

1 **YUROK TRIBAL COUNCIL**
2 **ACTION MEETING**
3 **THURSDAY, JULY 28, 2022**
4 **WEITCHPEC TRIBAL OFFICE**

5
6 **ROLL CALL:** 10:00am

7
8 **PRESENT:** Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick
9 District; Lori Hodge, East District; Ryan Ray, Requa District; Toby
10 Vanlandingham, Weitchpec District; Phillip Williams, North District; Lana
11 McCovey, South District; Mindy Natt, Pecwan District.

12
13 **ABSENT:** None.

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15 **STAFF:** Don Barnes, Executive Director; Taralyn Ipiña, Council Operations
16 Director; Dawn Baum, Office of Tribal Attorney; Georgiana Gensaw
17 (recorder).
18

19 **QUORUM:** 9 present, 0 absent, quorum present.
20

21 **OPENING PRAYER:** Provided by Vice Chairman Myers.
22

23 **REVIEW AGENDA/ADDITIONS/APPROVAL:**

24 **Motion by Councilmember Williams/Councilmember Natt to accept agenda with the**
25 **additions of YHHS22-63, PAR22-02, HR22-15, and EP22-040 and carrying over CA22-172,**
26 **CA22-173, CA22-177, CA-178, and CA180. Motion carries by consensus.**

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28 **REVIEW CALENDAR/ADDITIONS:** None.

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30 **INTRODUCTION OF NEW TRIBAL EMPLOYEES:** None.

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32 **COUNCIL CHECK IN:**

33 Councilmember Provolt: I'd like to extend an invitation to Tribal Members to come to the
34 Chah-pek-w Jump Dance August 2nd -August 11th.

35
36 Councilmember Natt: Pass.

37
38 Councilmember Ray: Pass.

39
40 Councilmember Hodge: Thank you membership for being here. There is an East District
41 meeting scheduled for August 12th. The Willow Creek building is being remodeled and we will
42 offer member services there soon.
43 .

44 Councilmember Williams: There is a North District meeting on Saturday at 2:00pm.

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46 Councilmember McCovey: Pass.

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48 Councilmember Vanlandingham: Pass.

49

50 Vice Chairman Myers: Pass.

51

52 Chairman James: Pass.

53

54 **TRIBAL MEMBER COMMENT:**

55 Mary Robbins: Pecwan District. I'm going say that I was shocked and am in dismay to find out
56 that Yurok Tribal elders would be at risk of being kicked out of their home, which they have
57 been paying on for 20 years.

58

59 Michael O'Rourke: I'm not sure everyone knows what happened, but I was there right there
60 and there's no spite and intentional doings whatsoever. There is there no ill-will there, and I
61 couldn't believe that it went from that to where it is now because of an unfortunate accident.

62

63 Rose Sylvia: I just want to express my concerns about the rules at the housing authority. I own
64 a home and I own the land that's on. I'm buying it. As long as I'm making those payments, the
65 bank don't care. But that is not how it is with housing authority with the rules of what can and
66 cannot be done in a house that someone is buying from them. I think that the rules that are
67 being applied is not about home ownership. It's about rent. And so I think that that council
68 really needs to look at what that is and reestablish those rules.

69

70 Valerie O'Rourke commented hours of Behavioral Health and eviction.

71 Gino O'Rourke commented on YIHA eviction.

72 Bob Jackson commented on YIHA processes and ethics.

73 Kara O'Rourke Woods commented on eviction and settling up.

74 Lottie Ammon commented on YIHA post-inhabitant cleaning and repair.

75 Gene Marshall commented on YIHA.

76

77 Break: 11:05am-11:15am

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79 **EXECUTIVE SESSION:** 11:20am-12:30pm

80 CA22-173, Housing Issue

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82 Action out of Executive:

83 CA22-173, Housing Issue

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85 **Motion by Councilmember Vanlandingham/Councilmember Natt to draft recommendation**
86 **letter to Yurok Indian Housing Board as discussed in Executive Session. Motion carries by**
87 **consensus.**

87

88 CA22-183, Removal of North District YIHA Board Member
89 Submitted by Council

90 **Motion by Councilmember Vanlandingham/Councilmember Hodge to suspend the rules and**
91 **add CA22-183, removal of North District YIHA Board Member.**

92
93 **TRIBAL COUNCIL**

94 CA22-183, Removal of North District YIHA Board Member
95 Submitted by Chairman James

96 **Motion by Councilmember Vanlandingham/Vice Chairman Myers to remove current Yurok**
97 **Indian Housing Authority District Representative. Roll call: Councilmember Hodge-Yes,**
98 **Councilmember Ray-Yes, Councilmember Vanlandingham-Yes, Councilmember Provolt-Yes,**
99 **Councilmember Natt-Yes, Councilmember Williams-abstain, Councilmember McCovey-Yes;**
100 **Vice Chairman Myers-Yes. Yes-7, No-0, abs-1, np-0. Motion carries.**

101
102 **LUNCH: 12:30pm-1:30pm**

103
104 **EMERGENCY AGENDA ITEMS:**

105 **YHHS**

106 YHHS22-063, Title IV-E Program
107 Submitted by Valerie Ryles

108 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve the attached**
109 **Title IV-E Program YR5 (FY22/23) Budget and a new project #. *Welfare and Institutions Code**
110 **#10553.1(b) there shall be no tribal share of costs for an agreement under subdivision (a).**
111 **Motion carries by consensus.**

112
113 **PAR**

114 PAR22-002, Sign and Submit Youth Community Access Grant
115 Submitted by Darian Ferris

116 **Motion by Councilmember Vanlandingham/Councilmember Hodge approving signature and**
117 **submission of Resolution #22-078 and Proposal of Prop 64 Youth Community Access Grant by**
118 **Parks and Recreation to increase youth access and knowledge of cultural and natural**
119 **resources with an indirect cost rate shortfall of 6.67% (19,980) over the course of 2 years.**
120 **Motion carries by consensus.**

121
122 **CONSENT AGENDA:**

123 **ENVIRONMENTAL PROGRAM**

124 EP22-034, NFWF Resilience Fund
125 Addressed on July 27, 2022.

126
127 EP22-035, USDA Climate Smart
128 Addressed on July 27, 2022.

129
130 EP22-038, Invasive Species Grant

131 Addressed on July 27, 2022.
132
133 EP22-036, CDFA Farm to School Track
134 Addressed on July 27, 2022.
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136 EP22-037, CDFA Farm to School Track 2 grant
137 Addressed on July 27, 2022.
138
139 EP22-039, CDFA Beginning Farmer and Rancher
140 Addressed on July 27, 2022.

141
142 **AGENDA ITEMS:**

143 **HUMAN RESOURCES**

144 HR22-014, JD-Intake Specialist & Peer Support Workers
145 Submitted by Rose Sylvia

146 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve job descriptions**
147 **for Intake Specialist and Peer Support Worker. Motion carries by consensus.**

148
149 HR22-017, JD-Public Health-Elders Services Specialist
150 Submitted by Rose Sylvia

151 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve job descriptions**
152 **for Elder Services Specialist with edits for Public Health Department. Motion carries by**
153 **consensus.**

154
155 HR22-018, Job Description & Org Chart (Prosecutor Office)
156 Submitted by Rose Sylvia

157 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve modified job**
158 **description for Chief Prosecutor/Director, Justice Policy Lead and Office of Tribal Prosecutor**
159 **organization chart. Motion pulled.**

160
161 HR22-018, Job Description & Org Chart (Prosecutor Office)
162 Submitted by Rose Sylvia

163 **Amended Motion:**
164 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve Justice Policy**
165 **Lead job description. Motion carries by consensus.**

166
167 **Motion by Councilmember Hodge/Councilmember Williams to suspend the rules and add**
168 **HR22-15, Risk Management Job Description and Org Chart and HR 22-16, Water Delivery**
169 **Operator to the agenda. Motion carries by consensus.**

170
171 HR22-15, Job Description and Org Chart (Risk Management)
172 Submitted by Rose Sylvia

173 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve organizational**
174 **chart for the Risk Management Department and job descriptions for Director, Assistant**
175 **Director, Safety Compliance Officer, Assistant Safety Officer, Accountant, and Accountant-**
176 **Claims Technician. Roll call: Councilmember Provolt-No; Councilmember Natt-Yes;**
177 **Councilmember Williams–No; Councilmember McCovey-No; Councilmember Vanlandingham-**
178 **Yes; Councilmember Ray–No; Councilmember Hodge-No; Vice Chairman Myers-Yes. Yes-3,**
179 **No-5, abs-0, np-0. Motion fails.**

180
181 HR22-15, Job Description and Org Chart (Benefits)
182 Submitted by Rose Sylvia

183 **Amended motion:**
184 **Motion by Vice Chairman Myers/Councilmember Vanlandingham to approve organizational**
185 **chart for the Risk Management Department without Director job description and approve**
186 **Assistant Director, Safety Compliance Officer, Assistant Safety Officer, Accountant, and**
187 **Accountant-Claims Technician. Roll call: Councilmember Provolt-No; Councilmember Natt-**
188 **Yes; Councilmember Williams–yes; Councilmember McCovey-No; Councilmember**
189 **Vanlandingham-Yes; Councilmember Ray–yes; Councilmember Hodge-yes; Vice Chairman**
190 **Myers-Yes. Yes-6, No-2, abs-0, np-0. Motion carries.**

191
192 HR22-16, Job descriptions, Water Delivery
193 Submitted by Rose Sylvia

194 **Motion by Councilmember Natt/Councilmember Vanlandingham approving job descriptions**
195 **for Water Delivery Truck Operator and Crew Lead. Motion passes by consensus.**

196
197 **ENVIRONMENTAL PROGRAM**
198 EP22-040, Environmental Department Merit Promotions and New Hires
199 Submitted by Louisa McCovey

200 **Motion by Vice Chairman Myers/Councilmember Williams to approve the Environmental**
201 **Department’s promotion of two current employees, merit increases for three employees, fill**
202 **four existing positions and to hire 4 employees for new positions as described in the attached**
203 **memo and backup documentation provided. Motion carries by consensus.**

204
205 **Break: 3:00pm-3:15pm**

206
207 **PLANNING**
208 P22-019, DWR Grant agreement
209 Submitted by Cynthia Bones

210 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve Resolution**
211 **#22-66 granting a Limited Waiver of Sovereign Immunity in favor of the State of California**
212 **Department of Water Resources with edits and approve grant agreement for the Yurok Up-**
213 **River Water Systems Interconnection Project, authorize Chair to sign and Secretary to attest.**
214 **Roll call: Councilmember Provolt-Yes; Councilmember Natt-Yes; Councilmember Williams–**
215 **Yes; Councilmember McCovey-Yes; Councilmember Vanlandingham-Yes; Councilmember**

216 **Ray—yes; Councilmember Hodge-Yes; Vice Chairman Myers-Yes. Yes-8, No-0, abs-0, np-0.**
217 **Motion carries.**

218
219 P22-021, Tribal Solar Accelerator Fund grant
220 Submitted by Gino O'Rourke

221 **Motion to approve the Planning Department to retroactively submit a grant application for**
222 **the TSAF grant to install a 36.905 kW PV system on the Weitchpec Tribal Office, and a 9.455**
223 **kW PV system on the Tulley Creek Transportation Building, and to approve the Chairman to**
224 **sign a letter of support for the project on behalf of Council. Motion carries by consensus.**

225
226 **YHHS**
227 YHHS22-049, Community Services Block grant
228 Submitted by Springwind Marshall

229 **Motion by Councilmember Natt/Councilmember Hodge to approve the Memorandum of**
230 **Agreement with Northern California Indian Development Council (NCIDC) and Resolution #22-**
231 **72 with edits, for Community Services Block Grant (CSBG) emergency assistance funding to**
232 **tribal members in the service area, funded by NCIDC and authorized Chairman & Secretary**
233 **signatures to attest on associated documents. Motion carries by consensus.**

234
235 YHHS22-062, CAST MOU with Humboldt County
236 Submitted by Jessica F. Canez

237 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve the MOU**
238 **between the Humboldt County Child Abuse Services Team and Yurok Tribe. Motion carries by**
239 **consensus.**

240
241 **TRIBAL COURT**
242 TC22-028, Cal OES Grant FY2021
243 Submitted by Angi Cavaliere

244 **Motion by Councilmember Natt/Councilmember Vanlandingham, to modify authorization**
245 **granted in TC21-012 as follows: To approve submission of FY2021 CAL OES Native American**
246 **Tribal Advocate (KT21) Program grant application and authorize the Chairperson to sign all**
247 **related documentation and applicable grant sub-award amendments with Cal OES. Motion**
248 **carries by consensus.**

249
250 **EXECUTIVE SESSION: 3:24pm-3:54pm**
251 CA172, Karuk Lands Bill
252 PRO22-06, Exclusion of William Carl Moon

253
254 Action out of Executive:
255 Submitted by Rosemary Deck

256 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve Resolution 22-**
257 **080, with edits, excluding William Carl Moon (also known as Billy Moon) for 1 year, pursuant**
258 **to Article IV, Section 5 of the Yurok Constitution, authorize Chair to sign and Secretary to**

259 attest. Roll call: Councilmember Williams-Yes; Councilmember McCovey-Yes; Councilmember
260 Vanlandingham-Yes; Councilmember Ray-Yes; Councilmember Hodge-Yes; Councilmember
261 Provolt-Yes; Councilmember Natt-Yes; Vice Chairman Myers-Yes. Yes-8, No-0, abs-0, np-0.
262 Motion carries.

263
264 **AGENDA ITEMS:**

265 **FISHERIES**

266 FISH22-050, Chico State Contract

267 Submitted by Barry McCovey, Jr.

268 **Motion by Councilmember Hodge/Councilmember Williams to enter into the attached**
269 **contract with Chico State Enterprises and approval of Resolution 22-060 granting a limited**
270 **waiver of sovereign immunity in favor of Chico State Enterprises. This is contingent on OTA**
271 **approval. Roll call: Councilmember Williams-Yes; Councilmember McCovey-Yes;**
272 **Councilmember Vanlandingham-Yes; Councilmember Ray-Yes; Councilmember Hodge-Yes;**
273 **Councilmember Provolt-Yes; Councilmember Natt-Yes; Vice Chairman Myers-Yes. Yes-8, No-0,**
274 **abs-0, np-0. Motion carries.**

275
276 FISH22-051, Tehama County Master Services Agreement

277 Submitted by Barry McCovey, Jr.

278 **Motion by Councilmember Williams/Councilmember Ray to enter into the attached Master**
279 **Services Agreement with Tehama County Resource Conservation District and allow Chairman**
280 **to sign associated documents. This is contingent on OTA approval. Roll call: Councilmember**
281 **Vanlandingham-Yes; Councilmember Ray-Yes; Councilmember Hodge-Yes; Councilmember**
282 **Provolt-Yes; Councilmember Natt-Yes; Councilmember Williams-Yes; Councilmember**
283 **McCovey-Yes; Vice Chairman Myers-Yes. Yes-8, No-0, abs-0, np-0. Motion carries.**

284
285 FISH22-052, MOA with California regarding Fall Creek Hatchery

286 Submitted by Barry McCovey, Jr.

287 **Motion by Councilmember Williams/Councilmember Vanlandingham to enter into the**
288 **attached Fall Creek Hatchery Funding Memorandum of Agreement with California, Pacificorp,**
289 **the Klamath River Renewal Corporation, Oregon, and the Karuk Tribe. Motion carries by**
290 **consensus.**

291
292 FISH22-053, Yurok Tribe and YTCC MOA

293 Submitted by Barry McCovey, Jr.

294 **Motion by Councilmember Vanlandingham/Councilmember Williams to enter into the**
295 **attached Memorandum of Agreement with the Yurok Tribe Construction Corporation**
296 **regarding the operation of Condor Aviation LiDAR and Mapping Enterprise. Motion carries by**
297 **consensus.**

298
299 4:15pm - Vice Chairman Myers leave meeting for personal commitment.

300
301 **BENEFITS**

302 B22-009, ASO Agreement with Ameritas
303 Submitted by Elizabeth Turner

Motion by Councilmember Williams/Councilmember Vanlandingham to approve the ASO (Administrative Services Only) Agreement with Ameritas, and approval of Resolution #22-071 Limited Waiver of Sovereign Immunity, with edits, in Favor of Ameritas Life Insurance Corporation. Roll call: Councilmember Vanlandingham-Yes; Councilmember Ray-Yes; Councilmember Hodge-Yes; Councilmember Provolt-Yes; Councilmember Natt-Yes; Councilmember Williams-Yes; Councilmember McCovey-Yes; Vice Chairman Myers-np. Yes-7, No-0, abs-0, np-1. Motion carries.

311
312 **TRIBAL ATTORNEY**

313 OTA22-044, Democracy Forward Retainer letter
314 Submitted by Melodie Myer

Motion by Councilmember Provolt/Councilmember Vanlandingham to authorize the Chairperson to sign a pro bono retainer agreement with Democracy Forward Foundation. Democracy Forward will assist the Yurok Tribe in drafting comments for amendments to Clean Water Acts regulations. See attached memo. Motion carries by consensus.

319
320 **COUNCIL**

321 CA22-170, NIHB letter
322 Submitted by Lana McCovey

Motion by Councilmember Vanlandingham/Councilmember Hodge to approve CM McCovey and Council to attend the National Indian Health Board Annual Conference in Washington DC Sept 25, 2022 through Sept 30, 2022. All costs will be covered by United Indian Health Service. Motion carries by consensus.

327
328 CA22-179, Minutes
329 Submitted by Councilmember Provolt

Motion by Councilmember Williams/Councilmember Hodge to approve the June 8, 9, 21, 22, and 23, 2022 minutes with edits. Motion carries by consensus.

332
333 **Break: 4:30pm-4:45pm**
334

Motion by Councilmember Ray/Councilmember Williams to suspend rules and add agenda items: ED22-100, OTA22-46, CA22-182, CA22-185, CA22-177, CA22-10, and CA22-180. Motion carries by consensus.

338
339 **EXECUTIVE DIRECTOR**

340 ED22-100, Elders Fish
341 Submitted by Earl Jackson

Motion by Councilmember Natt/Councilmember Vanlandingham to approve the allocation of 400 fish for Elders buy-back program at \$3.50 a pound. Funding to come from Morgan Stanley Logging 2, up to \$20,000. Motion carries by consensus.

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TRIBAL COUNCIL

CA22-185, Aawok Ada Charles Gym Equipment purchase
Submitted by Councilmember Ray

Motion by Councilmember Ray/Councilmember Vanlandingham to approve purchase of gym equipment up to \$70,000. Funding to come from ICDBG #11891. Motion carries by consensus.

TRIBAL ATTORNEY

OTA22-046, Procurement Policy Amendments
Submitted by Maggie Poffenbarger

Motion by Councilmember Vanlandingham/Councilmember Hodge to approve Resolution #22-81, Amendments to the Procurement Policy to include the Yurok Corporations Indian Preference and clarify license requirement under Vendor and Contractor Qualifications Sections. Motion carries by consensus.

TRIBAL COUNCIL

CA22-182, Community Donation request for Del Norte Little League
Submitted by Councilmember Williams

Motion by Councilmember Williams/Councilmember Ray to approve a community donation in the amount of \$3,000 to the Del Norte Little League. Funds: \$500 from North travel; \$500 from Orick Youth Fund; \$500 from Requa travel; \$250 from Community Donation fund; \$250 from Weitchpec Youth Fund; and \$1,000 from Chairman Youth Fund. Motion carries by consensus.

CA22-177, Childcare Facilities
Councilmember Natt

Motion by Councilmember Natt/Councilmember Vanlandingham to have the Planning and Education Departments to develop a plan for childcare and for facilities for Weitchpec and Klamath areas. Motion carries by consensus.

CA22-178, Upriver Dumpsters Update
Submitted by Councilmember Natt

Discussion only.

CA22-180, Upriver Ice Machines
Submitted by Councilmember Natt

Motion by Councilmember Natt/Councilmember Vanlandingham to purchase ice machines at Wautek and Kepel. Funds to come from Project #7098 GL 6510. Motion carries by consensus.

TRIBAL MEMBER COMMENT:

Georgiana Gensaw – Should post faces of banished people with a number to call.
Jeremiah Swain – Would like to see guidelines set for exclusions.
Robert Kinney – Shout out to Hollie Strahm for help during COVID.

388
389 **CLOSING PRAYER:** Provided by Councilmember Williams.
390

391 **ADJOURN:** 5:35pm
392

393 **MEETING MINUTES APPROVED ON:**

August 25, 2022

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396

09/01/2022

397 **Sherri K. Provolt, Secretary**

Date