



COLVILLE CONFEDERATED TRIBES COLVILLE BUSINESS COUNCIL

March 29th, 2012

Resolution Index

Condensed by, Trisha Jack, CBC Recording Secretary

Council Members Present: Ferdinand Louie, Michael Finley, Sylvia Peasley, Ricky Gabriel, Brian Nissen, Luana Boyd-Rowley, Ernest Brooks III, Doug Seymour and Richard Swan Sr.

Delegation/Absent: Ernie Williams, Andy Joseph Jr., Cherie Moomaw, Harvey Moses Jr. and Darlene Zacherle

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
10-Signature 2012-140.hhs	To approve the use of the carry-over of \$563,768.00 for the Twin Lakes Youth Camp kitchen renovations.	10 FOR (AJ, BN, MF, RG, HM, DZ, CM, EB, RS, FL) 0 AGAINST 0 ABSTAINED *Rationale: Need repairs done as soon as possible for summer camp.
2012-141.ele	To approve the certification of Doug Seymour, Incumbent, as a Candidate for Position #1 in the Inchelium District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, RG, BN, LR, RS) 0 AGAINST 1 ABSTAINED (DS)
2012-142.ele	To approve the certification of Jim Boyd, as a Candidate for Position #1 in the Inchelium District for the 2012 Colville Business Council Election.	6 FOR (EB, FL, SP, RG, BN, RS) 0 AGAINST 2 ABSTAINED (LR and DS)
2012-143.ele	To approve the certification of David R. Finley, as a Candidate for Position #1 in the Inchelium District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, RG, BN, LR, DS) 0 AGAINST 2 ABSTAINED (MF and DS)
2012-144.ele	To approve the certification of Michael O. Finley, Incumbent, as a Candidate for Position #2 in the Inchelium District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (MF)
2012-145.ele	To approve the certification of Lou Stone, as a Candidate for Position #2 in the Inchelium District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 1 AGAINST (SP) 1 ABSTAINED (MF)
2012-146.ele	To approve the certification of Sylvia Tatshama Peasley, Incumbent, as a Candidate for Position #1 in the Keller District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (SP)
2012-147.ele	To approve the certification of Jack W. Ferguson, as a Candidate for Position #1 in the Keller District for the	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST

Special Session

March 29th, 2012

Trisha Jack, CBC Recording Secretary

	2012 Colville Business Council Election.	1 ABSTAINED (SP)
2012-148.ele	To approve the certification of Joseph L. Somday, as a Candidate for Position #1 in the Keller District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (SP)
2012-149.ele	To approve the certification of Vern F. Kheel, as a Candidate for Position #1 in the Keller District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (SP)
2012-150.ele	To approve the certification of Henry Stensgar, as a Candidate for Position #1 in the Keller District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (SP)
2012-151.ele	To approve the certification of Edie Van Slyke, as a Candidate for Position #1 in the Keller District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (SP)
2012-152.ele	To approve the certification of Harvey Moses, Jr., Incumbent, as a Candidate for Position #1 in the Nespelem District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 1 AGAINST (LR) 0 ABSTAINED
2012-153.ele	To approve the certification of Jonnie L. Bray, as a Candidate for Position #1 in the Nespelem District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-154.ele	To approve the certification of Milton "Jewie" Davis, Jr., as a Candidate for Position #1 in the Nespelem District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-155.ele	To approve the certification of William "Billy" Nicholson, II, as a Candidate for Position #1 in the Nespelem District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-156.ele	To approve the certification of Tum-chis-Lii-witt Mylan Williams, Sr., as a Candidate for Position #1 in the Nespelem District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-157.ele	To approve the certification of Ricky Gabriel, Incumbent, as a Candidate for Position #2 in the Nespelem District for the 2012 Colville Business Council Election.	6 FOR (EB, FL, SP, BN, DS, RS) 1 AGAINST (LR) 1 ABSTAINED (RG)
2012-158.ele	To approve the certification of Larry Holford, as a Candidate for Position #2 in the Nespelem District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (RG)
2012-159.ele	To approve the certification of Nancy C. Johnson, as a Candidate for Position #2 in the Nespelem District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (RG)
2012-160.ele	To approve the certification of Rita Seward-Martin, as a Candidate for Position #2 in the Nespelem District for	7 FOR (EB, FL, SP, BN, LR, DS, RS) 0 AGAINST

	the 2012 Colville Business Council Election.	1 ABSTAINED (RG)
2012-161.ele	To approve the certification of Patrick J. Tonasket, as a Candidate for Position #2 in the Nespelem District for the 2012 Colville Business Council Election.	7 FOR (EB, FL, SP, BN, LR, DS, RS) 0 AGAINST 1 ABSTAINED (RG)
2012-162.ele	To approve the certification of Aaron "Scarbo" Marchand, as a Candidate for Position #1 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-163.ele	To approve the certification of Nancy "Lynn" Palmanteer-Holder, as a Candidate for Position #1 in the Omak District for the 2012 Colville Business Council Election.	5 FOR (EB, FL, BN, LR, RS) 3 AGAINST (SP, RG, DS) 0 ABSTAINED
2012-164.ele	To approve the certification of Darryl W. Peterson, as a Candidate for Position #1 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-165.ele	To approve the certification of Ernie Williams, Incumbent, as a Candidate for Position #2 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-166.ele	To approve the certification of Shirley K. Charley, as a Candidate for Position #2 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-167.ele	To approve the certification of Anne F. Marchand, as a Candidate for Position #2 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-168.ele	To approve the certification of Ben E. Marchand, Jr., as a Candidate for Position #2 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-169.ele	To approve the certification of John Sirois, as a Candidate for Position #2 in the Omak District for the 2012 Colville Business Council Election.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-170.m&b	To waive the Donation Policy of \$300.00 per individual and approve and authorize the additional donation amount of \$1,121.00 to be paid from the Non-Annual Donation Budget for Jaylen Moses, enrolled Colville Tribal member, for travel expenses to attend American History Students trip to Washington DC.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-171.m&b	To waive the donation policy of \$300.00 per individual and approve and authorize the additional donation amount of \$2,200.00 to be paid from the Non-Annual Donation Budget for Brandin Smith, enrolled Colville Tribal Member, for travel expenses to attend American History Students trip to Washington DC and Yale University educational tour.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-172.m&b	To waive the donation policy of \$300.00 per individual	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)

	and approve and authorize the additional donation amount of \$3,000.00 to be paid from the Non-Annual Donation Budget for Chantel Heath, enrolled Colville Tribal member, for travel expenses to the Arizona Elite Tournament, Oregon NIKE All Star Showcase Basketball Tournament, Seattle MSNM National Basketball Tournament and San Diego All Star Showcase National Basketball tournament.	0 AGAINST 0 ABSTAINED
2012-173.m&b/nrc	To authorize payment of delinquent taxes, including interest and penalties due for years 2010 and 2011, and current taxes due for year 2012 on the Colville Indian Plywood and Veneer site. In the event any revenue monies are derived in the future from material scrapping, sale of inventory or by any other means, reimbursement of funds to Tribes general fund will occur immediately. Total amount not to exceed \$334,138.17 to be disbursed from the 550.69875 account and paid by March 30, 2012 otherwise additional interest and penalties to be recalculated. Chairman or designee to sign all pertinent documents and legal instruments.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-174.m&b	To approve funds in the amount of \$100,000.00 from the Wells Dam 1/3 Youth and Elder Account for the Emergency Assistance Program acct #291.69225, due that there is less \$5,000.00 remaining in the EA account. Chairperson or designee authorized to sign all documents.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
2012-175.m&b	To approve the budget modification for the Inchelium Community Center for \$27,870.00.	8 FOR (EB, FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED
FAILED 2012-176.m&b	Whereas, Workers Comp deductions were increased to all CIHA employees beginning 2011 PP #23 up to and including current pay period; amount of total deductions for employees @ \$3,404.61 and employer @ \$10,489.09 for a total of \$13,893.70; CIHA did not receive formal notice by resolution for this rate increase; CIHA is requesting reimbursement of \$13,893.70. No tribal funds involved. Chairman or designee is authorized to sign pertinent documents.	3 FOR (FL, RG, BN) 4 AGAINST (EB, SP, DS, RS) 0 ABSTAINED *Out of the Room (LR)
2012-177.m&b	To approve the 638 Contract for Administrative Services as attached. The contract includes an Annual Funding Agreement in the amount of \$36,055.00 and the Scope of Work will be determined annually as appropriations are available.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (LR)
2012-178.cdc	To direct ORA to research the steps needed to place CIHA under the direct authority of the Colville Confederated Tribes and to present findings and	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED

	proposal at the Community Development Committee held on April 10, 2012.	*Out of the Room (LR)
2012-179.cdc	To approve the Chairman or designee to sign the EPA Compliance Assistance Plan which will bring our open dumps (transfer stations) into compliance with FARR regulations within the next 5-10 years.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (LR)
2012-180.cdc	To approve the Housing Improvement Program (HIP) presented the Annual Performance Plan to the Portland Area Office (PAO) on December 31, 2011. The CDC is requesting to approve the attached Tribal Work Plan as our Housing Improvement Program Priority List for FY2011-2012 as determined by our HIP guidelines set forth under our 638 contract for HIP funds.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (LR)
2012-181.hhs	To approve the Community Directed Special Diabetes Program for Indians (SDPI) Continuation Application for the period of 6/01/12 to 5/31/13.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (LR)
2012-182.hhs	To support the Indian Health Service, Colville Service Unit, in applying for the Improving Patient Care (IPC-4). The Tribal Health Programs: the Diabetes Program, the Behavioral Health, Early Childhood Education Center (Headstart) Program, and the Area Agency on Aging Program collaboratively work together with the IHS, Colville Services Unit to improve "Patient Care" on the Colville Reservation.	7 FOR (EB, FL, SP, RG, BN, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (LR)
2012-183.tg	To approve the Rules Committee determination that under the Council's Code of Professional Responsibility, Chapter 1-8 of the Colville Tribal Code, section 1-8-30, that the attached complaint filed by Mabel Eagle Elk is not within the jurisdiction of the Rules Committee, under section 1-8-5, and that therefore the complaint is dismissed.	4 FOR (EB, FL, BN, RS) 2 AGAINST (RG and LR) 2 ABSTAINED (SP and DS)
2012-184.nrc	To approve to support enhancing WSU Colville Reservation Extension 4-H Family & Youth Program through the use of Office of Juvenile Justice and Delinquency Prevention Programs funds appropriated through WSU 4-H Foundation. No new dollars requested. Chairperson or designee authorized to sign all pertinent documents.	7 FOR (FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (EB)
2012-185.nrc	To approve continuation of Memorandum of Agreement between Washington State University and Colville Confederated Tribes, for funding of \$84,147.00 as outlined in Amendment 19 to Appendix A of MOA (attached). Dollars have already been budgeted, no new dollars requested. Chairperson or designee authorized to sign Amendment 19 to	7 FOR (FL, SP, RG, BN, LR, DS, RS) 0 AGAINST 0 ABSTAINED *Out of the Room (EB)

	Appendix A of existing MOA and all pertinent documents.	
2012-186.nrc/m&b	<p>To initiate a Business Lease of Tribal Tract No. 101-4325 (por) for the operation of Mount Tolman Fire Center and San Poil Forestry excluding the Helipad. Tribal Tract described as:</p> <p>101-T4325 (por): Buildings 1, 2, 3, 4, 5, 7, 8, 9, 10, 18, 19 and 20 within the Mt. Tolman Fire Center Complex excluding the MTFC Heli-Tac Pad, Section 12, Township 29 North, Range 32 East, Willamette Meridian, Ferry County, Washington.</p> <p>Term: Date of Approval for two (2) years.</p> <p>Compensation: \$10,000.00 per year - due within 30 days of the effective date and annually from that date forward.</p> <p>Chairperson or designee has the authority to sign all pertinent documents.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
FAILED 2012-187.nrc	<p>To approve grazing privileges for 50 animals on Range Units 40 (5,263 acres), for the remainder of the 5 year grazing permit cycle (2008-2012 grazing season). The livestock producer is currently in good standing with the Range Program. The grazing fees (\$8.50/AUM – Tribal, \$8.50/AUM – Allotment) that this permit will generate for the Tribe for FY 2012 grazing season will be approximately \$3,010.00 (May 1 – November 30). The permittee shall remain in compliance with the BMP's (Best Management Practices) set forth by the Range Program for the remainder of the 5-year grazing permit cycle. Failure to adhere to the BMP's may be subject to permit cancellation. Chair or designee is authorized to sign all pertinent documents.</p>	<p>2 FOR (BN and LR)</p> <p>6 AGAINST (SP, RS, FL, RG, DS, EB)</p> <p>0 ABSTAINED</p>
2012-188.nrc	<p>To approve the purchase of the Waite Nanpuya Allotment No. 101-178-A from the Moomaw Family at Fair Market Value of \$41,500.00 in which the property is described as follows:</p> <p>The E1/2SW1/4NW1/4 of Section 30, Township 32 North, Range 31 East, Willamette Meridian, Okanogan County, Washington, containing 20.00 acres, more or less.</p> <p>Funds will be disbursed from the pending \$5 million</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>dollar loan.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
2012-189.nrc	<p>To approve submittal of a competitive grant application to US EPA for wetland program development grant funding in the amount of \$93,103.00. It funds 1.0 FTE wetland specialist, wetland monitoring and assessment strategy development, and performance standards/evaluation methods development. Matching funds are all in-kind from the Tribes' BIA Water Management Account #1881. The Tribal Chairman or his designee is authorized to sign all relevant documents. No Tribal Dollars are required.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-190.nrc	<p>To accept Pacific Aquaculture Business Lease for Colville Tribal Tract No. 101-T4213 (por) described as:</p> <p>See attached legal description.</p> <p>Term: 10 Year Lease from July 1, 2012 to June 30, 2021 with option of renewal of 10 years with good standing.</p> <p>Compensation: \$2,000.00 per year</p> <p>Bond: \$2,000.00</p> <p>Entire term of lease will be subject to Fair Market Rental value. Leasing to request a Fair Market Rental Appraisal and rental will be adjusted according to the Lease Provision.</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-191.nrc	<p>To correct legal description on Resolution No. 2010-851 due to current Home site location (Special Requirements) was not cost effective for utilities and road access on Home site Lease No. 09-18 to Andrea Andrew, Tribal Member, for Tribal Tract No. 101-T4293 (por) the new legal description is described as:</p> <p>The W1/2N21/4SW1/4SE1/4 of Section 10, Township 29 North, Range 25 East, Willamette Meridian, Okanogan County, Washington, containing 5.00 acres, more or less.</p> <p>Term: 1/1/2011 to 12/31/2035; 25 years with option to</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>

	<p>renew for additional 25 years, upon good standing.</p> <p>Compensation: \$250.00 per annum</p> <p>Chairman or designee has authority to sign all pertinent documents.</p>	
2012-192.nrc	<p>To approve a Home Site Lease No. 11-19 to Alex Cate, Tribal Member, for Tribal Tract No. 101-T662 (por) described as:</p> <p>A 5.00 acre portion of the W1/2E1/2NW1/4 and the W1/2SE1/4NW1/4, lying South of State Highway 155 in Section 14, Township 33 North, Range 28 East, Willamette Meridian, Okanogan County, Washington.</p> <p>Term: 25 years, from date of approval, with the option to renew for additional 25 years, upon good standing.</p> <p>Compensation: \$350.00 per annum, subject to Fair Market Rental (Appraisal will be request after approval).</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-193.nrc	<p>To approve the attached sub-contract with Entrix in the amount of \$130,000.00 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-194.nrc	<p>To approve the attached Memorandum of Agreement with CCT Fish & Wildlife and Washington Water Power of Trout Unlimited and authorize the Chairman and/or his designee to sign agreement and all or any related documents. Funded by BPA, no Tribal dollars.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-195.nrc	<p>To approve the attached sub-contract Change Order #1 to Stephen Smith C10-388 approving a No Cost Time Extension to February 28, 2013 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-196.nrc	<p>To approve the attached sub-contract with USGS in the amount of \$34,730.00 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p> <p>0 AGAINST</p> <p>0 ABSTAINED</p>
2012-197.nrc	<p>To approve the attached sub-contract Change Order #1 to Ben C. Gerwick C11-247 approving a No Cost Time Extension to February 28, 2013 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.</p>	<p>7 FOR (EB, FL, RG, BN, LR, DS, RS)</p> <p>1 AGAINST (SP)</p> <p>0 ABSTAINED</p>
2012-198.nrc	<p>To approve the attached sub-contract with Associated</p>	<p>8 FOR (EB, FL, SP, RG, BN, LR, DS, RS)</p>

	Engineering (WH) Summit in the amount of \$104,321.00 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	0 AGAINST 0 ABSTAINED
2012-199.nrc	To approve the attached sub-contract Change Order #1 to D.J. Warren and Associates C10-339 approving a No Cost Time Extension to February 28, 2013 and authorize the Chairman and/or his designee to sign contract and all or any related documents. Funded by BPA, no Tribal dollars.	7 FOR (EB, FL, RG, BN, LR, DS, RS) 1 AGAINST (SP) 0 ABSTAINED