Yurok Tribal Council  
Planning Meeting  
Wednesday, September 5, 2018  
Klamath Tribal Office

ROLL CALL: 10:05

PRESENT: David Gensaw, Toby Vanlandingham, Ryan Ray, Mindy Natt, Ed Aubrey, Joe James

ABSENT: Thomas O'Rourke (vacation-ceremony), Lana McCovey (out sick), Larry Hendrix (suspended)

STAFF: Earl Jackson, Dawn Baum, Stacie Gorman, Georgiana Gensaw (recorder)

QUORUM: 6 present, 3 absent, quorum present

OPENING PRAYER: provided by Councilmember Vanlandingham

Motion made by Councilmember Ray/Councilmember Aubrey to accept today's agenda with additions. Motion carries by consensus

EXECUTIVE SESSION: fishing by non-tribal members (Aubrey), Public Safety (James)

CALENDAR
CM James & Ray attending the Global Summit

Council Check in
James: like the gentlemen mentioned earlier, I have been attending the indigenous guest conference. I attended the media training, I think that was very good and we could use that training. Matt Mais was a part of it. Yesterday I went to dinner with Daniel Cordalis and the new market tax credit. I think they are touring blue creek right now

Natt: last week I attended the ICEIWG in Minnesota, it was a 1 day meeting. I met a lot of people, we are kind of on the same page as Alaska, with the lack of infrastructure. I also attended UIHS, the acting Executive Director reported that the dental department construction was almost finished. They need Yurok to work on the agreement I think Executive Office or Dean was working on that. Also, if we could get the Waute firehouse cleaned up,

Aubrey: On Monday, I greeted the guests and the medicine man did a prayer and it was really good. I also attended the meetings on Tuesday.

Ray: I will check in tomorrow

September 5, 2018 Council Planning meeting
Vanlandingham:
James: Toby and I attended the Tribal College, we are actually apart of the community. We are looking at partnering with Woodland Community College, it looks like it might happen. They are fundraising. 64 Tribes out of the 108 funding wise. They are looking for $1,000 a year from all the tribes.

Gensaw: I too was down there with Horse when the bus pulled in. Tanya, Terri and Dale Ann did a really good job. Dale Ann was able to get some story tellers and drumming. Some of the visitors shared their singing and drumming. Right now they are over at Forestry Department and Ed and Kim are doing a great job. Later they will take a boat ride to Blue Creek. In a lot of ways we are the same and some ways we are different. If you see them, say hello and thank you. I am not going down to the Global Summit, but I know Dale Ann wants to. She helped coordinate the culture side of this event and I think she would be a good person to send down there. She was a part of the media training, learning how to say the right things. You are all welcome to go down and visit.

TRIBAL MEMBER COMMENT:
AGENDA ITEMS

Council
Jan Wortman presents
CA18-419, Jan Wortman presentation & endorsement
Submitted by Council

Motion made by Councilmember Aubrey/Councilmember Vanlandingham Jan Wortman to approve an endorsement for Del Norte County School Board and a donation in the amount of $500 political donation and $500 from Councilmember Ray’s travel line item. Motion carries by consensus

Human Resources
Rose Sylvia, Bobby Escobar presents
HR18-005 Personnel Policy adoption
Submitted by Rose Sylvia
Review Yurok Tribe Personnel Policy modifications

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Personnel Policies Chapters 4-12 with edits. Motion carries by consensus

LUNCH 12:03-12:33
AGENDA ITEMS

Council
CA18-420, Elder Wood
Submitted by Councilmember Vanlandingham

September 5, 2018 Council Planning meeting
Action/discussion regarding a private tribal member donation of firewood for elders. Directive to Tim Hayden to coordinate.

Planning
Katie Fischer, Sam Myers presents
P18-069, Procedure for Land Evaluation of Land Purchases
Submitted by Marion Frye

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the procedure for the evaluation of lands for sale on the Yurok Reservation and within Yurok Ancestral Territory. Motion carries by consensus

Katie Fischer, Sam Myers presents
P18-002, Fee to Trust application for Bluff Creek
Submitted by Marion Frye

Motion made by Councilmember Natt/Councilmember Aubrey Council approval for a fee to trust to be submitted for APN 530-122-002 known as the Bluff Creek Resort. Approval by Resolution 18-64 to the BIA FTT Consortium, to approve Chairman’s signature of the resolution and the letter to the regional BIA Director and the FTT application as well as the agreement for commitment of ALTA policy Title from Humboldt Land Title Company and resolution 18-64. Motion carries by consensus

COUNCIL
Kate Fischer, Sam Myers presents
CA18-279, Bluff Creek campground/resort planning
Submitted by Councilmember Vanlandingham

Tabled to October 30, 2018

COUNCIL
Jim Norton presents
CA18-242, Council Chambers upgrade
Submitted by Councilmember Vanlandingham

Action/discussion regarding Council chambers audio and video equipment. Tabled to tomorrow.

CA18-416, Youth Fund Planning Session
Submitted by Tribal Council

Youth Fund Planning Session. Tabled to October 3, 2018 with Jason Barr, Jose Tercilla. Breakdown of payments from the YEDC loan, including past and future payments, interest, etc.

CA18-421, Community smokehouse

September 5, 2018 Council Planning meeting
Submitted by Councilmember James

Action/discussion regarding a community smokehouse for the Trinity River Elders Village (TREV). Councilmember Aubrey will take this agenda item to YIHA BOC.

CA18-423, Del Norte Supervisors request for meeting
Submitted by Councilmember Vanlandingham

Council consensus to authorize Council Support staff to schedule meeting with del Norte County Board of Supervisor Bob Berkowitz and Smith River Rep (district 3) to discuss mascot ban, donation of land in Hunter Creek, last chance grade, Klamath loop, transfer station on Klamath beach Road, and bed tax revenue.

CA18-424, Del Norte County School Board request
Submitted by Councilmember Vanlandingham

Council consensus to authorize Council Support staff to schedule meeting with Del Norte County School Board to discuss the mascot ban at Del Norte School district. Council to identify additional topics. Bus services (transportation), support of Yurok Language, assisting with recruiting, etc.

CA18-425 end of disaster declaration
Submitted by Tribal Council

Motion made by Councilmember Ray/Councilmember Natt to officially end disaster declaration resolution 18-53. Motion carries by consensus

Ed Mann presents,
CA18-417, Forestry Planning Session
Submitted by Tribal Council

Forestry Planning Session. Vice Chair and Ed will follow up with our lobbyist.

2:13 Jose Tercilla enters the meeting

BREAK: 2:24-2:39

Jose Tercilla presents
CA18-422, California Tribal College dues
Submitted by Councilmember Vanlandingham

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve payment of $1,000.00 to California Tribal College for Annual dues for 2018. Funds to come from dues and subscription.

EXECUTIVE SESSION: 2:43-3:56 legal, fishing, and public safety

September 5, 2018 Council Planning meeting
CA18-418, non-tribal members fishing and selling fish
Submitted by Councilmember Aubrey
Action/discussion regarding non-tribal members fishing and selling fish. Item tabled to tomorrow.

LITIGATION UPDATE
CANNABIS TASK FORCE UPDATE
TRIBAL MEMBER COMMENT

CLOSING PRAYER: prayer provided by Councilmember Aubrey

ADJOURN: 4:01PM

MEETING MINUTES APPROVED ON: September 27, 2018

Mindy Natt, Secretary

11/20/2018
Yurok Tribal Council
Action Meeting
Thursday, September 6, 2018
Klamath Tribal Office

ROLL CALL: 10:03

PRESENT: David Gensaw, Toby Vanlandingham, Ryan Ray, Mindy Natt, Ed Aubrey, Joe James

ABSENT: Thomas O’Rourke (vacation/ceremony), Larry Hendrix (suspended), Lana McCovey (out sick)

STAFF: Earl Jackson Deputy Executive Director, Georgiana Gensaw (recorder)

QUORUM: 6 present, 3 absent, quorum present

OPENING PRAYER: Provided by Councilmember James

Motion made by Councilmember Ray/Councilmember Aubrey to accept today’s agenda with additions CA18-426 Dale Ann Sherman, CA18-427 Weitchpec Teleconference, CA18-440 Skylights, and Exdir18-017 Offshore renewable energy. Motion carries by consensus

Council Check in
Councilmember James: I know we are having water issues, I know we put that Board in and we need to get them to get a kick off meeting. I had a meeting yesterday and I would like to us to have a meeting with the new Executive Director of housing regarding the new market tax credits.

Councilmember Natt: pass

Councilmember Aubrey: pass

Councilmember Ray: pass

Councilmember Vanlandingham: pass

Vice Chairperson Gensaw: pass

CALENDAR
No calendar items

Motion made by Councilmember James/Councilmember Natt to approve the consent agenda items. Motion carries by consensus

September 6, 2018 Council Action meeting
TRIBAL COURT
TC18-018, Budget Mod Project 4030
Submitted By: Jessica Carter

Motion made by Councilmember James/Councilmember Natt to approve attached budget modification for Project 4030 Yurok Special Domestic Violence Criminal Jurisdiction. Motion carries by consensus

TC18-019, Budget Mod Project 4044
Submitted By: Jennifer Burgess

Motion made by Councilmember James/Councilmember Natt approval to modify YCSS FY2018 budget (Project #4044) to cover increase in Security Lock and Alarm fees, Fringe Benefit (Health Care) increases and GSA use for Bailiff. Motion carries by consensus

FISHERIES
FISH18-039, Budget Mod Project 6010
Submitted By: Fisheries #135

Motion made by Councilmember James/Councilmember Natt approve a budget MOD for project 6010. Motion carries by consensus

COUNCIL
CA18-414, NCAI Membership
Submitted BY: Taralyn Ipina

Motion made by Councilmember James/Councilmember Natt to approve resolution 18-062 for renewal of National Congress of American Indians membership as well as approval for membership dues. Motion carries by consensus

AGENDA ITEMS

ENROLLMENT
Krystal Patapoff present
EE18-011, Blood Degree Corrections
Submitted By: Krystel Patapoff

Motion made by Councilmember Vanlandingham/Aubrey to approval of the recommendation of the Enrollment Committee, in a meeting held on August 27, 2018, to correct the Blood Degrees in Resolutions #18-054, #18-055, #18-056 and #18-057 pursuant to the requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus

EE18-012, Enrollment of New Applicants
Submitted By: Krystel Patapoff

September 6, 2018 Council Action meeting
Motion made by Councilmember Vanlandingham/Ray Approval of the recommendation of the Enrollment Committee, in a meeting held on August 27, 2018, to enroll applicants listed on Resolution #18-58, who meet membership requirements of the Enrollment Ordinance and the Constitution of the Yurok Tribe. Motion carries by consensus.

EE18-013, Denial of Applicants
Submitted By: Krystel Patapoff

Motion made by Councilmember Ray/Natt to approve of the recommendation of the Enrollment Committee, in a meeting held on April 30, 2018, to deny enrollment of the applicants DY-921 to DY-924, who do not meet membership requirements of the Constitution of the Yurok Tribe. Motion carries by consensus.

EE18-014, Relinquishments
Submitted By: Krystel Patapoff

Motion made by Councilmember Ray/Councilmember Aubrey approval of the recommendation of the Enrollment Committee, in a meeting held on August 27, 2018, to relinquish tribal members on Resolution #18-60, and #18-61, pursuant to the requirements of the Enrollment Ordinance and the Constitution of the Yurok Tribe. Motion made by consensus.

FISHERIES
Barry McCovey Jr. presents
FISH18-038, Purchase of Jet Boat
Submitted By: Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Aubrey to authorize the fisheries Dept. to spend up to $40,000 to purchase a slightly used jet boat (see attached memo for more details). Motion carries by consensus.

FISH18-040, Bathymetry data contract
Submitted By: Dave Hillemeier

Motion made by Councilmember Aubrey/Councilmember Natt to authorize entering into the attached contract with the Karuk Tribe, contingent upon approval by Office of Tribal attorney (currently being reviewed) for up to $12,500 to assist the Army Corps of Engineers with collecting bathymetry data in the Klamath River above Bluff Creek. Motion carries by consensus.

WILD18-014, Marten research grant
Submitted By: Kent Barnes

To approve application to USFWS Candidate Conservation Action Funds opportunity to study the effect of commercial thinning/forest restoration on Humboldt marten prey species. Item pulled.
Motion made by Councilmember James/Natt to suspend the rules and add OTA18-066. 
Motion carries by consensus

OFFICE OF TRIBAL ATTORNEY

Dawn Baum present
OTA18-066, budget modification
Submitted by Amy Cordalis

Motion made by Councilmember Natt/Councilmember James to approve to make the following budget modifications: move from line item 6005 staff wages $39,000 ($29,250 from 11006 and $9,750 from 114) in funds and add $35,000 (26,250 to 11006/6060 and $8,750 to 114/6060 and $4,000 ($3,000 to 11006/6505 and $1,000 to 114/6505). Item held waiting for Amy Cordalis to return.

Jim Norton, Jose Tercilla present
CA18-427, Weitchpec Teleconference system
Submitted by Councilmember Vanlandingham

Motion made by Councilmember Aubrey/Councilmember Vanlandingham to approve purchase of teleconference system for Weitchpec Tribal Office. To identify for purchase. IT directed to purchase and install phone system. Council consensus to table next round. Have Council Support approval.

CA18-426, Hotel Room & delegation of spokesperson authority
Submitted by Vice Chairperson Gensaw

Motion made by Councilmember Aubrey/Councilmember Ray to approve hotel room and delegation of spokesperson authority for Tribal Member Dale Ann Sherman. Roll call; Vice Chairperson Gensaw-chairing, Councilmember James-no, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Hendrix-np, Councilmember Natt-no, Councilmember Aubrey-yes, Councilmember McCoy-np. Yes-2, no-3, abs-0, np-2. Motion denied.

Sophia Lay, Peggy O’Neill presents
CA18-440, Skylights
Submitted by Councilmember Aubrey

Discussion on status of skylights at Upriver transportation building. Discussion only, no action.

BREAK 11:13-11:25

AGENDA ITEMS

Frankie Myers, Rosie Clayburn, Peggy O’Neill, Don Barnes, Elly Hoopes, Louisa McCoy
ExDir18-017, BOEM Intergovernmental Offshore Renewable Energy Task Force

September 6, 2018 Council Action meeting
Submitted by Rosie Clayburn

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve and send a letter to BOEM identifying Mindy Natt as the Tribal liaison primary designee, Rosie Clayburn, Frankie Myers, Don Barnes, and Peggy O’Neill as the alternates to the BOEM Intergovernmental Offshore Renewable Energy Task Force. And to have OTA attend the meeting on September 17 in Sacramento. Vice Chair and Councilmember Natt will also attend the meeting in Sacramento. Motion carries by consensus

Elly Hoopes, Frankie Myers, Don Barnes, Peggy O’Neill, Rosie Clayburn, Katie Fischer, Louisa McCovey presents

OTA18-065, RRR Covenant

Submitted By: Elly Hoopes

Motion made by Councilmember Aubrey/Councilmember Natt Council retroactively approves the language and filing of the Covenant for the APN 533-012-010-000 Meta Bruin Gardens LLC (Nave RRR) and authorizes Chairman to sign document. Motion carries by consensus

COUNCIL

CA18-242, Council Chambers audio/video equipment

Submitted by Councilmember Vanlandingham

Motion made by Councilmember Vanlandingham/Councilmember James to approve the bid for Council Chambers audio and video equipment upgrade. Motion carries by consensus

Louisa McCovey presents

CA18-411, Weitchpec Transfer Station scales

Submitted By: Councilmember Vanlandingham

Action/discussion regarding the scales at Weitchpec transfer station. Item tabled to next cycle.

RRR discussion regarding a proposal from an individual to make a deal with the Tribe, illegal grow operation, land swap. Cannabis Task Force will follow up and bring it back to Council.

Tanya Sangrey present

CA18-404, 2018 Boat Races

Submitted By: Vice Chair Gensaw

Motion made by Councilmember Aubrey to approve Boat Races on September 23, 2018, trial run on September 22. Item pulled.

LUNCH 12:27-1:33

TRIBAL MEMBER COMMENT:

Lawrence Orcutt: I am hoping that the Council can help me, I have been working with Del Norte County probation, I have been doing my AOD counseling through UIHS. I have been told by UIHS that DN County is doing this to all of their Indian clients. I am here to ask if there is

September 6, 2018 Council Action meeting
114/6060 and $4,000 ($3,000 to 11006/650 and $1,000 to 114/6505). Motion carries by consensus.

EXECUTIVE SESSION: CA18-418, 2:31-4:00
BREAK: 4:00-4:05

AGENDA ITEMS

CA18-418, non-tribal members fishing and selling fish
Submitted by Councilmember Aubrey
Action/discussion regarding non-tribal members fishing and selling fish.

Directive to Public Safety to prioritize patrolling the River and enforcement of Tribal fishing laws.

Motion made by Councilmember Aubrey/Councilmember to direct interim Public Safety Chief to coordinate with OTA to call BIA and Local State Fish and Game Agency for assistance with enforcement of Tribal Fishing regulations and work with co-managers to assist with enforcement of tribal fishing regulations. Follow up with official letter requesting assistance. Furthermore interim Chief to submit a budget short fall request to Tribal Council. Motion withdrawn

work with co-managers to assist with enforcement of Yurok Tribe fishing regulations.

CLOSING PRAYER: prayer provided by Councilmember Aubrey

ADJOURN: 4:19PM

MEETING MINUTES APPROVED ON: September 27, 2018

Mindy Natt, Secretary

Date

September 6, 2018 Council Action meeting
ROLL CALL: 10:02

PRESENT: Thomas O’Rourke, Toby Vanlandingham, Lana McCovey, Mindy Natt, Ryan Ray, David Gensaw, Joe James

ABSENT: Larry Hendrix (suspended), Ed Aubrey (out sick)

STAFF: Earl Jackson (Deputy Executive Director), Stacie Gorman, Georgiana Gensaw (recorder)

QUORUM: 7 present, 2 absent, quorum present

OPENING PRAYER: provided by Councilmember Natt

CALENDAR:
Oct 1-6:30 South District meeting (no cards)
Councilmember Aubrey is out until October 20
Oct 5 Halloween carnival meeting
Oct 8 Opioid meeting OTAP
Oct 11- CM McCovey doc app
Oct 12-UIHS meeting
Oct 17-CRIHB Opioid meeting
Oct 29 CM McCovey doc app
Update Vice Chair’s vacation to include Oct 1
Oct 28 Requa District meeting 2-4pm Agenda: Community Plan
Move Oct 31 Planning/Action back to Oct 30
Nov 12 Veteran’s Day (check with UIHS of their plans)

COUNCIL CHECK IN
Councilmember James: I have been at Pecwan Jump Dance, we need to up the budget for restrooms, we had 14 we did not have enough service time. We went to San Francisco for the Climate Change we met with a number of people. The hot topic for our locals was cap and trade. We met with the Fuji leaders and we met with global leaders want better air quality for the earth. The Yurok Tribe was on the front lines of that. It was a good trip for the Yurok Tribe

Councilmember Natt: I attended the tribal health conference, the Yurok Tribe had a workshop discussing fire and health. I never attended that one, the ones I attended was about Tribal
Health and our tribal sovereignty is under attack with medical. I feel like I learned a lot more than I do at CRIHB.

Councilmember Ray: I attended the global action summit with Councilmember James. I had my district meeting and there was talk about the constitutional amendments and abandoned vehicles on silverside, when people are evicted from the trailer park they just pull out to the street. We also talked about the elders fund, the elders have been meeting have a luncheon, what they want is to have one of the elders to sit on this committee to guide how the funds will be used. I guess there is some confusion that we got paperwork and we changed it all around and that’s why it’s taking so long for us to receive the funding. I would like to get the paperwork of the notification of the funding and then what we submitted so I can share it with the community. We talked about the fish plant and the 1.2 million that’s proposed to go to, we need to start the conversation with whoever we are going to partner with, that way we are not buying equipment and then finding partners, because we need to work on hiring people, buying fish. Renovating the old Bates building for Tribal Member’s (business) opportunities.

Vice Chairperson Gensaw: I also am being hit up about the changes (made to the fish disaster funds), I know we didn’t make any changes. There is also an issue with the abandoned cars, we told them to remove them, but that has not happen. We are supposed to have a meeting with the emergency people.

Councilmember McCovey: I have been working on the opioid meeting and I have met with the California they usually fund the state, but they are open to funding the Tribe, UIHS and CRIHB. We are looking at pain management plan and it would be funded by the Health Foundation. AT UIHS there has been discussion about the opioid addiction, we are at a max right now in that program, I will be having a meeting with the Executive Board, so when we roll out this plan we will have programs. I was appointed by CRIHB to the Opioid Task Force, we will be working with UIHS, LIZ Lara O’Rourke, and we will be having our first meeting at the end of the month. I attended the National Health Care Conference in Oklahoma; one thing UIHS is pushing is telemedicine, so you will see that start coming. I let them know that we are in an area where it takes travel to go to a specialist. They started talking about the Elders Program and transportation. Medical, Medicaid they have to work in work program, right now California has chosen to not participate, because what they are doing is not looking at Native Americans as an ethnic group, but a race group. So it needs to remain an ethnic group. A lot of funding came to the Indian Health Services, Tribes have been trying to get more set money, an example of that how we get funded for the diabetes program, we are trying to look at how that should be funded a better way instead of a competitive grant funding. We got an update for the opioid litigation. They have picked two tribes and they are the test group to see if they can litigate against the associated groups. There is also survey that will be coming out for the health information, we need to figure out who will be tasked with that. It’s not individual tribes, but Tribes as a whole. Congressmen Cole was there and he does not agree with the working and is working to push against it.
Councilmember Vanlandingham: Pass until tomorrow, Council Action

Chairman O’Rourke: I have been out in the mountains, so I haven’t done anything but prayed.

TRIBAL MEMBER COMMENT:
Ray Mattz: I am a fishermen I want to why we don’t have any fish down here and all the fish are upriver, that is not right. You guys pull that every year and all those guys come down here and fish. 4,000 or 5,000 went upriver. They were down here fishing and they took them upriver. How many people you have that come down here to fish from up there? There are people who came down here and took them back up there and sold them. It’s not a good deal what you guys are doing.

AGENDA ITEMS:

Motion made by Councilmember Ray/Councilmember Natt to approve today’s agenda with additions. Motion carries by consensus

10:40 Councilmember Aubrey calls in

FISHERIES
Desma Williams, Diane Bowers presents
FISH18-42 Revised Fishery Allocation
Submitted by Dave Hillemeier

Motion made by Councilmember McCovey/Vice Chair Gensaw to adopt the attached In season Adjustment #2018-05, the Upper Klamath Management area allocation is revised to be 3,563 fish. The Estuary and Mid-Klamath Management areas have a combined remaining allocation of 941 unharvested fish. There is no drift or set netting within 300 feet of the chute. The Revised Guide Fishery allocation consist of 100 fish total and the revised Reserve Quota consist of 298 fish total. Angling and dip netting are open reservation wide until the Reserve Quota is harvested. Effective Date September 27, 2018 at 12:01AM. Motion carries by consensus

10:56 Councilmember Aubrey ends phone call

Desma Williams, Diane Bowers, Don Barnes presents
FISH18-41, letter to potential prime contractors for dam removal
Submitted by Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Natt to authorize signature by the Chairman and submission of the attached letter to potential prime contractors regarding the Tribe’s desire to work with them as a sub-contractor during design, build, and deconstruction related activities for the Klamath dam removal project (see attached memo and letter for more information). Motion carries by consensus

September 26, 2018, Council Planning Meeting
BREAK 11:16-11:30

PLANNING
Sophia Lay, Dara Zimmerman, Peggy O’Neill, Josh Norris, Frankie Myers present
P18-075, Weitchpec Well Drilling
Submitted by Sophia Lay
To discuss an incident that occurred on the Weitchpec Well Drilling project. The drilling is
currently stopped and the contractor is charging $410.00 per hour to be on standby.

TRIBAL MEMBER COMMENT:
Javier Kinney: I clocked out for this, I just came out of Jump Dance and I am also apart of the
Deer Skin Dance as well. When I arrived, Sophia said I am glad you’re here. A few of the
questions when was the notice provide that the drilling to occur? I heard Peggy say earlier that
the individual harassing someone. Aside from the cost, my first instinct was to calm everything
down and calm everything down. #1 the notice, everyone had a problem with, for us on our
part the professionally I say the Tribe needs to be at the decision table. Having the facts, to get
the information to be able to make the decision, saying we understand the cultural sensitive
area, if the community doesn’t want the assistance. #2 the location, if it was me it was my job,
in an addition to being a tribal member and tribal employee. My recommendation is #1 yes this
item be placed on Council’s agenda tomorrow. My recommendation is to go forward on
providing this well in an emergency situation, I have been in that situation, because we are
changing it, for whatever reason that community doesn’t get the attention it needs. Right now
when there is a drought situation. Yes it’s a cultural area and yes we need a well. We just
finished praying for that balance. If there is a decision that there is a decision that is not in line
with Council. My professional opinion is to go forward. You can’t pick one person who agreed
with you and go forward. If we had the information yesterday, showing this is the steps we
took. You have a drilling crew that are saying move stuff and not polite. I think if they were
informed, if you have people agree with you or not agree with you. We don’t tolerated
harassment and I hope that we can work together and move forward.

Chairman responds.

Motion made by Councilmember Vanlandingham/Vice Chairperson Gensaw to table to
tomorrow September 27, 2018 at 11am. Motion carries by consensus

COUNCIL
CA18-453, Weitchpec Stick Field
Submitted by Councilmember Vanlandingham
Directive to Roads Department to scrape the Weitchpec Stick Field for upcoming tournament.
Council to identify funding to come from. To have Watershed do the work and to invoice
Council. This work should happen today or tomorrow.

EXECUTIVE SESSION: Legal update (2), Personnel Executive Session CA18-438, Personnel issue
(Ray), Black Market Fish selling. 12:06-1:05

September 26, 2018, Council Planning Meeting
BREAK 1:06-1:17

AGENDA ITEMS

CA18-442, UIHS Presentation 11am
Submitted By: Council Support
Presentation from Coral, from UIHS set for September 26, 2018 at 11am. Item tabled

CA18-443, CalTrans Presentation 1-3pm
Submitted By: Council Support
Presentation and discussion with CalTrans set for September 26, 2018 at 1-3pm. Discussion only, no action.

Frankie Myers presents
CA18-297, Funding for Cemeteries
Submitted By: Councilmember Vanlandingham
To allocate funding for cemeteries RE: the Cultural Resource Protection Ordinance. Item tabled to Council Finance July 24. Directive to Executive to bring back more information (quotes of fencing materials, number of cemeteries, etc.) To include THPO. Item tabled to October 30, 2018. Information is to Council Support Oct. 24.

EXECUTIVE SESSION: 2:22-3:10 personnel (2)
Chairman O’Rourke leaves the meeting sick

BREAK: 3:10-3:21

COUNCIL

Nicole Sager YIHA Executive Director, YIHA BOC: Richard Myers Chair, Tatia Lara YIHA Staff,
John Melvin, David O’Neill, Kim Mamaradlo, Delmar Jordan, Sid Nix
CA18-377, YIHA BOC Joint meeting 3pm
Submitted By: Councilmember James
Work session with YIHA regarding to include the cost of utilities/garbage/water in the 30% for rent. Set for September 26, 2018 at 3pm.

Amy Cordalis OTA present

Motion made by Councilmember James/Councilmember Vanlandingham for YIHA to draft a Housing Rental policy allowances for utilities. To return in 60 days, come back for Council Action meeting November 29, 2018. Information due to Council Support by November 19, 2018 by 1pm. Roll call; Vice Chairperson Gensaw-chairing, Councilmember James-yes,
Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Hendrix-np,
Councilmember Natt-yes, Councilmember Aubrey-np, Councilmember McCovey-no. Yes-4, no-1, abs-0, np-2. Motion carries

OTA has a YIHA Policy for 9 months

Councilmember McCovey: I voted no, because I don’t believe we are giving them enough time to do it.

December 19, 2018 at 1pm is the next YIHA BOC & Council Joint meeting

YIHA would like to call OTA when they need the lawyer present at their Board meetings.

Jackie Nix presents
CA18-372, Veteran’s cemetery
Submitted By: Councilmember Ray

Action/Discussion Veteran’s cemetery headstones and replacement of flags. Update only, no action

Jim Norton IT, Jessica Stalnaker IT, Rose Sylvia HR present
CA18-131, Webcasting
Submitted By: Councilmember Vanlandingham
Planning session with Information Services Department regarding webcasting.

Motion made by Councilmember Vanlandingham/Councilmember McCovey to have the group send this draft policy out to tribal employees for feedback. Due to Council by Oct. 30, 2018. Motion carries by consensus

Don Barnes present
CA18-301, TERO fees
Submitted By: Councilmember Vanlandingham

Don to bring back updated version of the TERO ordinance for next Council Action meeting July 26, 2018. Combined with CA18-305.

CA18-305, Hiring Tiers
Submitted By: Councilmember Vanlandingham

To modify our 2nd tier from just spouses of tribal members to spouses and children of Yurok Tribal Members. Don (TERO) will bring this back, along with CA18-301. To approve to keep the hiring tiers the same as it is. Jim McQuillen and Rose Sylvia requested to be present for this work session. To table to second round of August. Due back to Council for the October 30 Council Action meeting, document due to Council Support by October 24 by 1pm.

CA18-373, Social Services

September 26, 2018, Council Planning Meeting
Submitted By: Councilmember Ray

Work session with Social Services, per Director’s request to reschedule. Item tabled.

CA18-374, Community Garden
Submitted By: Councilmember Ray

Action/Discussion regarding Community Garden. Item will be discussed at the next Requa District meeting.

Javier Kinney presents
CA18-398, Briefing with OSG
Submitted By: Vice Chair Gensaw

Briefing with Office of Self Governance Director set for August 22, 2018. Discussion only, no action.

CA18-438, Personnel Executive Session
Submitted By: Vice Chair Gensaw
Executive Session RE: Personnel

Motion made by Councilmember McCovey/Councilmember Natt to clarify action item CA18-401 to retroactively approve increase of 6% for General Counsel Contract effective 8/1/18 and a mandatory 4 day work week in the office. Correction in paragraph 6 Other Terms; change 1 to 3 years to be consistent with contract language. Motion carries by consensus

CA18-454, Illegal sale of fish
Submitted by Councilmember Vanlandingham

Executive Session on Black Market sales of Klamath River fish. Directive to OTA to follow up

TRIBAL MEMBER COMMENT: none provided

CLOSING PRAYER: prayer provided by Councilmember Vanlandingham

ADJOURN: 5:06

MEETING MINUTES APPROVED ON: October 30, 2018

Mindy Natt, Secretary

September 26, 2018, Council Planning Meeting
ROLL CALL: 10:01

PRESENT: Thomas O'Rourke, David Gensaw, Mindy Natt, Ryan Ray, Joe James, Toby Vanlandingham, Lana McCovey 10:14

ABSENT: Larry Hendrix (suspended), Lana McCovey (running late, called Taralyn), Ed Aubrey (out sick)

STAFF: Amy Cordalis, Javier Kinney, Taralyn Ipina, Georgiana Gensaw (recorder)

QUORUM: 6 present, 3 absent, quorum present

OPENING PRAYER: Provided by: Frankie Myers, THPO

CALENDAR
October 11-meeting with Hoopa in the evening
October 24-Meeting with Karuk Tribe in Weitchpec at 10am
October 9- 5pm-KTJUSD Board meeting @ Weitchpec School
October 24 Wautec FireHouse at 1pm
Oct 28-Requa District meeting add Holiday Party Planning

AGENDA ITEMS
Motion made by Councilmember Ray/Councilmember Natt to approve today's agenda with additions SS18-065 Food distribution, WILD18-016 Grant extension, OTA18-069 Westlaw Legal, OTA18-067 Christine Williams contract, OTA18-071 Domestic Violence Ordinance.
Motion carries by consensus

Motion made by Councilmember Ray/Councilmember James to accept the CA18-455 Executive Director position emergency action item. Motion carries by consensus

COUNCIL CHECK IN
Councilmember Ray: pass
Councilmember Natt: pass
Councilmember Vanlandingham: I have been grinding away. We did our first conference call for the prop 64 for the marijuana tax, I am the only tribal rep I had Katie and Elly from our task force and I have them look over the language for the funding. We normally do not get state funding and everyone on the committee feels like we need to do trauma informed intervention.
We have four more conference calls before the end of the year before we submit the goals to the governor for adoption.

Councilmember James: I think we allocated 15,000 for the elder’s wood program, it’s going to start raining and I am going to start digging into that. We all get calls. I got a call last night from Buster Owens, Hoopa bought the Alameda trailer park, and Buster owns a trailer in that park they gave him 60 days and Tanya is their executor, they are about 15 days into it.

McCovey: just to let everyone know the opioid funding is coming down the tubes, CRHIB is starting to put their tribal advisory committee and they have asked me to sit on that. The OTAP will be meeting on Oct 8.

Directives for Deputy Executive Director:
Office Space for Councilmembers in the upriver area

TRIBAL MEMBER COMMENT:
Isaac Kinney: I come from Weitchpec, Pek-tuelh and I live at old Village. I want to come down and talk about the education program and how there is a big need to offer more guidance for the Weitchpec Magnet school and it was pretty sad that the teacher didn’t know about the world renewal ceremony and why he was unable to know to bring the kids down to ceremony. If we are going to have our children do the pledge of allegiance, then we need to get them the education. We need to get it together, especially our representative from Weitchpec, it’s been a while now, too long to say you don’t know who to talk to and to mobilize this.

Frankie Myers: I come from Sregon and I live at Kenek. This morning I would like to talk about the green diamond spray notice that we received. This is the spray plan that we signed off on. We allowed to have chemicals and poison to be sprayed near our homes, in our creeks and near our rivers. Garden 4 is being sprayed above Ah-pah. It is ashamed that we signed off on this. This is what we signed off on for the support of Green Diamond for our lands legislation, this is the price we are paying for that. Our members are paying for it. This is water we drink it. Come this fall when the rain comes, Ah-pah will be drinking it. I know that is a hefty price. There is going to be some action on this and I don’t want Council to be blindsided.

Elizabeth Davis: I have real complaint about the docks down at Requa, the bath rooms don’t have the amenities. Just because it’s not commercial doesn’t mean we should not have a standard. There was no (law) enforcement down there and I witnessed non tribal members fishing. I saw people cleaning their fish on the ground during commercial we are not allowed to do that. We should do better for our subsistence. I was under the impression that the non-tribal members are supposed to pay to launch their boats. The ice machine barely worked and was a hazard. Also there are wrecked cars down there. We need to clean up our own area.

Connie Norris: I am having problems down at my property down river. I need a fence to keep out the horses and cows. I have a bear down there and got into first trailer. I am having a hard time with Otto Hodge (YIHA), he said I was not on the list but I was supposed to be higher on

*September 27, 2018 Council Action meeting*
the list. I am getting too old to even move around. Housing gave me a trailer down there before.

Rose Sylvia: I just wanted to let you know that I went down and opened the laundry facility and the dryer is not hooked up to the gas. One of the washer leaks and so they didn’t want to use it. I have a set of keys, I want to give them back. I am not sure how you guys are going to run that. There is already electric cords coming out the fire house. I guess I will just give you the keys. I asked Debbie if I could give her the keys and she said no.

Elizabeth Azzuz: I just wanted to report back from Oklahoma and I did a presentation on Yurok healing session, I attended the opioid crisis, meth crisis and I went for the California Endowment, and True North. I saw a lot of other folks from home.

BREAK: 10:39-10:52

AGENDA ITEMS

PLANNING
P18-075, Weitchpec Well Drilling
Submitted by Sophia Lay
To discuss an incident that occurred on the Weitchpec Well Drilling project. The drilling is currently stopped and the contractor is charging $410.00 per hour to be on standby

TRIBAL MEMBER COMMENT:
Isaac Kinney: I would like to talk about the consultation part. Having to work for the Tribe in the transportation department. I feel like the consultation part wasn’t enough, a Facebook post invite is not enough. Our constitution says we have to be good stewards of the land. There is in sufficient consultation, not just here at Weitchpec but at Saints Rest and up at the School. Also, in Klamath the KCSD. Just like you said there is a pollution in the air. If we drill 200 feet in the ground, if there is an earthquake. If we are looking at regeneration and the health of the aquafer. When those dams come down in 2020 and 2022 and 2024. When those dams come down. The regeneration will grow. If we are privatization and the state doesn’t regulate the ground water. That’s why I asked these guys to provide a cultural permit, we need to empower the contractor and the cultural monitor. Consultation is a very fluid part of the project, if we contribute to the system, we are propitiating the system that keep us down.

Chairman O’Rourke responds

Isaac Kinney: if the test drills are good, we won’t see the water until next year. So the emergency part doesn’t sit well with me. If there was community meeting and I missed it or I said yes we need clean water. The contractor had to bring in the cultural permit, and just one and it was out of date.

Chairman O’Rourke responds

September 27, 2018 Council Action meeting
Elizabeth Azzuz: I have concerns about the Old village because my mother lived there and she said there are septic lines. Also, at Saints Rest and there have water lines, did anyone even ask us about the community garden? We are drilling near the school? Do we even have permission to drill there? I did the water treatment and someone could have said, “hey are going forward with the water drill.”

Jess McLaughlin: I didn’t know anything about the wells, until I was driving down to stick practice. I thought maybe they were brushing the road.

Elizabeth Azzuz: I was in Oklahoma, my intern called and said that the road to the garden was torn up. I thought maybe it was the roads department, because they have been very good about helping us on the garden.

Sophia Lay, Dara Zimmerman I.H.S.
P18-075, Weitchpec Well Drilling
Submitted by Sophia Lay

Motion made by Councilmember McCovey/Councilmember Ray to allow the test drilling to go forward the project, not put into production until the consultation with the community.
Motion carries by consensus

TRIBAL MEMBER COMMENT:
Isaac Kinney: how much is money is IHS going to be able to put into operational cost? Because it’s my understanding because that we have not figured out how to take care of water systems. The operational cost and job get recycled back into this community.

Duston Offins: these are test wells? So how many other sites are there?

Rob Kinney: I’d be afraid that we are not looking into the future far enough? If we pump out too much water it would be disastrous for the old village.

Elizabeth Azzuz: we want water, but we do not want them drilling in my family’s village. We have two other sites can we cannot use those?

Drillers: I hear him say he doesn’t want to drill in his village, I hear her say she doesn’t want us to drill in the garden and then I hear we don’t want to drill at the school, because there is a sink hole. I don’t feel comfortable drilling, until you have 100% certainty about it.

Elizabeth Azzuz: I do want water at the garden, I just don’t want it in my family’s village.

Lucas Garcia: I am the cultural monitor and I feel like I do need to speak up, when we talk about the village and the head man. It’s important that the family from the village sit down and have a discussion, not just one family. I am doing my best to follow the protocol, there is no set

September 27, 2018 Council Action meeting
location for men’s camp, and there is no fire. I am doing my best to protect it. It’s highly
emotional and stressful for me. I think the lead families need to be notified.

LUNCH: 12:19-1:08
TRIBAL MEMBER COMMENT: none provided
AGENDA ITEMS

EDUCATION
Jim McQuillen presents
EDU18-025, DOJ Project 7014 Budget
Submitted By: Jim McQuillen
Motion made by Councilmember McCovey/Councilmember Natt to approve the Revisions to
Project 7014. Motion carries by consensus

Jim McQuillen presents
EDU18-026, Special Scholarship Board Members
Submitted By: Jim McQuillen
Motion made by Councilmember Ray/Councilmember Vice Chairperson Gensaw to approve
Councilmember Natt and Councilmember Vanlandingham to read and award the special
scholarship, 1 to freshman and 4 to upper grades for a total of 5 $1000.00 scholarships.
Motion carries by consensus

Jim McQuillen presents
CA18-437, South Site update
Submitted By: Councilmember McCovey
Education department, Public Works and Executive Office to provide update on sign change,
side gate, motion detector lights and garden. Discussion only, no action.

ENVIRONMENTAL
Louisa McCovey presents
YTEP18-011, Project 3029 Budget Modifications
Submitted By: Louisa McCovey
Motion made by Councilmember Ray/Vice Chairperson Gensaw for Council approval of a
budget modification and end of the year line item adjustments for Project 3029, Air Quality
Program, consistent with USEPA grant guidelines. Motion carries by consensus

Wildlife18-016, HSU/Elk subcontract
Submitted by Chris West
Motion made by Councilmember Natt/Councilmember Ray to approve the attached
extension request for the Wildlife Program’s current Tribal Wildlife Grant and all necessary
documents for Chairman’s signature. Motion carries by consensus

September 27, 2018 Council Action meeting
PUBLIC WORKS

Randy Thompson presents
PW18-003, Budget Modifications
Submitted By: Dean Baker

Motion made by Vice Chairperson Gensaw/Councilmember Ray approve budget modification for 11005. Motion carries by consensus

Randy Thompson presents
PW18-004, Emergency Management
Submitted By: Dean Baker

To set a Work session for October 25, 2018 at 10am with Council to discuss Emergency Management, various roles and responsibilities, funding and program expansion. Motion carries by consensus

Randy Thompson present
PW18-005, Hazard Mitigation Plan
Submitted By: Dean Baker

Council to adopt our Hazard Mitigation Plan. This plan is FEMA approved, pending adoption by Council. To add to the Work Session for October 25, 2018. Motion carries by consensus

CA18-411, Weitchpec Transfer Station
Submitted By: Councilmember Vanlandingham

Action/discussion regarding the scales at Weitchpec transfer station. Item pulled.

SOCIAL SERVICES

Rose Sylvia presents
SS18-060, Driving Privileges for Intern
Submitted By: Mерris Obie

Motion made by Councilmember McCovey/Councilmember James for Council to approve the use of GSA vehicles for the Social Services interns providing that they can pass the driving criteria. Motion carries by consensus

Chris Peters presents
SS18-065 Budget mod
Submitted by Mерris Obie

Motion made by Vice Chairperson Gensaw/Councilmember Ray to approve budget modification for project 119-4. Motion carries by consensus
WATERSHED
WS18-010, Supply Creek II
Submitted By: Richard Nelson
Motion made by Vice Chairperson Gensaw/Councilmember James to retro-approval of attached subcontract between Klamath River Construction and Yurok Watershed Department for implementation of the Supply Creek II Project. Approval of action item dependent on Legal and Recommendations they make. Motion carries by consensus

COUNCIL
CA18-269a, Rescind CA18-269
Submitted By: Councilmember McCovey
To Rescind Council Action CA18-269 due to legal issues regarding the implementation and interpretation of changes to governing document of the Yurok Tribe. Chairman wants to follow up for Council procedure for policy. Item tabled to August 22/23, 2018 (to appear on both agendas). Council consensus to table.

BREAK 1:59-2:11
AGENDA ITEMS
Jim Norton presents
CA18-427, Weitchpec Teleconference System
Submitted By: Councilmember Vanlandingham
Motion made by Councilmember Vanlandingham/Councilmember James to approve purchase of a teleconference system for the Weitchpec Tribal Office. To identify Project 50 for purchase. IT directed to purchase and install phone system. Motion carries by consensus

CA18-430, 8th Grade Donation
Submitted By: Councilmember Natt
Motion made by Councilmember Vanlandingham/Councilmember Natt to approve donation to 8th grade fundraising for $500.00, $250-community donation, $250-Councilmember Natt’s travel line item. Motion carries by consensus

Jim Norton presents
CA18-431, Wautec Firehouse work session (to set a date)
Submitted By: Councilmember Natt
Council consensus to set a date for a Planning Session for the Wautec Firehouse. To include IT dept, Planning dept, Public Works, and Public Safety. Set for October 24, 2018 at 1pm at Wautec Firehouse.

Jim Norton presents
CA18-432, Information Services work session (to set a date)
Submitted By: Councilmember Natt

September 27, 2018 Council Action meeting
Set a date for a work session with IT to direct them to schedule a day with frontier to meet with Council and to talk about micro fiber project. To table after the meeting in Karuk.

Georgiana Gensaw present
CA18-434, Ceremonial assistance
Submitted By: Council Support

Motion made by Vice Chairperson Gensaw/Councilmember Ray to approve to use the remaining ceremonial assistance funds of $5,000.00 to pay the portable toilets for White Deer Skin Dance and Pecwan Jump Dance. (Please note, one of the brush dances that was approved for $1,000 had to cancel). Motion carries by consensus

Jim Norton present
CA18-435, Waute Creek firehouse alarm & internet
Submitted By: Councilmember Vanlandingham

To install an alarm system and internet for Waute Creek Fire House. Item tabled to October 24, 2018.

Taralyn Ipina present
CA18-436, Winter Celebrations
Submitted By: Council Support

Council consensus to identify locations and dates of the Winter Celebrations, set for December 10-Klamath 5-7 pm, December 12-Eureka 6-8 pm at Azalea Hall, Weitchpec 14 5-7 pm at Morek Won.

CA18-439, Superior Court-Tribal Flag
Submitted By: Council Support

Motion made by Councilmember James/Councilmember McCovey to authorize the Tribal Flag to fly during joint court session with the Eureka Superior Court, Additionally to approve donation. Motion carries by consensus

CA18-441, CFMC MOU Transfer Site
Submitted By: Councilmember Vanlandingham

Update from OTA and Executive Office regarding the Cultural Fire Management Council MOU RE: Transfer Station. Directive to OTA.

CA18-444, Council Offices Upriver
Submitted By: Councilmember Vanlandingham

Directive to Earl Jackson identify office space(s) for Council in the Tulley Creek Transportation building. To come back next week.

CA18-445, August meeting minutes
Submitted By: Council Support

*September 27, 2018 Council Action meeting*
Motion by Councilmember Natt/Vice Chairperson Gensaw to approve with edits and corrections Council meeting minutes for August 8, August 9, August 22, August 23 and August 28. Edits due back to Council Support by October. Motion carries by consensus

CA18-446, September meeting minutes
Submitted By: Council Support

Motion made by Councilmember Ray/Councilmember James to approve with edits and corrections Council meeting minutes for September 5 and 6, 2018. Edits due by October. Motion carries by consensus

Amy Cordalis presents
OTA18-069, Westlaw Contract
Submitted by Amy Cordalis

Motion made by Councilmember Natt/Councilmember James Council approves and authorizes Chairman to sign Resolution 18-65 for a limited waiver of sovereign immunity and the Westlaw Next 3 year term contract to provide legal research services for OTA staff. Roll call; Vice Chairperson Gensaw-yes, Councilmember James-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Hendrix-np, Councilmember Natt-yes, Councilmember Aubrey-np, Councilmember McCoyve-yes. Yes-6, no-0, abs-0, np-2. Motion carries

Amy Cordalis presents
OTA18-067 Christine Williams legal services contract
Submitted by Amy Cordalis

Motion made by Councilmember Vanlandingham/Councilmember James Council approves and authorizes the Chairman to sign the legal services contract with Christine Williams for fiscal year 2019 contract not to exceed $7,500. Roll call; Vice Chairperson Gensaw-no, Councilmember James-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Hendrix-np, Councilmember Natt-yes, Councilmember Aubrey-np, Councilmember McCoyve-yes. Yes-6, no-2, abs-0, np-2. Motion carries

Amy Cordalis presents
OTA18-071, Adoption of Domestic Violence Ordinance
Submitted by Amy Cordalis

Motion made by Councilmember McCoyve/Councilmember Natt adopts the attached Domestic Violence Ordinance on an emergency basis with revisions specified by Council and directs OTA to submit a clean copy for certification. Council further authorizes Chairman to sign and Secretary to attest. Roll call; Vice Chairperson Gensaw-no, Councilmember James-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Hendrix-np, Councilmember Natt-yes, Councilmember Aubrey-np, Councilmember McCoyve-yes. Yes-6, no-2, abs-0, np-2. Motion carries

September 27, 2018 Council Action meeting
Discussion/action on Executive Director position (executive session).

TRIBAL MEMBER COMMENT: none provided

BREAK 3:13-3:25

EXECUTIVE SESSION: 3:24 Green Diamond spraying, Executive Director Position, Personnel (1), Water issue

CLOSING PRAYER: prayer provided by Vice Chairperson Gensaw

ADJOURN: 4:34

MEETING MINUTES APPROVED ON: October 30, 2018

Mindy Natt, Secretary

_4/20/2018_

Date