

COLVILLE CONFEDERATED TRIBES

COLVILLE BUSINESS COUNCIL

Resolution Index

Condensed by Berni Samuels, CBC Recording Secretary

SPECIAL SESSION on June 3, 2004

Council Members Present: Lou Anderson Terry Finley Margie Hutchinson
 Jeanne Jerred Andy Joseph Deb Louie
 Mike Marchand DR Michel Harvey Moses
 Joe Pakootas Lucille Pakootas John Stensgar
 Richard Swan

Delegation/Absent: Mel Tonasket (lv)

Resolution No.	Condensed Recommendation Information	Colville Business Council Vote Tally
2004-329.m&b	Approve USDA Rural Development/Rural Business Opportunity Grant application in the amount of \$49,886.	12 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, HM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-330.gov	Adopt: Dillon George Paul Mariani, case no. 04-059	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-331.gov	Adopt: Tanner Daniel Mariani, case no. 04-060	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-332.gov	Adopt: Donna Mae Butterfly, case no. 04-068	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-333.gov	Adopt: Tyler Demetri Jordan, case no. 04-072	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-334.gov	Adopt: Michael Raymond Tiley, case no. 04-074	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-335.gov	Relinquish: Jewel Maurice Baker contingent upon approved membership with the Muckleshoot Tribe of Washington	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-336.gov	Relinquish: Amy Louise (Gower) Hagstrom contingent upon approved membership with the Muckleshoot Tribe of Washington	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-337.gov	Relinquish: Tandra Rae Moses contingent upon approved membership with the Muckleshoot Tribal of Washington	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-338.gov	Relinquish: Lacey Marceline Burke contingent upon approved membership with the Salish Kootenai of Montana	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-339.gov	Relinquish: Richard Whitey Baker contingent upon approved membership with the Upper Skagit of Washington	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-340.gov	Approve payment to heirs of Clarissa Leeann Louie as there will be no Federal Probate. (<i>MMarchand Chaired recommendation</i>)	7 FOR (LA, MH, JJ, AJ, DM, LP, JS) 0 AGAINST 4 ABSTAIN (TF, DL, JP, RS) (<i>On Delegation: HM</i>)

2004-341.gov	Approve payment to heirs of Ernest George James Marchand as there will be no Federal Probate.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-342.gov	Approve payment to heirs of Dorothy Ann (Sublea) Hilderbrand as listed in her Last Will & Testament	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-343.gov	Approve payment to heirs of Nancy Lee (Williams) Castle as there will be no Federal Probate.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-344.gov	Approve the 2004 August Per Capita payment to be distributed on or before August 1, 2004 to all eligible members of the Colville Confederated Tribes living as of midnight, June 30, 2004, the cut-off date for this payment. Applicants born prior to midnight, June 30, 2004, shall have their required enrollment documents filed in the Enrollment Office prior to 4 p.m. on August 1, 2004 in order to be eligible for this payment. Only those applicants whose adoption was approved by the CBC prior to the June 30, 2004 cut-off shall be added to the August 1, 2004 dividend roll. There will be no credit loans or department holds allowed on this per capita payment with the exception of court ordered judgments and the following: 1) Colville Tribal Credit – only those members who have signed a voluntary consent to have their per capita held and applied to their balance of loan(s). 2) CFS – only affected court ordered minors and incompetents’ may be held. 3) Soc. Services – only affected court ordered minors and incompetents may be held. 4) S.S Emergency Holds – only those members who have signed a voluntary consent form to have their per capita held. 5) IIM – only those members who have signed a voluntary consent to have their per capita held. 6) Tribal Court – only those specific court orders may be held. 7) CIHA – only those members who have signed a voluntary consent to have their per capita held. 8) Parks & Recreation – only those specific court orders shall be held.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>On Delegation: HM</i>)
2004-345.m&b	Approve to rescind 1982-073 as it no longer requires committee approval to authorize vehicle usage. This approval is granted in writing by Administration as is appropriate for use.	12 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, HM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-346.m&b	Approve an addition \$37,460 for the Veteran’s Therapist to be funded from the Fuel Tax revenues in FY04 and amend the budget accordingly.	12 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, HM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-347.m&b	Approve funding in the amount of \$30,000 for the CCT Summer Youth Program with the F&W Department. Funding to come from the General Fund and amend the budget accordingly.	12 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, HM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-348.m&b	Approve a line item modification to the CBC Travel Account in the amount of \$100,000. Funds to come from the General Fund and amend the budget accordingly. Further to recommend that Tribal Government develop a Travel Policy within 90 days. Amendment: to Strike “Tribal Government to develop a Travel Policy within 90 days” 8 FOR (TF, MH, AJ, DL, MM, HM, LP, RS) 3 AGAINST (LA, JJ, DM) 0 ABSTAIN	10 FOR (LA, TF, MH, JJ, AJ, DL, MM, HM, LP, RS) 2 AGAINST (DM, JS) 0 ABSTAIN

2004-349.m&b	Approve to Education Request in the amount of \$1,000 to Myrna Jamison to complete her minor in International Business to be funded from the Donation Funds and to waive the donation policy.	12 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, HM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-350.m&b	Approve budget modification in the amount of \$120,061 for PW&U to purchase equipment and provide wage increases for BMS Staff.	8 FOR (LA, MH, AJ, DL, MM, DM, LP, JS) 3 AGAINST (HM, JJ, TF) 1 ABSTAIN (RS)
2004-351.m&b	Approve a Vote of No Confidence in the Executive Director and an immediate termination of his contract. <i>Amendment:</i> to add “that For Cause is included due to budget.”9 FOR (LA, TF, MH, AJ, DL, MM, HM, LP, RS) 3 AGAINST (JJ, DM, JS) 0 ABSTAIN	9 FOR (LA, TF, MH, AJ, DL, MM, HM, LP, RS) 3 AGAINST (JJ, DM, JS) 0 ABSTAIN
2004-352.gov	Approve to return the unused portion of Colville Tribal Credit’s contribution to the FY04 Tribal Budget in the amount of \$500,000 to allow Tribal Credit to issue loans to tribal members. <i>Amendment:</i> to add “funds to come from General Fund.” 8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 2 AGAINST (JJ, DM) 0 ABSTAIN (<i>Out of Room: RS</i>)	8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 2 AGAINST (JJ, DM) 0 ABSTAIN (<i>Out of Room: RS</i>) <i>HMoses left on delegation</i>
2004-353.elc	Approve to appoint Jolene Francis as an Alternate for the Election Committee.	8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 0 AGAINST 3 ABSTAIN (JJ, RS, DM)
2004-354.elc	Approve to appoint Jolene Marchand as an Alternate for the Elections Committee.	8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 0 AGAINST 3 ABSTAIN (JJ, RS, DM)
2004-355.elc	Approve to appoint Patricia Breiler as an Alternate for the Elections Committee.	8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 0 AGAINST 3 ABSTAIN (JJ, RS, DM)
2004-356.elc	Approve to appoint Valerie Ferguson as an Alternate for the Elections Committee	8 FOR (LA, TF, MH, AJ, DL, MM, LP, JS) 0 AGAINST 3 ABSTAIN (JJ, RS, DM)
2004-357.gov	Approve to support Don Barbieri as Democratic Candidate for Congress in the 2004 Election.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-358.gov	Approve to support John Kerry for US President	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-359.gov	Approve to accept the report provided by the Special Investigator regarding IPAC reimbursements authorized by resolution 2003-446 and it is recommended to authorize referral to the Tribal Courts for prosecution and appoint Peter Erbland as Special Prosecutor for that purpose.	9 FOR (TF, MH, JJ, AJ, DL, MM, DM, LP, RS) 0 AGAINST 2 ABSTAIN (LA, JS)
2004-360.cul	Approve the formation of a Working Group to revise the Cultural Resources Protection Chapter 4-4 of the Colville Tribal Code. Work Group shall consist of IRMP Coordinator, Shorelines Administrator, Forest Program Manager, Committee Secretary of Cultural Resources and Tribal Archaeologist. Group shall meet at least once a month for the next 12 months to develop a revised cultural resources code. Draft code shall be approved through the code revision process.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-361.cul	Approve that History/Archaeology negotiate a Programmatic Agreement with BIA outlining the Section 106 Consultation and Provisions for History/Arch. To conduct cultural	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN

2004-361.cul cont.	resources survey for leasing and/or land purchases. This agreement will be similar to the History/Arch. Agreement with BIA Forestry. Chair or designee authorized to sign.	
2004-362.cul	Approve the request for a Moses-Columbia Longhouse for traditional gatherings and authorize John Sirois to work with Planning to seek grants and funding for a facility	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-363.cul	Approve the appointment of Brianna L. Bob as the Tribes Representative to the Committee of the Society of American Archivists.	9 FOR (LA, TF, MH, AJ, DL, MM, LP, JS, RS) 1 AGAINST (DM) 1 ABSTAIN (JJ)
2004-364.cul	Approve Syilx Nation request for donation in the amount of \$3,750 and accept the role as "Co-Host" of Unity Trek. Funds to come from General Fund.	10 FOR (TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>Out of Room: LA</i>)
2004-365.nat	Approve funding for the History/Arch. Program to write a Cultural Resources Management Plan (CRMP) for the CCT as per the IRMP, beginning July 2004 and ending September 2005.	10 FOR (LA, TF, MH, JJ, AJ, DL, MM, LP, JS, RS) 0 AGAINST 0 ABSTAIN (<i>Out of Room: DM</i>)
2004-366.nat	Approve consultant contract with Duck Creek Associates to complete a road maintenance inventory for the Omak Creek Watershed. No tribal dollars are involved in this contract.	10 FOR (LA, TF, MH, JJ, AJ, DL, MM, LP, JS, RS) 0 AGAINST 1 ABSTAIN (DM)
2004-367.nat	Approve the wishes of the San Poil Valley residents not to allow any helicopter logging in the "Deadhorse Helicopter Timber Harvest". The CCT, BIA Forestry, and Natural Resources Dept. have conducted a Public Hearing/Open House on 4/19/04 for Tribal Members in the San Poil Valley to consider the consider the "Deadhorse Helicopter Timber Harvest". Members present were 100% against any timber harvest. Therefore CCT will not harvest timber in the inoperable/non-operable lands in compliance with IRMP/ROD, 15-year Tribes' Forest Management Plan and the Tribes' Holistic Goal. This are contains virgin stands of old growth timber, fish/wildlife habitat and spiritual and cultural values. Chair or designee to sign.	5 FOR (DL, AJ, LP, JJ, JS) 6 AGAINST (MM, LA, TF, RS, DM, MH) 0 ABSTAIN ***MOTION FAILED***
2004-368.nat	Approve to declare Edie Van Slyke Allotment No. 101-5400 a key tract for the purpose of obtaining an appraisal.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-369.nat	Approve to appoint Michael Watts, Tribal Member, for the Omak District for a two-year term on the Colville Tribal Conservation District Board.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-370.nat	Approve to re-appoint Dale Smith from Okanogan County for a two year term on the Colville Tribal Conservation District Board	10 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, RS) 0 AGAINST 0 ABSTAIN (<i>Out of Room: JS</i>)
2004-371.nat	Approve to appoint Lee Adolph from the Keller District for a two year term on the Colville Tribal Conservation District Board	10 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, RS) 0 AGAINST 0 ABSTAIN (<i>Out of Room: JS</i>)
2004-372.nat	Approve the Tribes' EPA 103 Air Quality Program grant for \$138,821 for 18 months starting April 1, 2004 to September 30, 2005. No tribal funds are required, no matching funds are required. Chair or designee to sign.	9 FOR (LA, TF, MH, JJ, AJ, DL, MM, LP, RS) 0 AGAINST 0 ABSTAIN (<i>Out of Room: DM, JS</i>)
2004-373.nat	Approve to declare James Holzer fee property a key tract for the purpose of obtaining an appraisal.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-374.nat	Approve to request the Office of Special Trust close out the Special Deposit Accounts involving the Interagency Agreement between Bureau of Reclamation and BIA for the timber harvested on the freeboard lands along Lake	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN

2004-374.nat cont.	Roosevelt. The CCT has received the principle for the timber harvested and now is requesting the interest earned in each of the five deposit accounts be distributed to the CCT. The funds are to be deposited into Account PL7219709 – Colville Indian Reservation – 7219 Receipts and Interests	
2004-375.nat	Approve Tamara Townsend, Tribal Member, a 10-year pasture lease on the Gemmil Properties (less the portion currently under lease to Katich's) without advertisement in order to qualify for the Equip program/NRCS. Rental: \$1,000 per annum, subject to FMR. Tenure: date of approval.	4 FOR (LA, JJ, DL, JS) 6 AGAINST (MM, AJ, LP, TF, DM, RS) 1 ABSTAIN (MH) ***MOTION FAILED***
2004-376.nat	Approve to adopt the following areas as designated areas for Fireworks use. OMAK DISTRICT: Nicholson Beach and Baines Beach at Omak Lake. NESPELEM DISTRICT: Agency Campus Ball Fields, Gua Point at the first campground on the east side of Owhi Lake. KELLER DISTRICT: San Poil Bay Campground, Keller Ferry Campground and both Ferry Landings. INCHELIUM DISTRICT: Round Lake Campground, Inchelium Ball Fields, Carson Beach, Lakeview Beach, Rainbow Beach, Hidden Beach, Rocky Point Campground, Log Cabin Resort. Chair or designee to sign.	9 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 1 AGAINST (JJ) 0 ABSTAIN (<i>Out of Room: RS</i>)
2004-377.nat	Approve proposed code amendment to Chapter 3-6 Fireworks, utilizing CBC Procedural Rule 3(c) Emergency. The legislative intent of Resolutions 2004-291 and 2004-292 are included in Sections 3-6-2, 3-6-4(a) and (f), 3-6-5(a), 3-6-11 and 3-6-12(a). That once approved a copy shall be forwarded to the Code Reviser for certification.	10 FOR (LA, TF, MH, AJ, DL, MM, DM, LP, JS, RS) 1 AGAINST (JJ) 0 ABSTAIN
2004-378.nat	Approve the Kelt Reconditioning Project sub-contracted to F&W by the Columbia River Inter-Tribal Fish Commission and authorize the Chair or designee to sign.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-379.nat	Approve the delegation of Richard LeClaire to the Stevens County F&W Advisory Committee.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-380.nat	Approve the 2004 Tribal Member Fishing Regulations	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-381.nat	Approve the 2004 Tribal Member Big Game Regulations	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-382.nat	Approve 2004 Grant Proposal to the US EPA in the amount of \$160,404 to provide tribal involvement in the CERCLA Remedial Investigation/Feasibility Study at the Upper Columbia River Site. Chair or designee to sign.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-383.nat	Approve the Chair or designee to sign necessary documents to apply for an EPA CERCLA 128(a) Tribal Response Program grant in the amount of \$442,000 to fund operation of the Tribes' Hazardous Substances Control Act (Section 4-16 of the Tribal Code) and related activities. No tribal dollars or matching funds required.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-384.nat	Approve the appointment of Judge Naff as a Judge Pro Temp after her retirement and consistent with other Court practices.	4 FOR (JJ, JS, AJ, MH) 7 AGAINST (MM, DL, LP, LA, TF, RS, DM) 0 ABSTAIN ***MOTION FAILED***
2004-385.l&j	Approve to enact New Chapter 5-5 Domestic and Family Violence Code, new provision 2-1-37, Crime Involving	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0

2004-385.l&j cont.	Domestic Violence; new provision 3-1-267, Crime Involving Domestic Violence; and add new subpart 1-1-431(a)(13) to Acts Submitting Person to Jurisdiction of Tribal Court utilizing CBC Procedural Rule 3(c) Emergencies.	ABSTAIN
2004-386.hum	Approval to rescind 2001-647 and withdraw from Native American Research Center (NARCH) and to authorize a letter of intent to be sent to Burns-Piaute Tribe and to be signed by Chair or designee.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-387.hum	Approve to agree to be a part of the NARCH 3 Proposal and if the other Tribes agree, we would be the applicant tribe.	11 FOR (LA, TF, MH, JJ, AJ, DL, MM, DM, LP, JS, RS) 0 AGAINST 0 ABSTAIN
2004-388.hum	Approve the request to negotiate with the State for Title IV E dollars so the CCT can license foster homes and provide the services under Title IV E.	8 FOR (LA, MH, JJ, AJ, MM, LP, JS, RS) 3 AGAINST (TF, DL, DM) 0 ABSTAIN
2004-389.hum	Approve to modify the Title XIX budget, cost center 7102, to increase budget by \$34,979 for the current fiscal year due to a cut in State Indian Child Welfare contract funds to the Tribe by the State Legislature.	4 FOR (AJ, LP, LA, DM) 7 AGAINST (MM, DL, JJ, JS, TF, RS, MH) 0 ABSTAIN ***MOTION FAILED***
2007-390.hum	Approve to modify the Title XIX budget, cost center 7103, to increase the CFS budget by \$39,977 for the current fiscal year.	5 FOR (AJ, LP, LA, DL, DM) 6 AGAINST (MM, JJ, JS, TF, RS, MH) 0 ABSTAIN ***MOTION FAILED***