



# COLVILLE CONFEDERATED TRIBES

## COLVILLE BUSINESS COUNCIL



### SPECIAL SESSION

### December 16, 2010

### Resolution Index

Condensed by, Char Samuels, CBC Recording Secretary

Council Members Present: Ernie Williams, Sylvia Peasley, Brian Nissen, Cherie Moomaw, Susie Allen, Michael Marchand, Harvey Moses, Jr., Doug Seymour, Virgil Seymour.  
 Delegation/Absent: Shirley K. Charley, Michael Finley, Andy Joseph, Jr., Ricky Gabriel, John Stensgar

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
<b>10 Signature</b> <b>2010-865.l&amp;j</b>	To accept <i>grant award</i> under the OVW Rural Domestic Violence, Dating Violence, Sexual Assault, and Stalking Assistance program in the amount of \$249,905.00 from the Department of Justice/Office on Violence Against Women. NO TRIBAL DOLLARS NEEDED. Authorize the Chairman and/or designee to sign all pertinent documents.	10 FOR (MF, DS, CM, SP, AJ, MM, HM, SA, JS, RG) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-866.l&amp;j</b>	To <i>accept</i> the OJJDP_CTAS Purpose Area 8: Prevent and Control Delinquency and Improve Juvenile Justice System <i>Grant</i> (Award Number 2010-TY-FX-0013) in the amount of \$454,108.00 and to authorize Chairman Michael Finley or designee to sign all pertinent documents.	10 FOR (MF, CM, DS, SP, AJ, MM, HM, SA, JS, RG) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-868.nat/m&amp;b</b>	To approve the good faith <i>donation from</i> Short Cressman & Burgess, PLLC in the amount of \$10,000.00 to assist tribal member families in need during the Christmas Holidays.	10 FOR (JS, AJ, RG, EW, MM, MF, DS, VS, SA, HM) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-869.nat/m&amp;b</b>	To approve the good faith <i>donation from</i> Environment International in the amount \$100.00 to assist tribal member families in need during the Christmas Holidays.	10 FOR (JS, AJ, RG, EW, HM, MF, DS, VS, SA, MM) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-870.nat</b>	To approve the attached <i>Contract Change Order #3</i> for Environmental International, Ltd. No Tribal Dollars are requested. Tribal Chairman or designee is authorized to sign all relevant documents.	10 FOR (JS, AJ, RG, EW, MM, MF, DS, VS, SA, HM) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-871.e&amp;e</b>	To approve the <i>Intergovernmental Agreement – TANF</i> between the Colville Confederated Tribes, Dept. of Social & Health Services and approve State MOE funds in the amount of \$2,424,344.00 annually for this funding cycle (Jan. 1, 2011 – Oct. 31, 2013). NO TRIBAL DOLLARS. Approve Tribal Chairman or designee to sign all pertinent documents.	10 FOR (BN, DS, RG, AJ, JS, SA, EW, HM, MF, CM) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-872.l&amp;j</b>	To <i>reappoint</i> Terry Finley to the Colville Tribal Gaming Commission for a term of Three (3) years to begin December 20, 2010.	10 FOR (SC, SP, BN, HM, MM, JS, VS, SA, EW, DS) 0 AGAINST 0 ABSTAIN
<b>10 Signature</b> <b>2010-873.nat</b>	To authorize Monica Desautel and/or Paul Tillman to <i>bid</i> on an <i>undivided interest</i> of 45/54 of the trust property legally described as Lot 2, Section 27; Lot 1, NE1/4, SE1/4, E1/2 E1/2 NW1/4 SE1/4, E1/2 E1/2 SW1/4 SE1/4, Section 28, Township 33 North, Range 27 East, W.M. Okanogan County, WA containing 113.95 acres, more or less and as described in the	10 FOR (SP, EW, SA, CM, BN, HM, DS, VS, MM, MF) 0 AGAINST 0 ABSTAIN

	Chief of Police Public Notice of Sale of Real Property public auction to take place December 17, 2010 at 1:00 pm at the front entrance of Colville Tribal Courthouse #1. A check in the amount of \$65,000.00 to be made payable to Colville Tribal Court for delivery by authorized CCT representatives. Funds for trust purchase to be disbursed from the Land Purchase Wells Dam 1/3 account. Chairperson or designee to sign all pertinent documents.	
<b>2010-874.tg</b>	To approve the following eligibility requirements and <i>deadlines for the 2011 181-D Annual BPA Settlement</i> disbursement from account PL7219709 to be distributed on March 28, 2011. Eligibility requirements: Adoptions must be approved by the Colville Business Council on or before February 17, 2011; Complete Enrollment application packet must be received on or before February 21, 2011; Must be enrolled and living as of February 24, 2011; Official Court Orders deadline is March 9, 2011. Retroactive payments are not allowed. Departmental hold list deadline is March 7, 2011. The following holds are allowed:  1. Children and Family Services      Court Orders and voluntary consent for minors and court declared incompetent adults. 2. Social Services (Regular)      Court Orders and voluntary consent for minors and court declared incompetent adults. 3. IIM (OST)      Court Orders and voluntary consent for minors and court declared incompetent adults.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS)  0 AGAINST  0 ABSTAIN
<b>2010-875.tg</b>	To allow the Enrollment department to make an exception to Resolution 2003-052 and approve a <i>Fire Grant</i> to Charlene Bearcub in the amount of \$1,000.00.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS)  0 AGAINST  0 ABSTAIN
<b>2010-876.hhs/m&amp;b</b>	To approve a <i>contract amendment</i> for SFY 11 State Federal Contract 1069-95745-02 between the Confederated Tribes of the Colville Reservation and the Washington Department of Social and Health Services, Aging and Disability Services Administration decreasing the amount by \$4,758.00 for a total of \$364,796.00 for the period of July 1, 2010 to June 30, 2011. Chairperson or designee has authority to sign all necessary documents.	7 FOR (EW, DS, BN, CM, SA, MM, VS)  0 AGAINST  0 ABSTAIN
<b>2010-877.hhs</b>	To approve the State of Washington DOH W.I.C. <i>contract</i> in the grant total of \$263,614.00 for Fiscal Year 2010-2011 (effective October 1, 2010) in the amount of \$124,045.00 to Fiscal Year (ending September 12, 2012) in the amount \$139,568.00 and authorize the Chairman and/or his designee to sign all pertinent documents. No Tribal dollars.	7 FOR (EW, DS, BN, CM, SA, MM, VS)  0 AGAINST  0 ABSTAIN
<b>2010-878.hhs</b>	WHEREAS, The State of Washington increased the funding amount to the Tribes' Women, Infant, & Children (W.I.C.) <i>Contract</i> ; and to provide quality of services to the Colville Reservation; the Tribal Health Program (THP) recommends a new W.I.C. Certifier position to serve the Omak Community. No tribal dollars required.	7 FOR (EW, DS, BN, CM, SA, MM, VS)  0 AGAINST  0 ABSTAIN

<b>2010-879.hhs</b>	To allow Social Services request that the <i>Emergency Assistance Hold List</i> be waived due to the economic conditions on the Colville Indian Reservation, to help eliminate the burden on the many families who had to seek out the Emergency Assistance Program.	7 FOR (EW, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-880.hhs/l&amp;j/tg</b>	To approve a resolution, and the attached letter, demanding consultation with the <i>Department of the Interior, Assistant Secretary</i> -- Indian Affairs regarding the Bureau of Indian Education's proposed transition of Early Education Special Education funding from Indian Self-Determination Act contracts and compacts to grants, and asserting that the Department's attempt to unilaterally strip the funding from the Colville Tribes' self-determination contract violates the Self-Determination Act, and authorizing Chairman or designee to sign the letter.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-881.cdc</b>	To approve the FY 2010 <i>Annual Performance Report</i> as required by NAHASDA with a due date of no later than 90 days after end of the Fiscal Year to report on all open IHBG grants. No Tribal funds involved. Chairman or designee is authorized to sign pertinent documents.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-882.cdc</b>	To <i>rescind Resolution</i> 2010-634 and consequently 2009-917 in their entirety and direct the BIA to develop a Ferry Operations Contract and continue with the separation of federal appropriations, effective October 1, 2010 and that the BIA will be responsible for the maintenance of the IRR Roads Maintenance Program. The Chairman or designee is authorized to execute all necessary documents.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-883.cdc</b>	To approve to <i>request</i> from Washington State Department of Revenue, <i>tax exemption</i> of CIHA purchased Lovejoy Property in Omak, WA for tax exemption, Parcel No. 3427202003. No tribal funds involved. Chairman or designee is authorized to sign pertinent documents.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-884.cdc/m&amp;b</b>	To approve the IHS <i>Contract</i> for the New Dental Addition to the Nespelem Clinic with the Colville Tribes. The Colville Tribes will subcontract with CTSC to complete the design and construction of the Dental facility as outlined in the contract. The funding has been approved by Resolution 2010-432 for the Project. The Chair or designee has the authority to sign all pertinent documents.	7 FOR (EW, SP, DS, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-885.cdc/m&amp;b</b>	To approve the <i>budget</i> line item <i>modification</i> in the amount of \$70,833.35; all monies are coming from a Fish & Wildlife Grant by Memorandum of Agreement with the Planning Department. No Tribal dollars are being requested.	7 FOR (EW, SP, DS, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-886.m&amp;b</b>	To <i>amend Resolution</i> 2010-698 to extend the continuing resolution for the 2011 tribal budget from December 31, 2010 to January 31, 2011. The Chair or designee is authorized to sign all necessary documentation to carry out the intent of this recommendation.	7 FOR (EW, SP, DS, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-887.cult/m&amp;b</b>	To approve and <i>accept</i> the <i>funding</i> from Bonneville Power Administration IGC No. 51012 in the amount of \$645,000.00 for History/Archaeology to conduct cultural resources compliance work as related to the National Historic	7 FOR (EW, SP, DS, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN

	Preservation Act (NHPA) in the Lake Roosevelt Project Area in FY '11. This authorizes the Chairman or designee to sign all documents related to this project. NO TRIBAL FUNDS REQUIRED.	
<b>2010-888.e&amp;e</b>	To approve the <i>Memorandum of Agreement</i> between the CCT Head Start Program and the CCT TANF Program in the amount of \$424,032.00 for FY 2011. The purpose of the MOA is work in partnership to maximize program resources, avoid duplication of services and offer meaningful services to eligible participants of each program. Further, to ensure eligible families receive the comprehensive services they need to enable them to live a better quality of life. The Chair or his designee is authorized to sign the MOA.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-889.e&amp;e</b>	WHEREAS, the Tribes adopted <i>Employee Policy Manual</i> (EPM) is a working document to be changed as situations change within the Tribal Structure. Whereas, there exists a gap stripping temporary employees of a due process if terminated while in non-permanent status. Therefore, it is the recommendation of the Education and Employment Committee to authorize Tribal Administration to re-examine any cases that caused an employee to be separated while in non-permanent status, thus making them non-eligible for employment with the Tribes for a 1 year span, and allow future cases to follow the due process indentified in the Employee Policy Manual for permanent employees. Furthermore, Tribal Administration will develop a policy for employee reinstatement after any ALJ decisions.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-890.e&amp;e</b>	WHEREAS, the Colville Tribes has authority to assert its self-governance as a sovereign nation. WHEREAS, the Colville Tribes has traditionally used and encouraged the use of alternative medicine and its application toward overall community health. Therefore, it is the recommendation of the Employment & Education committee to temporarily waive the <i>pre-employment drug screen</i> and random drug tests for marijuana only. This waiver will include all employees hired as of 12/06/10 or have a pending case and must include proper justification and documentation from a professional medical provider.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN
<b>2010-891.e&amp;e</b>	To enter into the attached <i>contract</i> with Geoff Miller for TERO Director services. Chairman or designee authorized to sign.	8 FOR (EW, SP, DS, BN, CM, SA, MM, VS) 0 AGAINST 0 ABSTAIN