

# COLVILLE CONFEDERATED TRIBES

## COLVILLE BUSINESS COUNCIL

### Resolution Index

Condensed by Darla Carden, CBC Recording Secretary

### ***SPECIAL SESSION on September 6, 2001***

Council Members Present: Louella Anderson, Shirley Charley, Colleen Cawston, Margie Hutchinson, Jeanne Jerred, Gene Joseph, Joanne Leith, Deb Louie, DR Michel, Joe Pakootas, Kevin Rosenbaum, John Stensgar, Rich Swan

Delegation/Absent: Mike Marchand, delegation.

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>10 Signature: 2001-480.nat</b>	To allow incident Management Team 5 to take emergency fire suppression actions necessary to protect the natural resources in the Grizzly Mountain Wilderness Area.	10 FOR (JL, DL, DRM, SC, GJ, JJ, JS, JP, RS, KR) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature: 2001-481.l&amp;j</b>	To authorize the Chairperson or her designee to sign the contract for S. Lane Throssell, Staff Attorney, Colville Tribal Legal Office, from September 1, 2001, to September 30, 2004.	10 FOR (DL, JP, SC, LA, JL, JJ, KR, JS, GJ, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature: 2001-482.l&amp;j</b>	Section 6-10-84(a), subpart (2) cites the "Albert Orr (HUD)". CIHA effectively changed the "Albert Orr(HUD)" site name to the "Rocky Road Community Site" November 3, 1998. At present, the Law & Order Code due date for release has been set for September 2001. In order to meet this due date by making necessary corrections for the September edition, an "emergency" submission is being made. Please review attached proposed code amendment.	10 FOR (DL, SC, LA, RS, JL, JJ, JS, GJ, JP, KR) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature: 2001-483.nat</b>	Approve the request of CIHA for their standard 25+25 year Business Lease be completed based on the following described and per Inchelium Master Plan (as attached and previous approved). This site is for apartment complex. See resolution for land description. TERM: 25 years PLUS 25 year beginning 9/1/01 to 8/30/51.	10 FOR (RS, JP, DL, SC, JA, JL, JJ, JS, GJ, KR) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature: 2001-484.com</b>	This grant supports much of the LIHEAP that the Tribe administers. This CSBG application is essential to providing this service, and in many respects deals with direct services to the Colville Tribal Membership. The application is very straightforward, and requires no matching or additional dollars. This grant application is for two years (FY2002-2003). Which the Tribes will submit an annual report on the use of FY2002 CSBG funds in order to receive CSBG funds next fiscal year. Chairperson has authority to	10 FOR (JL, JS, GJ, SC, KR, JJ, MH, JP, LA, CC) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.

	sign all related documents.	
<b>10 Signature:</b> 2001-485.e&e	To forward TANF Office Building request for site location to the Natural Resources Committee. Fund source to purchase modular building has been identified under account #7270, 7271, 7272 to include infrastructure costs (power, phone lines, water, sewer, foundation, etc.)	13 FOR (MH, DL, JS, MM, CC, LA, SC, GJ, JL, JJ, KR, RS, DRM) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature:</b> 2001-486.e&e	To authorize the TANF Operating Agreement between the Confederated Tribes of the Colville Reservation Tribal TANF Program (CCTP) and the Tri-County Community Services Office (CSO) for the implementation of the Colville Tribal TANF program (CCTP). This agreement is to further strengthen the government-to-government working relationship between all of the parties; and to assure that all of our mutual clients receive the best possible services at all times during the transition and the day-to-day operation of our TANF programs. Chairperson or designee has authority to sign all related documents.	13 FOR (MH, DL, JS, MM, CC, LA, SC, GJ, JL, JJ, KR, RS, DRM) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature:</b> 2001-487.e&e	To authorize the Intergovernmental agreement between CCT (TANF) and the Washington State DSHS. To transfer a fair and equitable amount of state maintenance of effort funds to the Tribes and to work in partnership to coordinate state and tribal benefits and services. This agreement is consistent with and is intended to further, the declared national policy of moving recipients into work and time-limited assistance. At the same time, this agreement also protects the best interest of families and children by providing an effective and efficient way by which these families and children may be maintained from the resources available to both the Tribes and the Dept. Chairperson or designee has authority to sign all related documents.	13 FOR (MH, DL, JS, MM, CC, LA, SC, GJ, JL, JJ, KR, RS, DRM) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature:</b> 2001-488.e&e	To approve this MOA between the State and the Tribes to further develop and strengthen their government-to-government relationship in the area of "Temporary Assistance to Needy Families" (TANF). The Colville Tribe's assumption of this program will promote and enhance tribal self-sufficiency. Chairperson or designee has authority to sign all related documents.	13 FOR (MH, DL, JS, MM, CC, LA, SC, GJ, JL, JJ, KR, RS, DRM) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature:</b> 2001-489.e&e	To approve the Tribes TANF Plan 01-04 under the Welfare Reform Act, federally recognized Indian Tribes are eligible to apply for funding under section 412 of the Social Security Act, as amended by P.L. 104-193 to administer and operate their own TANF programs. Chairperson or designee has authority to sign all related documents.	13 FOR (MH, DL, JS, MM, CC, LA, SC, GJ, JL, JJ, KR, RS, DRM) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
<b>10 Signature:</b> 2001-490.nat	Chairperson or designee be authorized to sign a letter to appropriate authorities and interests supporting \$800,000 in construction general U.S. Army Corps of Engineers funding to enable design work to begin for structural and operational modifications to Chief	11 FOR (DRM, RS, JS, JJ, JL, LA, SC, MH, KR, GJ, CC) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.

	Joseph Dam in order to reduce dissolved gas pollution of the Columbia River from Grand Coulee Dam to the Hanford reach. Dissolved gas kills many fish in the Columbia River during periods of high flow and causes violations of tribal and state water quality standards. The proposed work at Chief Joseph Dam would result in dramatic reductions in peak dissolved gas loading below Grand Coulee Dam. No tribal dollars.	
<b>10 Signature:</b> 2001-491.gov	To approve burial and wake benefits for Larry Emerson non-enrolled spouse of Elaine Timentwa Emerson, enrolled tribal member. Larry Emerson's DOB: 12/15/39. DOD: 09/03/01.	10 FOR (JL, JS, JP, DL, GJ, MM, LA, SC, KR, CC) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-492.l&j	To approve and enact attached amendments as proposed. Amendment shall add five additional tribal entities/departments as declared depositories for the Colville Tribal Code. Chapter 1-6 shall be forwarded to Code Revisor for certification and shall be effective upon date certified.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-493.l&j	To approve and enact attached amendments as proposed to CTC 6-3. Section captions shall be added to Chapter 6-3 and the Table of Contents. Chapter 6-3 shall be forwarded to the Code Revisor for certification and shall be effective upon date certified.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-494.l&j	To adopt and enact attached amendments as proposed to Chapter 8-1. The Non-substantive Language corrections being made to Chapter 8-1 "Membership" shall have introductory captions following section numbers. The same introductory captions shall also be added to the Table of Contents for clarification (see attached). Approved changes shall be forwarded to the Code Revisor for certification and shall become effective upon date certified.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-495.l&j	To approve and enact attached code amendment as proposed to CTC 2-4. The Non-substantive Language correction being made to Chapter 2-4 "Administrative Procedure Act" will provide reader at the opening of the Chapter of who application applies. Section 2-4-27 shall be moved to the beginning of this Chapter as "2-4-1". The approved change shall be forwarded to the Code Revisor for certification and shall become effective upon date certified.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-496.m&b	To approve a continuing resolution through the end of October 2001 for the fiscal year 2002 Budget. Budget appropriations will be determined by the final approval of the 2002 budgets and adjustments made accordingly and cover the following: 1. Higher Ed - 1st qtr. Tuition. 2. Forest Mgmt. Deductions - and continuation of projects underway. 3. Land Purchase - October fee transactions closing in October and the payment for second half taxes to Okanogan & Ferry Counties. 4. Budgeted projects currently underway. Budget be 1/12 at 80% of the 2000 budget.	11 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, JS, RS) 1 AGAINST(KR) 0 ABSTAINED. MOTION CARRIED as amended.

2001-497.m&b	To accept Debra Powless, Executive Director's resignation effective November 30, 2001 and authorize Personnel to advertise the position immediately.	11 FOR (LA, SC, MH, JJ, JL, DL, DRM, JP, KR, JS, RS) 1 AGAINST(GJ) 0 ABSTAINED. MOTION CARRIED.
<b>FAILED</b> 2001-498.m&b	To approve the continued use of the legal services of Dorsey & Whitney LLP for Colville Tribal Credit by amending the existing contract between Colville Tribal Credit and Dorsey & Whitney LLP to include an extension of the term of the contract from September 15, 2001 to September 30, 2004. The total amount of the contract amendment is an additional \$336,000. The amended contract will not exceed an additional \$310,000 for services and \$26,000 for expenses. A copy of the contract amendment is attached. The funding for this contract will be provided from Colville Tribal Credit revenues. The CTEC BOD has approved the amendment to the Dorsey & Whitney LLP contract.	4 FOR (RS, DL, JL, KR) 8 AGAINST (JP, GJ, SC, JJ, JS, LA, MH, DRM) 0 ABSTAINED. MOTION FAILED.
2001-499.m&b	To approve Option No. 2: PL93-638 Tribal Federal Contract for Construction Project No. 1 Blg #42 \$21,074 and Project No. 2 blg#301 for \$19,404 for Colville Agency. No tribal dollars involved. See attached.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-500.m&b .com	To accept the proposal from CTSC to complete the Design and Fast Track Construction of the Nespelem, Expansion Project, Phases 1, 2, and 3 for the guaranteed maximum price of \$4,424,500.00 per IHS 638 contract no.102-01-0018 and to extend the existing contract performance period from August 31, 2001 through October 30, 2003, to complete the same. To apply and look to creative fund package with loan, grant, bond financing and other resources available to the Tribes. Chair or designee authorized to sign a contract modification to CTSC contract to increase the dollar amount \$4,424,500.00 and time listed above.	10 FOR (LA, SC, MH, GJ, JL, DL, DRM, JP, KR, RS) 2 AGAINST (JJ, JS) 0 ABSTAINED. MOTION CARRIED.
2001-501.m&b .com	To accept the proposal from CTSC to complete Design and Construction of the Inchelium Clinic for the guaranteed maximum price of \$3,868,572.00 per the submitted and approved 40% Design Drawings, and to extend the existing contract performance period from August 31, 2001 through June 30, 2003, to complete the same. To apply and look to creative fund package with loan, grant, bond financing and other resources available to the Tribes. Chair or designee be authorized to sign a contract modification to CTSC contract to increase the dollar amount \$3,868,572.00 and time listed above.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-502.m&b .com	To accept the proposal from CTSC to complete the Design and Construction of the Keller Clinic for the guaranteed maximum price of \$1,656,518.00 per the submitted and approved 40% Design Drawings, and to extend the existing contract performance period from August 31, 2001 through June 30, 2003, to complete the same. To apply and look to creative fund	11 FOR (LA, SC, MH, JJ, GJ, JL, DRM, JP, KR, JS, RS) 1 AGAINST(DL) 0 ABSTAINED. MOTION CARRIED.

	package with loan, grant, bond financing and other resources available to the Tribes. Chair or designee be authorized to sign a contract modification to CTSC contract to increase the dollar amount \$1,656,518.00 and time listed above.	
2001-503.nat	To approve the purchase of Edie Van Slyke's 80.00 acres of fee land at the negotiated price of \$55,200.00. The property is described as: S1/2S1/2NE1/4; N1/2N1/2SE1/4 Section 15, T. 28 N., R. 35 E.W.M., Ferry County, Washington. Parcel No. 5-28-15-13-00010-00. Purchase will be paid out of the Tribal Land Purchase Account 550.79875 and converted into trust.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-504.nat	To approve the exchange of lands of equal value between Evelyn James and the CCT as follows: Evelyn James Property, 101-1000:(see resolution for complete land description) FOR Tribal land 101-T4292: 5.00 acres, more or less within that part of the SE1/4NW1/4SE1/4 South of the Columbia River road in Section 33, Township 31 North, Range 30 East, Willamette Meridian, Okanogan County, Washington. Request the branch of Real Property Mgmt. To request survey and appraisals to determine the fair market value of the above said properties.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-505.nat	To approve the exchange of lands of equal value between Gail Stensgar and CCT as follows: Gail Stensgar Property, FEE:(see resolution for complete land description) FOR Tribal land 101-T4567(por): A portion within the NE1/4SW1/4SE1/4SW1/4 and the SW1/4NE1/4SE1/4SW1/4 lying South of the Omak Mountain Road in Sec. 32, T.34 N., R. 27 E.W.M., Okanogan County, Washington, containing 5.00 acres, m/l. Ms. Stensgar to provide a Preliminary Commitment for Title Insurance at her cost free from any liens or encumbrances and to immediately convert to trust status upon exchange. Request the Branch of Real Property Mgmt. to request survey and appraisals to determine the fair market value of the above said properties.	11 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, RS) 0 AGAINST 1 ABSTAINED(JS). MOTION CARRIED.
2001-506.nat	Approve the purchase of an undivided 13/16 trust interest at the appraised value of \$68,000.00 in the Lester Covington Allotment, 101-1203, described as: The E1/2E1/2SE1/4 of Section 1, T.28 N., R. 33 E.W.M., and Lots 6 and 7, the S1/2NE1/4SW1/4 of Section 6, T.28 N., R.34 E.W.M., Ferry County, Washington, containing 129.12 acres, more or less. Also to negotiate the purchase of an undivided 3/16 fee interest from Shelley Stine Covington, non tribal member, and to convert said interest into trust status upon purchase. Funds to be disbursed from Fish and Wildlife's mitigation funding.	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.
2001-507.nat	Approve the purchase of an undivided 1095/1536 trust interest at the appraised value of \$83,000.00 total share being \$59,169.92 in the Charley (Klapcoselkiah) Allotment, 101-1275, described as:	12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.

	<p>Lot 6, SW1/4SW1/4SE1/4NW1/4, NE1/4SW1/4, W1/2NW1/4SE1/4 of Section 6, Township 31 North, Range 33 East, Willamette Meridian, Ferry County, Washington, containing 98.00 acres, more or less.</p> <p>Also to negotiate the purchase of an undivided 329/1536 fee interest (her share being \$13,455.08) from Shelley Stine Covington, non tribal member, and to convert said interest into trust status upon purchase. Funds to be disbursed from Land Purchasing Account.</p>	
2001-508.nat	<p>To amend Resolution 2000-804, to include, Tommy Joe (Flett) Robinette's undivided 192/241920 appraised at \$97,650.00, Tommy's share being \$77.50, described as follows: An undivided 192/241920 interest in the NE1/4 of Section 36, Township 30 North, Range 30 East, Willamette Meridian, Okanogan County, Washington, containing 160.00 acres, more or less. Funds to be disbursed out of Land Purchasing Account.</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED.</p> <p>MOTION CARRIED.</p>
2001-509.nat .m&b	<p>The F&amp;W Program be authorized to utilize monies from the General Fund to pay for the Elbow Lake Water Level Project. This is approved with the understanding that when the grant monies are received, the General Fund will be reimbursed for these costs. This request is authorized due to the fact that time is of the essence and the project needs to be accomplished as soon as possible. The amount authorized for expenditure is not exceed \$12,990.00. Authorize the Chairperson or designee to sign all related documents.</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED.</p> <p>MOTION CARRIED.</p>
2001-510.nat	<p>To approve the attached sub-contract with Okanogan Nation Alliance in the amount of \$221,873.00, and authorizes the Chairperson or her designee to sign contract and any or all related documents. Funded by Bonneville Power Administration, no tribal dollars.</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED.</p> <p>MOTION CARRIED.</p>
2001-511.nat	<p>To approve the attached new contract "Lake Roosevelt Emergency Fish Restoration" in the amount of \$261,411.00 and authorize the Chairperson or her designee to sign contract and any or all related documents. Funded by Bonneville Power Administration, no tribal dollars.</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED.</p> <p>MOTION CARRIED.</p>
2001-512.cul	<p>Approve attendance at Pow-Wows and other Social Functions, should attend at a minimum, the following functions: (list attached).</p>	<p>10 FOR (SC, MH, JJ, GJ, JL, DL, DRM, KR, JS, RS) 0 AGAINST 1 ABSTAINED(CC). MOTION CARRIED. JP-Chaired. LA-out of room.</p>
2001-513.nat	<p>To allow for emergency forwarding of the Saint Mary's Mission 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 the Northwest Area Office of the BIA for approval and funding.</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP, KR, JS, RS) 0 AGAINST 0 ABSTAINED.</p> <p>MOTION CARRIED.</p>
2001-514.nat	<p>To allow for emergency forwarding of the Virginia</p>	<p>12 FOR (LA, SC, MH, JJ, GJ, JL, DL, DRM, JP,</p>



	<p>Lake Fire Complex Burned Area Rehab. Plan as written and recommended by the CCT Burned Area Rehab. Team (B.A.R.T) with concurrence of Colville Agency Superintendent, NRD Director, and other affected programs to the Northwest Area office of the BIA for approval and funding.</p>	<p>KR, JS, RS) 0 AGAINST 0 ABSTAINED. MOTION CARRIED.</p>
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