ROLL CALL: 10:02am

PRESENT: Joe James, Sherri Provolt, Toby Vanlandingham, Lana McCovey, Mindy Natt, Phillip Williams, Ryan Ray, Lori Hodge

ABSENT: Frankie Myers (Truth & Healing meeting-arrives 3:30pm)

STAFF: Earl Jackson, Taralyn Ipiña, Amy Cordalis, Dawn Baum, Don Barnes, Georgiana Gensaw (recorder)

QUORUM: 8 present, 1 absent, quorum present

OPENING PRAYER: Provided by Chairman James.

ADDITIONS TO AGENDA:

Motion made by Councilmember Provolt/Councilmember Hodge to accept agenda with additions; YPUD20-12, CA20-264, and OTA20-125. Motion carries by consensus.

EXECUTIVE SESSION: Reservation Closure, Personnel (Ray), CARES Act-South District (Hodge)

REVIEW CALENDAR/ADDITIONS:

YIHA20-26, Board of Commissioners and Council meeting
Submitted by Nicole Sager

Motion made by Councilmember McCovey/Councilmember Vanlandingham to set a date for a joint Board of Commissioners and Tribal Council meeting for January 6, 2021. Motion carries by consensus.

OTA20-121, Justice System MOUs
Submitted by Kori Cordero

Motion made by Councilmember McCovey/Councilmember Vanlandingham to approve scheduling a Council Planning Session to discuss potential MOUs between OTA and the Humboldt and Del Norte District Attorney’s Offices for January 20, 2021. Motion carries by consensus.

NR20-13, Yurok Carbon Projects
Submitted by Chairman James
Motion made by Councilmember McCovey/Councilmember Vanlandingham to set January 4, 2021, 10am-1pm, for Council planning session regarding the current status of Yurok Carbon projects and future carbon offset sales strategy. Motion carries by consensus.

CA20-245, NCAIRED RES travel
Submitted by Chairman James

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve travel for Chairman James and Council to attend the National Center for American Indian Enterprise Development-Reservation Economic Summit on March 15-18, 2021 at Las Vegas, Nevada. Motion carries by consensus.

CA20-246, Economic Development Conference travel
Submitted by Councilmember McCovey

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve travel for Councilmember McCovey and Council to attend 14th Annual Native American Economic Development conference on June 14-15, 2021 at Pechanga Resort & Casino, Temecula, CA. Motion carries by consensus.

CA20-251, Lindgren Mill
Submitted by Councilmember McCovey

Motion made by Councilmember McCovey/Councilmember Vanlandingham to direct OTA/Council Operations to set a meeting within 30 days with Scott Williams of Berkey Williams to discuss outcome of investigation of Lindgren Mill purchase and to request Mr. Williams provide necessary language for suggested changes to Yurok law to the YT Council for review and implementation if desired. Motion carries by consensus.

COUNCIL CHECK IN

Councilmember Hodge: Good morning and thank you all for being here. I attended an Indian Education meeting yesterday. I would like to announce that there are three School Site positions, including Tutor positions that are still open within the school district. It pays $14.00 up to $17.00 hourly, depending on experience.

1. Jack Norton site – 12 hours a week. Works with Kindergarten & First Grade.
2. Hoopa Elementary site – 5 days a week, 6 hours per day. Works with Kindergarten & First Grade.
3. District Wide position – 5 days a week, 8 hours per day. Works with 6th through 12th Grade.

If interested, please call Margo Robbins, Indian Education, at 530.625.5600 ext. 2335. More information is also available at the school districts web site ktjusd.k12.ca.us. Thank you.

Councilmember Ray: I have a District meeting scheduled for the 14th. I want to people know that we have received the Christmas gifts, there are here but due to COVID we will be postponing the Holiday Celebration until the pandemic passes.
Councilmember Vanlandingham: Pass
Councilmember Provolt: Pass
Councilmember Natt: Pass
Councilmember McCovey: Pass
Councilmember Williams: I am ready to choose to my Board (members) and to set my first North District meeting.
Vice Chairman Myers: Not present
Chairman James: I just wanted to lead off by thanking our tribal staff who have been working hard around the clock. I did have a meeting with Earl Jackson (Acting Executive Director) and staff regarding our current projects and fast-tracking invoices and billing. I thanked for their work. I want to thank Tribal Council for their hard work and the good work we have been doing. We have approved to order generators for elders, Matt Mais (Public Relations) is working on a press release for that project. Also, I delivered a load of wood to an elder here in Klamath. We have about 3 weeks left of good fire wood season. I am always willing to deliver fire wood. The weather has been pretty good, but it’s going to get cold and hopefully snow. We have loads of wood on deck up there at Tulley Creek, Tribal members are welcome to it following COVID safety guidelines. We are also looking at closing the Reservation again due the spikes we are seeing with COVID cases. Elder checks have been mailed, they went up from $100 to $200. We are here today signing checks for the $500 payment to the membership. Anything we can do to help our membership during these winter months we will do.

CONSENT AGENDA: None

TRIBAL MEMBER COMMENT: None provided.

AGENDA ITEMS:
Fisheries
FISH20-088, FY2021 Bureau of Reclamation Funding
Submitted by Dave Hillemeier

Motion made by Councilmember Hodge/Councilmember Williams to authorize entering into the attached draft FY2021 Annual Funding Agreement with the Bureau of Reclamation, including signature with the Bureau of Reclamation, including signature on the Memorandum of Agreement regarding the Fish Ecologist position (near end of AFA), once final negotiations are complete. Motion carries by consensus.

Housing Authority
Nicole Sager, Richard Myers Sr., Peggy O’Neill, Rachel Dowd presents

December 3, 2020 Council Action meeting
YIHA20-22, Monthly Report
Submitted by Nicole Sager

Motion made by Councilmember Hodge/Councilmember Provolt to approve the monthly report submitted by Nicole Sager, Executive Director of the Yurok Indian Housing Authority. Motion carries by consensus.

YIHA20-23, Tax Credit Limited Partnership Properties/Policy
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the Yurok Indian Housing Authority’s Tax Credit Limited Partnership Properties policy for Eligibility, Admission and Occupancy as approved by the Board of Commissioners on October 13, 2020 and reviewed by OTA. This policy is only application to Trinity Rivers Elders Village, Wool-Mehl, and Arcata 30th St. properties. Motion withdrawn. No action.

YIHA20-24, Arcata 30th Street Project and construction docs
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Hodge to approve the Arcata 30th St. Commons project to construct 36 units, held in a land lease to the limited partnership, and for the Executive Director to sign all contracts necessary for the development of the project with approval by the Board of Commissioners. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes 7, no-0, abs-0, np-1. Motion carries.

YIHA20-25, YIHA MOU with City of Arcata
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Williams approval for YIHA to enter into a Memorandum of Understanding (MOU) with the City of Arcata related to the 30th St Commons construction and grant funds. The MOU has been reviewed by YIHA Tax credit attorney and OTA. Motion carries by consensus.

YIHA20-26, Title VI Construction Loan Arcata Homes
Submitted by Nicole Sager

Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve Yurok Indian Housing Authority to apply for a Title VI construction loan for the Yurok homes #3 project in Arcata and corresponding Resolution 20-123 and for the Chairman to sign and the Secretary to attest. Motion carries by consensus.

Human Resources
Rose Sylvia presents

HR20-13, Yurok Health & Human Services restructure
Submitted by Rose Sylvia

December 3, 2020 Council Action meeting
Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve restructure of the Yurok Tribal Social Services Department (YHHS). Approve job description for ICWA and Client Service Directors. Motion carries by consensus.

**Information Services**

Jessica Engle presenter

IT20-035, Community Connect Grant USDA RUS
Submitted by Jessica Engle

Motion made by Councilmember Natt/Councilmember Ray to approve IT to apply for the Community Connect Grant through the USDA Rural Utilities Service to expand broadband. Grant is due December 23, 2020 and has a 15% match. Resolution 20-119. Motion carries by consensus.

IT20-036, Time Keeping Software Purchase
Submitted by Jessica Engle

Motion made by Councilmember Ray/Councilmember McCovey to approve the purchase of a replacement software for timekeeping as the implantation costs exceed $25,000. The cost of 3 years and implementation for up to 600 staff is $66,285.00. This software removes the need for physical clocks as a means for timekeeping. Motion carries by consensus.

**Office of Tribal Attorney**

OTA20-120, Public Health Ordinance
Submitted by Dawn Baum

Motion made by Councilmember Provolt/Councilmember Vanlandingham to renew the Emergency Yurok Public Health Ordinance and Emergency Public Health Criminal Ordinance for an additional 60 (sixty) days. Roll Call Vote. Vice Chairman Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes, Yes-7, No-0, Abs-0, Np-1. Motion carries.

OTA20-121, Public Hearing Ordinance
Submitted by Maggie Poffenbarger

Motion made by Councilmember Vanlandingham/Councilmember Williams to renew Emergency Public Hearing Ordinance for up to another 60 (sixty) days to allow public comment session to occur. Roll Call Vote. Vice Chairman Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes, Yes-7, No-0, Abs-0, Np-1. Motion carries.

**Planning**

P20-048, Safety Plan Update
Submitted by Grant Klopmeyer

December 3, 2020 Council Action meeting
Motion made by Councilmember Provolt/Councilmember Natt to seek approval of grant award letter and budget for federal highways safety plan update funds received in the amount of $7,500. Roll Call Vote. Vice Chairman Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-abs, Councilmember Williams-abs, Councilmember McCovey-yes, Yes-5, No-0, Abs-2, Np-1. Motion carries.

Lunch Break: 12:45 – 1:30pm
Councilmember McCovey leaves for COVID-19 briefing at 1:00pm

TRIBAL MEMBER COMMENT: None provided.

Tribal Court
TC20-015, Community Opioid Intervention Pilot Projects
Submitted by Jessica Cedillo

Motion made by Councilmember Vanlandingham/Councilmember Provolt to approve Resolution # 20-121 to authorize the submission of the Indian Health Services Community Opioid Intervention Pilot Projects grant application and authorization the Chairman to sign all necessary documents. Motion carries by consensus.

Public Works
YPUD20-012, YPWS billing
Submitted by Mike Searcy

Motion made by Councilmember Vanlandingham/Councilmember Ray to resume water billings and PUD to bring back unmet need request to next Finance meeting. Motion carries by consensus.

OTA20-125, Retain outside Counsel
Submitted by Kori Cordero

Motion made by Councilmember Vanlandingham/ Councilmember Ray to approve attached contract to retain outside counsel and limited waiver of sovereign immunity (Yurok Tribal Council Resolution #20-124). Roll Call Vote. Vice Chairman Myers-np, Councilmember Hodge-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Ray-yes, Councilmember Williams-yes, Councilmember Vanlandingham-yes, , Councilmember McCovey-np, Yes-6, No-0, Abs-0, Np-2. Motion carries.

Councilmember McCovey returns to meeting at 2:00pm

Council
CA20-248, Northern California Indian Development Council, Inc
Submitted by Council Operations

December 3, 2020 Council Action meeting
Motion made by Councilmember Vanlandingham/Councilmember Natt to approve Certificate of Appointment of Councilmember Natt as delegate and Councilmember Williams as alternate to the Northern California Indian Development Council, Inc. Board representative. Motion carries by consensus.

CA20-253, Waive Facility Use Fee
Submitted by Councilmember Natt

Motion made Councilmember Hodge/Councilmember Williams to waive use fees for the community to have church as the Wautek Fire House contingent upon necessary use of Fire House for its intended purpose and YEOS safety/order compliance, as well as facility application process. Roll Call Vote: Vice Chairman Myers-np, Councilmember Hodge-yes, Councilmember Natt-yes, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-no, Councilmember Williams-yes, Councilmember McCovey-no, Yes-4, No-3, Abs-0, Np-1. Motion carries.

CA20-256, Council Secretary
Submitted by Council Operations

Motion made by Councilmember McCovey/Councilmember Vanlandingham in accordance with Article IV, Section 3 of the Yurok Constitution, the Yurok Tribal Council elects Councilmember Provolt as Tribal Council Secretary. Motion carries by consensus.

Vice Chairman returns to meeting at 3:30pm from Truth and Healing meeting.

CA20-257, Tribal Delegate/Liaison list
Submitted by Council Operations

Motion made by Councilmember McCovey/Councilmember Williams to pursuant to Article IV, Section 1, letter (e) of the constitution, the Chairperson appoint Councilmembers as the delegate/liaison for certain Departments, Programs and issues. Roll Call Vote. Vice Chairman Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes, Yes-8, No-0, Abs-0, Np-0. Motion carries.

CA20-258, Advisory Committees
Submitted by Taralyn Ipiña, Council Operations

Motion made by Councilmember McCovey/Councilmember Williams pursuant to Article IV, Section (f) Chairman appoints as recorded by Council Operations for Requa, North, and Weitchpec Tribal Advisory Committees and fills vacant district positions. Council Operations records changes. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-8, No-0, Abs-0, Np-0. Motion carries.
Break: 4:00-4:15pm

Executive Session: 4:15-6:15

Action from Executive Session:

Council

CA20-264, Reservation Closure

Submitted by Tribal Council

Motion made by Vice Chair Myers/Councilmember Vanlandingham ratify Resolution # 20-125 for closure of the Yurok Reservation and adopt COVID 19 Temporary Closure Order effective December 7-21, 2020 in response to COVID-19 pandemic. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-8, No-0, Abs-0, np-0. Motion carries.

Council

Motion made by Councilmember McCovey/Vice Chair Myers to approve working past 6pm. Motion carries by consensus.

tribal member comment

Veronica Van Mechelen: How is this (Reservation Closure) going to affect businesses? Our patrons are not local, they are all tourist.

Chairman responds.

Closing prayer: Provided by Councilmember Natt.

Adjourn: 6:34pm

Meeting minutes approved on: December 17, 2020

Sherri K. Provolt, Secretary  12/21/2020