitted by Mary S. Warring, to conduct research in the Tribal Archives and interview by telephone, individual's who may have knowledge of the McDonald family. All material to be returned back to the Archives with an understanding of a one time use of materials.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-589.cul	To approve Albert Andrews/Redstarr research permit #73, "Perspectives of Chief Joseph Descendants on Wallowa Valley, the Nez Perce Homeland." Copy of research permit attached and that the CCT retains copyrights.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-590.gov	To approve the (RFP) Request for Proposal for the Lobbyist position for State of Washington legislative activities.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-591.l&j .m&b	To approve a reward for information leading to the arrest and conviction of the individual or individuals responsible for the disappearance of George Wayne Pooler and Edwin Oliver Pooler. Reward to be in the amount of \$3,000 each, funds for the reward to come from unspent tribal salaries. Further that this reward will be maintained until case solved.	6 FOR (SC, GJ, JJ, JL, MM, DRM) 0 AGAINST 1 ABSTAINED (KR). Motion carried.
2001-592.l&j .m&b	That the CBC approve the attached FY2002 attorney contract for Attorney Wayne Svaren in the amount of \$25,000.00, to be funded from tribal funds allocated to cost center 587 (the Litigation fund), with a scope of work to include representation of the Tribes' Enrollment Dept. in blood degree and related enrollment cases in Tribal Court, subject to the existing limitation of 80% of one-twelfth of the FY2001 budget; and that CBC Chair or her designee be authorized and directed to execute this contract on behalf of the CCT.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.
2001-593.l&j	The FY2001 Budget for the contract with Bruce	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0

.m&b	Greene, Meyer & McElroy was intended to also fund payments to John Cargnello of TST Inc. And to approve of the attached contract amendment #3 for the Greene, Meyer, McElroy contract and authorize the Chair or her designee to sign same on the CBC's behalf. Funds to come from unexpended FY2001 ORA salaries.	AGAINST 0 ABSTAINED. Motion carried.
2001-594.l&j .m&b	The Court finds itself with a shortfall of \$11,769.35 FY2001 in professional fees paid to Attorneys, Guardian Ad Litem and Pro-Tem Judges. Committee recommends necessary funding to complete the fiscal year to come from the unfilled Associate Judge position funds and combined with collection of fines and fees appropriated to the Tribal Court for FY2002.	7 FOR (SC, GJ, JJ, JL, MM, DRM, KR) 0 AGAINST 0 ABSTAINED. Motion carried.