ROLL CALL: 10:00am

PRESENT: Joseph James, Ryan Ray, Edward Aubrey, Toby Vanlandingham, Sherri Provolt, Lana McCovey, Lori Hodge, Mindy Natt

ABSENT: Frankie Myers (funeral)

STAFF: Taralyn Ipina (recorder), Earl Jackson

QUORUM: 8 present, 1 absent, quorum present

OPENING PRAYER: Provided by Chairman James

CALENDAR: No additions to calendar

COUNCIL CHECK IN:
Councilmember Ray: pass

Councilmember Hodge: I just wanted to announce again that hopefully on September 16th the East District will be doing their school supply giveaway in Hoopa. I haven’t heard a confirmation just yet on the time. Last night after our meeting I attended the Indian Policies and Procedures Taskforce meeting via Zoom along with Jim McQuillen and Elsie. There were some good comments and we talked about the need for the school district to make their WiFi accessible in the parking lot so the kids can access it. We are coming up with some other ideas on how to keep the kids on track with this distance learning issues we have going on.

Councilmember Provolt: We are working on the Agenda Item Submission policy. We did have one meeting that Chairman was able to sit on for a few minutes, Georgiana was there too. We are looking at three different types of groups that submit agenda items; employees, corporations and Council. Dawn Baum will go ahead look at that policy and bring some changes back to us for Council review. I do sit on the Employee Workplace and Safety committee. They meet monthly, the first couple of meetings have been addressing employee concerns and recommendations regarding workplace violence policies and seeing how we can strengthen that process. Rose Sylvia has been attending those meetings with us. I’ve attended two meetings in Trinidad; I was at the Trinidad Coast Land Trust meeting and the Trinidad City Council meeting. Chairman and Rosie also attended the City Council meeting. We were able to confirm the government to government meeting with them. Progress is being made on the

September 10, 2020 Council Action meeting
Stone Lagoon Visitor Center, we got a new roof on the building. The inside has been updated and we have Yurok emblem that will be on the Stone Lagoon redwood visitor center sign. Our goal is to have this up and running in March for the next season. Special thank you Mr. Raymond Bacon for making the transition for the Shoreline Deli respectful to the family that owned that business since 1987. Yurok Tribe begin operation on Labor Day on Monday, September 7th. Let me know if you have any questions. Thank you.

Councilmember McCovey: pass

Councilmember Aubrey: Last Thursday we handed out school supplies at the North District office. Yesterday they handed out 10 air purifiers at the Margie Buckskin North District office for elders. There will be more sent up there for elders that need them. Thank you.

Councilmember Natt: pass

Councilmember Vanlandingham: pass

Chairman James: I wanted to let the tribal membership know that while the fires and smoke are impacting all of us the Tribal Council and staff are disputing HEPA air filters. We are also in the process of ordering more and we are tracking people’s needs and wants. We opened up a shelter at Morek Won and Weitchpec. We are also having on-going COVID testing. Please call the OES hotline for any needs or issues regarding the smoke that is impacting all of us.

AGENDA

Motion made by Councilmember Vanlandingham/Councilmember Provolt to approve agenda with additions of P20-037, YHHS20-022, FISH20-075 and TC20-009. Council consensus.

TRIBAL MEMBER COMMENT:

Joe Pitt: I had a twelve gauge semi-automatic shot gun with a custom forearm and Keith Parker said he wanted to trade me for that gun. He got the gun and I haven’t got anything back. I had Yurok Public Safety go up there and he refused to turn it over to them. Before that I went up to the house to get it back and he said I’m going to call the Del Norte cops on you, so I went to the bottom of the hill and waited they never arrived. I went to Judge Abby’s house, she wasn’t there but the lady at her house got her on the phone; Judge Abby said to stay away and don’t argue or anything else, so I did. I went to court and it cost be forty-five dollars. I had serious health problems with my family. My cousin passed away. I want my shot gun back please and my forty-five dollars.

EXECUTIVE SESSION:

Litigation update
FOR20-004, Climate Action Reserve Agreement
FISH20-074, Rivers Partners resolution
CA20-190, Outside Legal Counsel

September 10, 2020 Council Action meeting
CONSENT ITEMS:
Consent agenda items were approved as follows:

FISHERIES
FISH20-073, Letter of support for proposal

Motion made by Councilmember Provolt/Councilmember Vanlandingham to authorize signature by the Chairman and sending the attached letter to the Wildlife Conservation Board to indicate support for the Watershed Research and Training Center’s proposal to conserve water in the South Fork Trinity River. Council consensus.

WILDLIFE
WILD20-017, Grant submission for Bat Population Surveys

Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve the submission of grant application to the US Fish and Wildlife Service in support of bat population surveys, and all necessary Chairman’s signatures. Council consensus.

WILD20-018, No-cost extension for Project 6671a

Motion made by Councilmember Provolt/Councilmember Vanlandingham to retroactively approve the attached extension request for Project 6671a and all necessary Chairman’s signatures. Council consensus.

WILD20-019, No-cost extension to Tribal Wildlife Grant

Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve a no-cost extension to project 5065, US Fish and Wildlife Service grant award #F15AP00254, and all necessary Chairman signatures. Council consensus.

WILD20-020, Project 6669 Budget modification

Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve the attached budget modification to project #6669. Council consensus.

AGENDA ITEMS:

ENROLLMENT/ELECTIONS
EE20-0009, Blood degree corrections

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve the recommendation of the Enrollment Committee in a meeting held on September 1, 2020 to correct the Blood Degrees on Resolution 20-97 pursuant to the requirements of the Enrollment Ordinance with correction to blood degree edits. Council consensus.

EE20-010, Enrollment of New members

Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve the recommendation of the Enrollment Committee, in a meeting held on September 1, 2020 to
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<tbody>
<tr>
<td>130</td>
<td>EE20-011, Relinquishment/Dual Enrollment</td>
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<tr>
<td>132</td>
<td>Motion made by Councilmember Ray/Councilmember Vanlandingham to approve recommendation of the Enrollment Committee, in a meeting held on February 20, 2020 to relinquish tribal members on Resolutions 20-99, 20-100, 20-101, 20-102 pursuant to the membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Council consensus.</td>
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<td>138</td>
<td>FISHERIES</td>
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<td>140</td>
<td>Motion made by Councilmember Vanlandingham/Councilmember Hodge to authorize entering into the attached modification #2 to our FY2020 Annual Funding Agreement with the Bureau of Reclamation to conduct gravel processing work. Council consensus.</td>
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<td>144</td>
<td>WILDLIFE</td>
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<td>146</td>
<td>Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve the attached budget modification to Project #6671a, BIA Award #A19AP00197, and all necessary Chairman signatures on the amendment agreement. Council consensus.</td>
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<td>150</td>
<td>WILDL20-016, Wildlife Contract for Pecwan Marten Surveys</td>
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<td>152</td>
<td>Motion made by Councilmember Ray/Councilmember Aubrey to approve contract with the Humboldt County Resource Conservation District to conduct threatened and endangered species monitoring and habitat planning in the Pecwan restoration unit, the associated Resolution 20-93 and all necessary Chairman’s signature. Roll Call Vote: Vice Chairperson Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-7, No-0, Abs-0, Np-1. Motion carries by consensus.</td>
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<td>160</td>
<td>YUROK HEALTH &amp; HUMAN SERVICES</td>
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<td>162</td>
<td>Motion made by Councilmember McCovey/Councilmember Provolt to approve contract with IMAGO training software and program for TANF programs, not to exceed $15,000 and approve Resolution 20-104 for limited waiver of sovereign immunity. Roll Call Vote: Vice Chairperson Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-7, No-0, Abs-0, Np-1. Motion carries by consensus.</td>
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*September 10, 2020 Council Action meeting*
Motion made by Councilmember Ray/Councilmember Hodge to approve budget modification for TANF Budget 359-7. Council consensus.

Motion made by Councilmember Hodge/Councilmember McCovey to approve contract for Jay Macedo to provide evaluation and support for Tobacco grant under YHHS programs. Council consensus.

Motion made by Councilmember Aubrey/Councilmember Hodge to approve Indian Health Services MOA CA20-N67 to provide funding for the “Klamath Tank” project, and authorize the Chairperson to sign all required project documents contingent upon OTA legal review. Council consensus.

Motion made by Councilmember Aubrey/Councilmember Hodge to approve and authorize Chairman to sign IHS MOA CA20-N77 and any associated minor amendments to the project. IHS to provide water and/or wastewater assistance to three tribal households. Council consensus.

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve Resolution number 20-96 to authorize the Planning department to submit grant applications to the Youth Community Access Grant program and authorize the Chairman to sign the resolution and all other required grant documents. Roll Call Vote: Vice Chairperson Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-7, No-0, Abs-0, Np-1. Motion carries by consensus.

Motion made by Councilmember Provolt/Councilmember Natt to approve, and authorize the Chairperson to sign, IHS MOA 20-N75 upon review and approval from the Office of Tribal Attorney. Indian Health Services to provide funding for the “Upriver Leakage Improvements” project. Council consensus.

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve Chairperson to sign the intent to Preserve Interest in Easements by Prescription and

September 10, 2020 Council Action meeting
to retroactively authorize the Office of the Tribal Attorney to record. Motion carries by consensus.

OTA20-096, Endangered Species Act Habitat Comment

Motion made by Councilmember Ray/Councilmember Aubrey to retroactively authorize Chairperson to sign the Yurok Tribe’s Comments on the U.S. Fish and Wildlife Service and National Marine Fisheries Service’s Proposed ESA Rule, Docket No. FWS-HQ-ES-2020-0047. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
No comment provided

INFORMATION SERVICES
IT20-026, Budget modification 1104

Motion made by Councilmember Hodge/Councilmember Provolt to approve budget modification for project 11004 F19/20. Council consensus.

COUNCIL
CA20-181, Burial assistance reimbursement

Motion made by Councilmember Aubrey/Councilmember Vanlandingham to authorize payment of $1350.00 for tribal elder head stone to come from North District line item. Council consensus.

CA20-182, Cedarville letter of support

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to authorize letter of support for Cedarville Rancheria’s opposition to unauthorized book RE: Cedarville murders. Council consensus.

CA20-183, Agenda Item Submission Policy

Motion made by Councilmember Hodge/Councilmember Provolt to approve attached amendment to Agenda Item Submission Policy effective immediately. Authorize staff to continue policy revisions including review and redrafting of policy for Council consideration. Council consensus.

CA20-184, August 2020 minutes

Motion made by Councilmember Hodge/Councilmember Provolt to approve August 19 & 20, 2020 Council meeting minutes. Council consensus.

CA20-189, Roberts Rules of Order Training for Council & staff

Motion made by Councilmember Provolt/Councilmember Hodge to authorize Council Operations Director to coordinate Robert’s Rules of Order training with California Rural Indian Health Board for Tribal Council mandatory training. Council consensus.
CA20-190, Outside Legal Counsel

Motion made by Councilmember Provolt/Councilmember Hodge to support Action CA20-129 dated 5/21/20. Council approves moving forward with OTA contacting outside Legal Counsel within 30 days and bring forward a contract for approval. Council consensus.

CA20-0191, YT South District Youth fund

Motion made by Councilmember Aubrey/Councilmember Hodge to transfer the remaining balance of the South District Travel funds to South District Youth Activity fund. Council consensus.

CA20-192, School supplies reimbursement

Motion made by Councilmember McCovey/Councilmember Hodge to approve reimbursement for Councilmember McCovey for $1,113 for school supplies for South District students with funding to come from South District youth activities line item. Council consensus.

TRIBAL MEMBER COMMENT:

Elizabeth Davis: I have a couple of items today. I wanted to bring to your attention the conditions at the fish ramp down there at the mouth. I was down there this past weekend. subsistence fishing and I remember I came before you in the past when we did not have a commercial fishery. We don’t have any restrooms down there for fisher people and there’s no running water to cleaning our fish. Some of us can’t stoop over to clean our salmon. We need to have availability of water to clean our fish and porta potties for our use. We have to walk clear over to the campground to use the facility and of course it’s a mess. There are no amenities provided. I brought this to Council’s attention two years ago and the same thing happened. We have been paying three dollars a fish for taxes and I believe we can at least be provided a restroom for subsistence fishing. My second item, I was curious about Starwein Road. May I ask what that was about?

Chairman James responds.

Elizabeth Davis: I was just wondering if that road was going to be opened again. When individuals decided not to give the county right of way that road was closed by individuals. Just curious and was hopeful that road would be open as a land owner in that area.

EXECUTIVE SESSION 1:45-3:45pm

Litigation update

FOR20-004, Climate Action Reserve Agreement

FISH20-074, Rivers Partners resolution

CA20-190, Outside Legal Counsel

FISHERIES

September 10, 2020 Council Action meeting
FISH20-074, Contract and Limited Waiver of Sovereign Immunity

Motion made by Councilmember Ray/Councilmember Hodge to authorize entering into the attached contract and approval of Resolution 20-95 limited waiver of sovereign immunity, contingent upon approval by OTA, with River Partners for the Yurok Tribe to conduct restoration work on the Sacramento River. Authorization for $191,000 for indirect cost share to come from Budget 50. Roll Call Vote: Vice Chairperson Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-7, No-0, Abs-0, Np-1. Motion carries by consensus.

FORESTRY

FOR20-004, Climate Action Reserve Agreement

Motion made by Councilmember Provolt/Councilmember Natt to review and approve the Climate Action Reserve Contract amendment. Council consensus.

TRIBAL MEMBER COMMENT:

Cindy Niles Moon: I was on the road today delivering lunches for the school and Gaylord Lewis had walked all the way down his hill to get to the highway. He was hitchhiking to Hoopa. Is there any way this tribal member could have gotten a ride from Transit? Are they shut down totally? It was pretty sad. Then I ran into Susan McNeal and she was wondering what we are going to do for our elders to evacuate. There’s smoke everywhere and the electricity went out.

Respond by Chairman James

Cindy Niles Moon: The Tribal Police need to get on the river and monitor the river for sturgeon fishing and making sure people are following the guidelines like fishing five hundred feet from Blue Creek, Pecwan Creek and your major creeks. You guys need to train someone to drive a boat on the river.

ADJOURN: 3:55pm

CLOSING PRAYER: Provided by Councilmember Natt

MEETING MINUTES APPROVED ON: September 23, 2020

Sherri K. Provolt, Secretary

September 10, 2020 Council Action meeting