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**YUOK TRIBAL COUNCIL
PLANNING/ACTION MEETING
WEDNESDAY, AUGUST 10, 2022
KLAMATH TRIBAL OFFICE
<https://zoom.us/j/92549693537>**

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

46 **Council consensus to schedule September 9, 2022 as a work session set for Exclusion**
47 **Ordinance to review comments and provide direction to OTA.**

48
49 **INTRODUCTION OF NEW EMPLOYEE(S):** Tribal Court Transportation Driver introduced.

50
51 **COUNCIL CHECK IN:**

52 Vice Chairman Myers: Pass.

53
54 Councilmember Hodge: Thank you, George. Good morning, everyone. Thank you for attending
55 our meeting. I just wanted to say, we are really impacted by these lightning fires over here in
56 the East District. Many of us are under mandatory evacuation. So, I would like to make sure
57 anyone who's affected can called our Health & Human Services Department if needed. Please
58 call me and I can get them in touch with the right department. We have many resources
59 available and help is out there, but we just got to let us know of your need. Also, I wanted to
60 give a shout out to our Yurok Fire Department and Chief Mendez. They are working this fire
61 during the night shift and working very, very hard. Thank you.

62
63
64 Councilmember Williams: Yes. Good morning. I had a district meeting a week ago and we had
65 some salmon, sturgeon, and deer meet. A lot of people showed up. It was a great meeting.
66 One of the things I wanted to bring forward is about the upcoming election season. Some of the
67 north district members would like us to develop a cheat sheet for the voters. There has been
68 some questions about Proposition 27 and what is the Yurok Tribe's position. There was a
69 suggestion to have a guideline for our voters on initiatives that are in our favor and for
70 candidates that we support. I attended the White House Summit briefing on the new inflation
71 act. I'll be going to Washington DC on Friday to a leadership conference. I want to thank Mr.
72 Kenney for recommending me for this leadership certificate program, and I'll be attending the
73 White House Summit on Monday regarding climate change. They've asked me to do a little
74 speech about how climate change has affected the Yurok people. I also wanted to announce
75 that my candidacy for Del Norte County School Board. I'm doing this for the children of the
76 Fifth District. Our school here in the fifth district has been swept under the rug and nobody
77 pays any attention to it. And so I'm doing this to give the people of this community, a voice at
78 the school board and to address the needs of our communities. Thank you.

79
80 Councilmember McCovey: I attended the Self-Governance Annual Conference last week. There
81 was a lot of things that came up in the meeting. And one of the items asked was for the
82 Government to explore the base funding for Tribes. The recommend was made that they just
83 update information for all of the tribes at one time and fix the errors. So they're supposed to be
84 working on that, but we'll see. There was a couple of other things that was discussed and I
85 believe I brought them up before. It is where we could probably get some really good funding
86 for 105 (L) leases. That's untapped funds for maintenance and upkeep of buildings and possibly
87 for constructing buildings. One of the things that they stated was that buildings construction
88 can be reimbursed if it covers a trust responsibility. I know that we've had questions about
89 some of that, so that is something that should be checked into also. Thank you.

90

91 Councilmember Vanlandingham: Pass

92

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

100

101 Councilmember Natt: Not present.

102

103 Councilmember Provolt: Not present.

104

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

112

113 **TRIBAL MEMBER COMMENT:** None provided.

114

115 **EXECUTIVE SESSION:**

116 11:00am-Meeting with Yurok Indian Housing Authority Board of Commissioners

117 Personnel (Hodge)

118 Personnel and Legal (McCovey)

119

120 **LITIGATION UPDATE:** Executive Session item(s).

121 OTA22-048, Brackeen v Haaland Amicus Brief

122 OTA22-049, Boat Dance Litigation

123

124 **CONSENT ITEMS:**

125 *Wildlife Program*

126 WILD22-011, Grant Submission

127 Submitted by Tiana Williams-Claussen

128

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

133

134 **EXECUTIVE SESSION:** 11:10am-12:15pm

135

Meeting with Yurok Indian Housing Board of Commissioners. Discussion only.

136
137 **LUNCH:** 12:15pm-1:00pm

138
139 **TRIBAL MEMBER COMMENT:** None provided.

140
141 **AGENDA ITEMS:**

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

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

147
148 **Ner-Gery 'Oohl (Helping Yurok People) Division**

149 *Education Department*
150 EDU22-022, Unite Us Data
151 Submitted by Josh Norris

152 **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.**

157
158 EDU22-025, Family Resource Center
159 Submitted by Josh Norris

160 **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.**

163
164 EDU22-030, Staff Merit Adjustment (Confidential)
165 Submitted by Jim McQuillen

166 **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.**

171
172 *Health & Human Service Department*
173 YHHS22-054, TANF, Tobacco Wellness Opioid Affected Youth
174 Submitted by Madison Green

175 **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.**

178
179 YHHS22-065, Promotion Budget Approval
180 Submitted by Springwind Marshall

181 **Motion by Councilmember Vanlandingham/Councilmember Williams to approve budget for**
182 **Client Services Department Administrative Assistant III promotion. Motion carries by**
183 **consensus.**

184
185 YHHS22-044, Lamar Advertising Contract
186 Submitted by Holly Reed

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

191
192 YHHS22-066, Youth Opioid Response Project Budget Modification
193 Submitted by Alita Redner

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

196
197 YHHS22-067, Revised Year 2 Budget
198 Submitted by Shoshoni Gensaw

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

201
202 YHHS22-069, Hiring Social Workers
203 Submitted by Jessica Fawn Canez

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

207
208 **Natural Resources Division**

209 *Fire Department*
210 FIRE22-010, Hiring
211 Submitted by Rod Mendes

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

215
216 FIRE22-011, Kozak Beym Consulting Contract
217 Submitted by Rod Mendes

218 **Motion by Councilmember Vanlandingham/Councilmember McCovey to approve and**
219 **authorize the Chairman to sign the contract for Kozak and Beym Consulting in the amount of**
220 **\$25,000.00. Funds to come from the Fire Department program #166, Hewlett Foundation**
221 **Grant, Project #2619, \$12,500.00 due to contractor upon approval of the contract, non-**
222 **competitive procurement approved by funder in written proposal. Motion carries by**
223 **consensus.**

224

225 2:00pm-Chairman James leaves meeting for doctor's appointment. Vice Chairman Myers chairs
226 meeting.

227

228 **Natural Resources Division**

229 *NR22-006, Road Use Agreement*

230 Submitted by Tim Hayden

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

238

239 *Wildlife Program*

240 WILD22-014, Yurok Membership in NAFW

241 Submitted by Tiana Williams-Claussen

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

247

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

249

250 **AGENDA ITEMS:**

251 **Planning & Community Development Division**

252 P22-017, Tulley Creek Firehouse Roof

253 Submitted by Gino O'Rourke

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

257

258 P22-027, Capital Projects Fund Grant Application

259 Submitted by Ray Moisa

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

263

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

265 Submitted by Sophia Lay

266 **Motion by Councilmember Ray/Councilmember Vanlandingham to authorize the Planning**
267 **Department to execute a Design-Build Contract with Per-geesh Construction for the Klamath**
268 **Emergency Operation Center and authorize the Chairperson to sign all necessary contract**

269 documents, contingent upon review and approval through the standard internal contract
270 review process. Motion carries by consensus.

271

272 *Transportation Program*

273 T22-002, Agreement with Humboldt County

274 Submitted by Brandi Natt

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

283

284 T22-004, Memorandum of Agreement with Yurok Indian Housing Authority

285 Submitted by Brandi Natt

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

290

291 **Tribal Court**

292 TC22-022, Budget Modification #4046

293 Submitted by Jessica Carter

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

297

298 **Environmental Department**

299 YTED22-041, ENVR Dept. & UC Davis Partnership

300 Submitted by Louisa McCovey

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

305

306 **Yurok Tribal Police**

307 YTP22-006, Project Code for YTP Discretionary

308 Submitted by Macy Bommelyn

309 **Motion by Councilmember Williams/Councilmember Vanlandingham to assign a project code**
310 **for Yurok Tribal Police Discretionary funds collected from lawful sale of adjudicated property,**
311 **Civil Service Fees and other fees collected by Yurok Police Department. Budget Worksheet**
312 **attached. Current total is \$3,850.25. Supporting documents attached. Roll call: Vice Chairman**
313 **Myers-Chairing, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember**

314 **Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-np, Councilmember**
315 **Williams-yes, Councilmember McCovey-no. Yes-3, No-2, abstain-0, not present-3. Motion**
316 **carries.**

317
318 **Break: 3:45pm-4:00pm**

319
320 **AGENDA ITEMS:**

321 **Council**

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

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

327
328 CA22-187, Margaret Keating Community Development Donation Request
329 Submitted by Councilmember Ray

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

335
336 CA22-188, School Board Candidate, Phillip Williams Donation Request
337 Submitted by Councilmember Williams

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

341
342 CA22-189, Community Donation Salmon Festival Softball Tournament
343 Submitted by Councilmember Ray

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

350
351 CA22-190, North District Representative
352 Submitted by Councilmember Williams

353 **Motion by Councilmember McCovey/Councilmember Hodge Pursuant to the Yurok**
354 **Constitution to approve Chairman James/Vice Chairman Myers appointment of Bessie Shorty**
355 **to the Yurok Indian Housing Authority Board of Commissioners to represent the North**
356 **District. This is hereby confirmed by Council. Motion carries by consensus.**

357

358 **TRIBAL MEMBER COMMENT:** None provided.

359

360 **Break:** 4:45pm-5:00pm

361

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

363

364 Items out of Executive Session:

365

366 **Office of Tribal Attorney**

367 OTA22-048, Brackeen v Haaland Amicus Brief (confidential)

368 Submitted by Annie Perry

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

372

373 OTA22-049, Boat Dance Settlement Agreement (confidential)

374 Submitted by Dawn Baum

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

377

378 **CLOSING PRAYER:** Provided by Councilmember Ray.

379

380 **ADJOURN:** 5:53pm

381

382 **MEETING MINUTES APPROVED ON:**

September 8, 2022

383

384

385



09/19/2022

386 **Sherri K. Provolt, Secretary**

Date

387