



# COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

February 24, 2012

## Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Ernie Williams, Ferdinand Louie, Michael Finley, Sylvia Peasley, Ricky Gabriel, Brian Nissen, Cherie Moomaw, Luana Boyd-Rowley, Ernest Brooks III, Harvey Moses Jr., Doug Seymour, Richard Swan Sr., and Darlene Zacherle.

Delegation/Absent: Andy Joseph Jr.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>10-Signature 2012-59.e&amp;e</b>	To approve the CCT Head Start Programs "School Readiness Project" grant application from the Department of Education. The total amount of the grant application is \$1.2 million over a 48 month period. No tribal dollars required. The Chair or his designee may sign all pertinent documents pertaining to the grant application.	<b>11 FOR (DZ, CM, SP, HM, BN, LR, EW, RS, MF, EB, AJ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>  <b>*Rationale: Timelines; Due February 21, 2012</b>
<b>2012-60.nat</b>	To approve (1) the attached settlement agreement between CCT and WDFW in Colville v. Anderson; (2) dismiss Colville v. Anderson without prejudice; (3) rescind Resolution 2011-168; and (4) approve the attached protocol requiring WDFW officers in engaged in natural resource enforcement activities on the Reservation to provide CCT dispatch with notice that is reasonably calculated to allow CCT enforcement to compile an annual report of its natural resource enforcement warnings, citations, and prosecutions against non-members on the Reservation. Chairman or designee shall have authority to sign all pertinent documents to implement this recommendation. No tribal dollars attached.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2012-61.l&amp;j/m&amp;b/nat</b>	To approve the Joint Stipulation of Settlement and authorize execution of same on the Colville Tribes' behalf by the Tribes' legal counsel. Legal counsel is authorized to make any necessary non-substantive changes to effectuate filing. Chairman or designee has authority to sign all pertinent documents.	<b>11 FOR</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>10-Signature 2012-62.tg/m&amp;b</b>	To approve the 2012 181-D Annual BPA Settlement disbursement from account PL7219709 in the amount of \$2,170.00 to each eligible tribal member of the	<b>10 FOR (RG, DS, HM, EB, MF, BN, FL, LR, EW, DZ)</b>  <b>0 AGAINST</b>

	<p>Confederated Tribes of the Colville Reservation and to include pending cases: #012-048; #012-049; #012-50 to be distributed on or before March 26, 2012. Half share request deadline is March 8, 2012. The following holds are approved for deposit into the tribal members IIM account:</p> <ol style="list-style-type: none"> <li>1. Children &amp; Family Services- Court Orders and voluntary consent for minors and court declared incompetent adults.</li> <li>2. Social Services (Regular) - Court Orders and voluntary consent for minors and court declared incompetent adults.</li> <li>3. IIM (OST) - Court Orders and voluntary consent for minors and court declared incompetent adults.</li> </ol>	<p><b>0 ABSTAINED</b></p> <p><b>*Rationale: Timelines</b></p>
<b>2012-63.nat</b>	<p>To Rescind Resolution No.: 2010-844, dated December 2, 2010 for Vance Cleveland home site lease. Mr. Cleveland did not sign his home site lease for approval and the property has not been utilized. Mr. Cleveland has a pending land exchange with Acquisitions and Disposals. The property is described as:</p> <p>The N1/2NW1/4NE1/4NW1/4 of Section 25, Township 31 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 5.00 acres, more or less.</p> <p>Chairman or Designee has authority to sign all pertinent documents.</p>	<p><b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b></p> <p><b>0 AGAINST</b></p> <p><b>0 ABSTAINED</b></p>
<b>2012-64.nat</b>	<p>To approve a Pasture Lease No. 11-63 to Harold Charley, Tribal Member, for Tribal Tract No. 101-T5415 (por) described as:</p> <p>7.50 acres within a portion in the S1/2S1/2SE1/4SW1/4 lying South of State Highway 155 in Section 9, and the W1/2NE1/4NW1/4NW1/4 in Section 16, all in Township 33 North, Range 28 East, Willamette Meridian, Okanogan County, Washington</p> <p>Term: 5 years Year Pasture Lease from date of approval.</p> <p>Compensation: \$147.00 per annum, subject to Fair Market Rental every 5 years.</p> <p>Chairman or Designee has authority to sign all pertinent</p>	<p><b>11 FOR (EB, DZ, EW, FL, SP, RG, BN, CM, LR, DS, RS)</b></p> <p><b>1 AGAINST (HM)</b></p> <p><b>0 ABSTAINED</b></p>

	documents.	
<b>2012-65.nat</b>	To approve the following sub-contract for Leading Edge Aviation, LLC in the amount of \$35,000 and dates are 02/01/12 thru 03/15/12 and authorize the Chairman or his/her designee is authorized to sign contract and all or any related documents Attached is the original sub-contract & SOW.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-66.nat</b>	To approve the following contract for 315812 M&E Okanogan Basin in the amount of \$2,557,926.00 and dates are March 1, 2012 thru February 28, 2014 (2 year contract) and authorize the Chairman or his/her designee is authorized to sign contract and all or any related documents. Attached is the original contract & SOW. No tribal dollars associated.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-67.nat</b>	To approve the following sub-contract change order for Aspect Consulting date extension to April 30, 2012, dollar value remain the same and authorize the Chairman or his/her designee is authorized to sign contract and all or any related documents. Attach is the original sub-contract and SOW.  Amended contract amount: \$167,266.00	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-68.nat</b>	To rescind Tribal Resolution 2012-17 and to approve the Branch of Realty to proceed with the land exchange of equal value where Mike Marcellay wishes to exchange his undivided interest in Colville Allotment 151-MA-8 Tribal Tracts 101-T3242 (66.30 acres, m/l), 101-T3436 (26.10 acres, m/l), and 101-T3506 (48.82 acres, m/l).  See attachment for legal descriptions:  Upon approval, the Branch of Realty will request Office of Special Trustee (OST) Appraisals for all trust properties. Once they are in receipt of the appraisals, this transaction will be brought back to the Natural Resource Committee for approval to finalize this transaction.	11 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)  0 AGAINST  0 ABSTAINED  **OUT OF THE ROOM (FL)
<b>2012-69.cul</b>	To approve Research Permit Application #2012-02/ Whitney Fraser and Doctors studying Chrohn's Disease and Ulcerative Colitis (collectively known as Inflammatory Bowel Disease or IBD) have identified as unusual cluster of the disease in Northport, WA. The Colville Reservation is the location of study, with potential emphasis on Inchelium, WA. Colville Confederated Tribes will maintain all copy rights. A copy of the study will be given to Colville	11 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)  0 AGAINST  0 ABSTAINED  *OUT OF THE ROOM (FL)

	Confederated Tribes Archives & Records. Failure to comply with the Research Ordinance will result in Colville Tribal Court.	
<b>2012-70.tg</b>	To grant Dakota Eugene Beach membership in the Colville Confederated Tribes, by Adoption.	<b>10 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b> <b>*OUT OF THE ROOM (FL and EW)</b>
<b>2012-71.tg</b>	To grant Julius Terrence RaJon Ervin membership in the Colville Confederated Tribes, by Adoption.	<b>11 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b> <b>*OUT OF THE ROOM (FL)</b>
<b>2012-72.tg</b>	To grant Silver Stone Three Irons membership in the Colville Confederated Tribes, by Adoption.	<b>10 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b> <b>*OUT OF THE ROOM (FL and EW)</b>
<b>2012-73.tg</b>	To grant Kallianne Marie Cate membership in the Colville Confederated Tribes, by Adoption.	<b>11 FOR (EB, DZ, EW, SP, RG, BN, CM, LR, HM, DS, RS)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b> <b>*OUT OF THE ROOM (FL)</b>
<b>2012-74.tg</b>	To allow Enrollment Department to make an exception to Resolution #2003-052 and approve a Fire Grant to Twila Desautel in the amount of \$1,000. Extensive smoke and water damage to home. Occupants unable to reside at residence.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2012-75.l&amp;j</b>	To recognize that Life, Safety, and property damage reduction is a key for the tribes, all Tribal employees that are certified and approved on-call and volunteer first responders outside of the Public Safety Division, be allowed to respond to emergencies as needed during regular business hours. As long as it does not interfere with their regular job duties and it is approved by their supervisor. Employees will be allowed to take leave without pay from their regular programs and be paid by the program requesting their response.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2012-76.l&amp;j</b>	To (upon motion thru Colville Tribal Court from an enrolled member of a federally recognized tribe). Direct the Colville Tribal Court to evaluate, accept when appropriate, and direct incarceration in the Colville Tribal Facility through a Colville Tribal Court order. Convictions/charges that will not be considered: sex offenses, crimes of violence, drug related (manufacture/cultivate/deliver), or any crime which is	<b>8 FOR (EB, DZ, EW, FL, RG, BN, LR, RS)</b> <b>4 AGAINST (SP, CM, HM, DS)</b> <b>0 ABSTAINED</b>

	covered by the major crimes act. Offender must be sentenced for less than one year.	
<b>2012-77.I&amp;j</b>	To approve the Colville Tribes Corrections Facility Administrator, the authority to grant additional goodtime credit to those inmate workers (trustees) that quality, and have conducted special work details for nonprofit Colville Tribal programs.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-78.I&amp;j</b>	To approve Margo Hill for a three-year appointment for Gaming Commissioner.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-79.I&amp;j</b>	To enact the amendments for Chapter 7-1, Governmental Corporations as proposed. Chapter 7-1 has been processed utilizing CBC Procedural Rule 3 (b), (e), (f) and (g) and is in the final stage. Once approved, a copy shall be forwarded to the Code Reviser for certifications and distributions. No comments have been received for consideration in the code amendment process.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-80.I&amp;j</b>	To enact the amendments for Chapter 2-5, Debt Set-off as proposed. Received one comment and it has been incorporated into the amendments. Chapter 2-5 has been processed utilizing CBC Procedural Rule 3 (b), (e), (f), and (g) and is in the final stage. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-81.I&amp;j</b>	To enact the amendments for Chapter 6-5, Gaming as proposed. Chapter 6-5 has been processed utilizing CBC Procedural Rule 3 (b), (e), (f), and (g) and is in the final stage. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution. No comments have been received for consideration in the code amendment process.	11 FOR (EB, DZ, EW, FL, SP, RG, BN, LR, HM, DS, RS)  1 AGAINST (CM)  0 ABSTAINED
<b>2012-82.I&amp;j</b>	To enact the amendments for Chapter 3-1, Criminal Code as proposed. Chapter 3-1 has been processed utilizing CBC Procedural Rule 3 (b), (e), (f), and (g) and is in the final stage. Once approved, a copy shall be forwarded to the Code Reviser for certification and distribution. No comments have been received for consideration in the code amendment process.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-83.I&amp;j</b>	This Modification is entered into pursuant to Section XVIII to change the billing rate of the contract. Contract cost remains unchanged, and the amount has been budgeted by the Colville Business Council in its FY 2012 Budget; no new dollars required. Chair or designee to sign all documents.	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)  0 AGAINST  0 ABSTAINED
<b>2012-84.I&amp;j</b>	To authorize the Office of Public Safety to research the	12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)

	creation of a Colville Tribal 8 (a) corporation that will have the ability to successfully compete for security and public safety related contracts such as those at Chief Joseph and Grand Coulee Dam, in addition to any other Department of Defense (DOD), Department of Homeland Security (DHS), or any other governmental entities with contactable security/public safety related contract opportunities. As part of this recommendation, the committee authorizes the Public Safety Director and/or Chief of Police to enter into dialog with the Army Corps of Engineers (ACOE), and the DOYON Security company relating to security operations and contracting pertaining to the Chief Joseph and other related projects. As per this recommendation all matters concerning the development of a Tribal Security company shall be vetted through the Office of Reservation Attorney's and authorizes the Chair or designee to all necessary documents.	<b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2012-85.nat</b>	To approve the attached 2012/2013 Non-Member Sports Fishing Regulations.	<b>11 FOR (EB, DZ, EW, FL, SP, RG, BN, CM, LR, DS, RS)</b> <b>1 AGAINST (HM)</b> <b>0 ABSTAINED</b>
<b>2012-86.nat/m&amp;b</b>	To approve the attached budget modifications #5 to the 910811-F&W Administration Accord in the amount of \$142,744 bringing the new contract total to \$2,810,399 and authorize the Chairman and/ or designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	<b>9 FOR (EB, EW, FL, RG, BN, CM, LR, DS, RS)</b> <b>2 AGAINST (SP, HM)</b> <b>1 ABSTAINED (DZ)</b>
<b>2012-87.nat</b>	To approve the attached budge modifications #5 to the 312210 - Chief Joseph Hatchery Project in the amount of \$2,866,039 bringing the new contract total to \$9,191,905 and authorize the Chairman and/ or designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	<b>9 FOR (EB, EW, FL, RG, BN, CM, LR, DS, RS)</b> <b>2 AGAINST (SP, HM)</b> <b>1 ABSTAINED (DZ)</b>
<b>2012-88.nat</b>	To approve the attached sub-contract with Environ in the amount of \$144,000 and authorize the Chairman and/ or designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2012-89.nat</b>	To approve the attached sub-contract with Gantzer Water Resource Engineering, LLC in the amount of \$55,290 and authorize the Chairman and/ or designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>
<b>2012-90.nat</b>	To approve the attached sub-contract change order #3 to ICF Jones and Stokes for a No Cost Time Extension to April 3, 2012 and authorize the Chairman and/ or designee to sign contract and all or any related	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b> <b>0 AGAINST</b> <b>0 ABSTAINED</b>

	documents. Funded by BPA, no Tribal dollars.	
<b>2012-91.nat</b>	To authorize Chairman to sign a letter requesting EPA waive the tribal In-Kind match requirements for FY 2013 and following years Clean Water Act Section 106 and 319 grants.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>
<b>2012-92.nat</b>	The Chairman shall be authorized to sign a letter to EPA containing natural resource program comments relating to NEPA assessment of net pen operations on Lake Rufus Woods.	<b>12 FOR (EW, FL, SP, RG, BN, CM, LR, EB, HM, DS, RS, DZ)</b>  <b>0 AGAINST</b>  <b>0 ABSTAINED</b>