ROLL CALL: 10:00am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Ryan Ray, Requa District; Lori Hodge, East District; Phillip Williams, North District; Lana McCovey, South District; Toby Vanlandingham, Weitchpec District.

ABSENT: Sherri Provolt (ceremonial leave); Mindy Natt (absent)

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Dawn Baum, General Counsel; Georgiana Gensaw (recorder).

QUORUM: 7 present, 2 absent, quorum present.

OPENING PRAYER: Provided by Councilmember Williams.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion by Councilmember Williams/Councilmember McCovey to approve agenda with additions EP22-044, P22-049, YTP22-006, CA22-189, CA22-190, and OTA22-049. Motion carries by consensus.

CALENDAR

Carbon Program
CARB2-004, Request to Schedule a Planning Session
Submitted by Tim Hayden

Council consensus to set September 7, 2022 for a one-hour strategic planning session and introduction/update with the Yale School of Environment and MIT Space Enabled Research Lab Academic Partnerships.

Tribal Court
TC22-029, Humboldt County Tribal Diversion Work Session
Submitted by Amber Miller

Council consensus to schedule a work session for September 9, 2022 regarding Tribal Diversion MOU to present and request feedback on proposed general terms to divert criminal charges in Humboldt and Del Norte Counties to the Yurok Wellness Court.

Office of Tribal Attorney
OTA22-042, Exclusion Ordinance Work Session
Submitted by Dawn Baum
Council consensus to schedule September 9, 2022 as a work session set for Exclusion Ordinance to review comments and provide direction to OTA.

INTRODUCTION OF NEW EMPLOYEE(S): Tribal Court Transportation Driver introduced.

COUNCIL CHECK IN:
Vice Chairman Myers: Pass.

Councilmember Hodge: Thank you, George. Good morning, everyone. Thank you for attending our meeting. I just wanted to say, we are really impacted by these lightning fires over here in the East District. Many of us are under mandatory evacuation. So, I would like to make sure anyone who's affected can call our Health & Human Services Department if needed. Please call me and I can get them in touch with the right department. We have many resources available and help is out there, but we just got to let us know of your need. Also, I wanted to give a shout out to our Yurok Fire Department and Chief Mendez. They are working this fire during the night shift and working very, very hard. Thank you.

Councilmember Williams: Yes. Good morning. I had a district meeting a week ago and we had some salmon, sturgeon, and deer meet. A lot of people showed up. It was a great meeting. One of the things I wanted to bring forward is about the upcoming election season. Some of the north district members would like us to develop a cheat sheet for the voters. There has been some questions about Proposition 27 and what is the Yurok Tribe’s position. There was a suggestion to have a guideline for our voters on initiatives that are in our favor and for candidates that we support. I attended the White House Summit briefing on the new inflation act. I'll be going to Washington DC on Friday to a leadership conference. I want to thank Mr. Kenney for recommending me for this leadership certificate program, and I'll be attending the White House Summit on Monday regarding climate change. They’ve asked me to do a little speech about how climate change has affected the Yurok people. I also wanted to announce that my candidacy for Del Norte County School Board. I'm doing this for the children of the Fifth District. Our school here in the fifth district has been swept under the rug and nobody pays any attention to it. And so I'm doing this to give the people of this community, a voice at the school board and to address the needs of our communities. Thank you.

Councilmember McCovey: I attended the Self-Governance Annual Conference last week. There was a lot of things that came up in the meeting. And one of the items asked was for the Government to explore the base funding for Tribes. The recommend was made that they just update information for all of the tribes at one time and fix the errors. So they're supposed to be working on that, but we'll see. There was a couple of other things that was discussed and I believe I brought them up before. It is where we could probably get some really good funding for 105 (L) leases. That's untapped funds for maintenance and upkeep of buildings and possibly for constructing buildings. One of the things that they stated was that buildings construction can be reimbursed if it covers a trust responsibility. I know that we've had questions about some of that, so that is something that should be checked into also. Thank you.
Councilmember Vanlandingham: Pass

Councilmember Ray: I just want to remind everybody that the NCIDC Board has approved their scholarship program. So, if you have any, or know of any students that are returning to college or attending college for the first time to let them know about this scholarship. I also invite the Superintendent of Del Norte County Schools to come down and meet with us. I think right now it's a hot topic, especially within Margaret Keating and the individuals that want to be transferred out of that school. I want to get this individual down here and maybe some school board members to meet with tribal council and figure something out.

Councilmember Natt: Not present.

Councilmember Provolt: Not present.

Chairman James: Yesterday, I was on Sacramento to provide testimony on behalf of the York Tribe regarding the lack of water, the importance of water, what it is to us, the river, the streams, not only for our tribe but for all tribes. Tribes spoke from their heart, the importance of the water and rivers from a cultural standpoint and a way of life. So that was yesterday. I also wanted to say you thank you to our staff for their assistance with the fires. That's impacting our membership. We are aware of it and we are following it. And so again, I think our team. That is all I have for right now.

TRIBAL MEMBER COMMENT: None provided.

EXECUTIVE SESSION:
11:00am-Meeting with Yurok Indian Housing Authority Board of Commissioners
Personnel (Hodge)
Personnel and Legal (McCovey)

LITIGATION UPDATE: Executive Session item(s).
OTA22-048, Brackeen v Haaland Amicus Brief
OTA22-049, Boat Dance Litigation

CONSENT ITEMS:
Wildlife Program
WILD22-011, Grant Submission
Submitted by Tiana Williams-Claussen

Motion by Councilmember Vanlandingham/Councilmember Williams to retroactively approve the submission of an application to the US Fish and Wildlife Service FY 2022 Tribal Wildlife Grant to support lead ammunition and environmental containment education and outreach within the Northern California Condor Restoration Program, and all necessary Chairman signatures. Motion carries by consensus.

EXECUTIVE SESSION: 11:10am-12:15pm
Meeting with Yurok Indian Housing Board of Commissioners. Discussion only.
AGENDA ITEMS:

Administration
Human Resources Department
HR22-004, Personnel Policy Review (Chapters 1-6)
Submitted by Rose Sylvia

Planning day to review Personnel Policy Modifications Chapters 1-6. Discussion only.

Ner-Gery ‘Oohl (Helping Yurok People) Division
Education Department
EDU22-022, Unite Us Data
Submitted by Josh Norris

Motion by Councilmember Williams/Councilmember McCovey to approve the single source procurement of the Unite Us Data platform used to coordinate electronic referrals between health and social service organizations on a common platform. Cost is $110,000 per year to Klamath Promise Neighborhoods with a renewal each year for up to five years. Motion carries by consensus.

EDU22-025, Family Resource Center
Submitted by Josh Norris

Motion by Councilmember Williams/Councilmember Vanlandingham to approve the contract between the Yurok tribe and the Family Resource Center of the Redwoods for $1,473,378 over five years. Motion carries by consensus.

EDU22-030, Staff Merit Adjustment (Confidential)
Submitted by Jim McQuillen

Motion by Councilmember Williams/Councilmember McCovey to approve the Education Department to offer a merit increase 3-6% to staff who are demonstrating above average outstanding performance based on an evaluation from the employee’s supervisor and the Department Director. See back-up that pay increases can be covered by department budget. Pending approval of the Executive Committee. Motion carries by consensus.

Health & Human Service Department
YHHS22-054, TANF, Tobacco Wellness Opioid Affected Youth
Submitted by Madison Green

Motion by Councilmember Ray/Councilmember Vanlandingham to approve recruitment of existing approved job descriptions within Client Services Department budgets of FY22. Motion carries by consensus.

YHHS22-065, Promotion Budget Approval
Submitted by Springwind Marshall
Motion by Councilmember Vanlandingham/Councilmember Williams to approve budget for Client Services Department Administrative Assistant III promotion. Motion carries by consensus.

YHHS22-044, Lamar Advertising Contract Submitted by Holly Reed

Motion by Councilmember Vanlandingham/Councilmember Williams to approve contract Lamar Advertising for the use of billboard along Highway 101 in Klamath. Billboard will provide “Culture is Prevention” messaging for 1 year and will be paid for out of the Yurok Opioid Affected Youth Initiative Department of Justice grant. Motion carries by consensus.

YHHS22-066, Youth Opioid Response Project Budget Modification Submitted by Alita Redner

Motion by Councilmember Vanlandingham/Councilmember Williams to approve Youth Opioid Response Project 8277 Budget Modification. Motion carries by consensus.

YHHS22-067, Revised Year 2 Budget Submitted by Shoshoni Gensaw

Motion by Councilmember Vanlandingham/Councilmember Williams to approve revised 2 year budget to include carryover from year 1. Motion carries by consensus.

YHHS22-069, Hiring Social Workers Submitted by Jessica Fawn Canez

Motion by Councilmember Vanlandingham/Councilmember McCovey to approve hiring two new Tribal Social Workers for the Tribal Child Welfare and Behavioral Health Department. Motion carries by consensus.

Natural Resources Division
Fire Department

FIRE22-010, Hiring Submitted by Rod Mendes

Motion by Councilmember Vanlandingham/Councilmember McCovey authorizing approval to hire a Fire Tech I (Firefighter 2). Funds to come from reimbursement account #210. Motion carries by consensus.

FIRE22-011, Kozak Beym Consulting Contract Submitted by Rod Mendes

Motion by Councilmember Vanlandingham/Councilmember McCovey to approve and authorize the Chairman to sign the contract for Kozak and Beym Consulting in the amount of $25,000.00. Funds to come from the Fire Department program #166, Hewlett Foundation Grant, Project #2619, $12,500.00 due to contractor upon approval of the contract, non-competitive procurement approved by funder in written proposal. Motion carries by consensus.
2:00pm-Chairman James leaves meeting for doctor’s appointment. Vice Chairman Myers chairs meeting.

**Natural Resources Division**

*NR22-006, Road Use Agreement*

Submitted by Tim Hayden

| Motion by Councilmember Hodge/Councilmember Williams to approve the attached Road Use Agreement (RUA) with Green Diamond Resources Company to use Road J-1900 on Yurok Tribal property and approve Resolution #22-36 with edits for a Limited Waiver of Sovereign Immunity in favor of Green Diamond Resources Company. Roll call: Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-np, Councilmember Natt-np, Councilmember Williams-no, Councilmember McCovey-abs; Vice-Chairman Myers-Chairing. Yes-1, No-3, abstain-1, not present-3. Motion denied. |

**Wildlife Program**

*WILD22-014, Yurok Membership in NAFW*

Submitted by Tiana Williams-Claussen

| Motion by Councilmember Vanlandingham/Councilmember Hodge to approve membership in the Native American Fish and Wildlife Society, the attached Resolution #22-84 “In support of and approval for Yurok Tribal membership in the Native American Fish and Wildlife Society”, with edits, and all necessary Tribal Chairman and Secretary signatures. Motion carries by consensus. |

**PLANNING & COMMUNITY DEVELOPMENT UPDATE:** No updates provided.

**AGENDA ITEMS:**

**Planning & Community Development Division**

*P22-017, Tulley Creek Firehouse Roof*

Submitted by Gino O’Rourke

| Motion by Councilmember Ray/Councilmember Vanlandingham to approve the Tulley Creek Firehouse Roof Assessment project in the amount of $18,949.46 with the project funds from project #8225. Motion carries by consensus. |

*P22-027, Capital Projects Fund Grant Application*

Submitted by Ray Moisa

| Motion by Councilmember Ray/Councilmember Vanlandingham to authorize the Planning Department to apply for $167,504 from the US Treasury Capital Projects Fund to purchase TV monitors and laptops. Motion carries by consensus. |

*P22-023, Design Build Contract with Per-geesh Construction*

Submitted by Sophia Lay

| Motion by Councilmember Ray/Councilmember Vanlandingham to authorize the Planning Department to execute a Design-Build Contract with Per-geesh Construction for the Klamath Emergency Operation Center and authorize the Chairperson to sign all necessary contract |
documents, contingent upon review and approval through the standard internal contract review process. Motion carries by consensus.

Transportation Program
T22-002, Agreement with Humboldt County
Submitted by Brandi Natt

Motion by Councilmember Vanlandingham/Councilmember McCovey to approve the Transportation Services Agreement and Resolution #22-73 with Humboldt County to provide Transit Services from Orleans and Weitchpec to Willow Creek for fiscal years FY22/23 in the amount of $109,000 and FY23/24 in the amount of $112,270 and to authorize Chairman to sign all related documents. Roll call: Vice Chairman Myers-Chairing, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-no, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-5, no-0, abstain-0, not present-3. Motion carries.

T22-004, Memorandum of Agreement with Yurok Indian Housing Authority
Submitted by Brandi Natt

Motion by Councilmember Ray/Councilmember Vanlandingham to approve the Memorandum of Agreement (MOA) with the Yurok Indian Housing Authority (YIHA) to place two Bus Shelters at 151 Salmon Avenue and 231 Redwood Road. Motion carries by consensus.

Tribal Court
TC22-022, Budget Modification #4046
Submitted by Jessica Carter

Motion by Councilmember Vanlandingham/Councilmember McCovey to approve budget modification for Project 4046 Yurok Opioid Youngest Victim Assistance Grant. Motion carries by consensus.

Environmental Department
YTED22-041, ENVR Dept. & UC Davis Partnership
Submitted by Louisa McCovey

Motion by Councilmember Vanlandingham/Councilmember Williams to approve research partnership between the Environmental Department and UC Davis for a collaborative study that will utilize silicone wristbands as passive samplers to collect chemical exposure data, and for Chairman to sign all associated documents. Motion carries by consensus.

Yurok Tribal Police
YTP22-006, Project Code for YTP Discretionary
Submitted by Macy Bommelyn

Motion by Councilmember Williams/Councilmember Vanlandingham to assign a project code for Yurok Tribal Police Discretionary funds collected from lawful sale of adjudicated property, Civil Service Fees and other fees collected by Yurok Police Department. Budget Worksheet attached. Current total is $3,850.25. Supporting documents attached. Roll call: Vice Chairman Myers-Chairing, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember McCovey-yes, Councilmember Provolt-yes, Councilmember Natt-no, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-5, no-0, abstain-0, not present-3. Motion carries.
Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-np, Councilmember Williams-yes, Councilmember McCovey-no. Yes-3, No-2, abstain-0, not present-3. Motion carries.

Break: 3:45pm-4:00pm

AGENDA ITEMS:

Council

CA22-186, Budget Modification #11016
Submitted by Jodi Hoone

Motion by Councilmember Vanlandingham/Councilmember McCovey to approve budget modification for grant monitor/management software, contract for financial consulting, and to update staff workstations (laptops). Motion carries by consensus.

CA22-187, Margaret Keating Community Development Donation Request
Submitted by Councilmember Ray

Motion by Councilmember Ray/Councilmember Vanlandingham to approve a Community Donation in the amount of $250, and $1000 Requa District Travel Line Item, $1,000 Vice Chairman Youth Fund, $250 Weitchpec Travel Line item, $1,000 South District Travel Line Item and $1,500 from Morgan Stanley Youth Fund for a total of $5,000 for the display of a mural created by Carl Avery Studios. Motion carries by consensus.

CA22-188, School Board Candidate, Phillip Williams Donation Request
Submitted by Councilmember Williams

Motion by Councilmember Ray/Councilmember McCovey to approve a Political Donation in the amount of $1,500 towards the campaign of Phillip Williams for School Board Member for the 5th District of the Del Norte Unified School District. Motion carries by consensus.

CA22-189, Community Donation Salmon Festival Softball Tournament
Submitted by Councilmember Ray

Motion by Councilmember McCovey/Councilmember Vanlandingham to approve a Community Donation in the amount of $250.00 for the River Riders to pay entry fees for the Salmon Festival Softball tournament. Roll call; Vice Chairman Myers-Chairing, Councilmember Hodge-yes, Councilmember Ray-abs, Councilmember Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-np, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-4, no-0, abstain-1, not present-3. Motion carries.

CA22-190, North District Representative
Submitted by Councilmember Williams

Motion by Councilmember McCovey/Councilmember Hodge Pursuant to the Yurok Constitution to approve Chairman James/Vice Chairman Myers appointment of Bessie Shorty to the Yurok Indian Housing Authority Board of Commissioners to represent the North District. This is hereby confirmed by Council. Motion carries by consensus.
TRIBAL MEMBER COMMENT: None provided.

Break: 4:45pm-5:00pm

Executive Session: 5:00pm-5:48pm

Items out of Executive Session:

Office of Tribal Attorney
OTA22-048, Brackeen v Haaland Amicus Brief (confidential)
Submitted by Annie Perry

Motion by Councilmember Vanlandingham/Councilmember Williams to authorize the Yurok Tribe to join the Tribal amicus brief supporting ICWA in the Supreme Court case Brackeen v. Haaland, memorandum attached. Motion carries by consensus.

OTA22-049, Boat Dance Settlement Agreement (confidential)
Submitted by Dawn Baum

Motion by Councilmember Williams/Councilmember Vanlandingham to approve Boat Dance Case Settlement Agreement. Motion carries by consensus.

CLOSING PRAYER: Provided by Councilmember Ray.

ADJOURN: 5:53pm

MEETING MINUTES APPROVED ON: September 8, 2022

Sherri K. Provolt, Secretary 09/19/2022

Date