ROLL CALL: 10:00am

PRESENT: Joe James, Chairman; Sherri Provolt, Orick District; Lori Hodge, East District; Ryan Ray, Requa District; Toby Vanlandingham, Weitchpec District; Mindy Natt, Pecwan District; Phillip Williams, North District; Lana McCovey, South District

ABSENT: Frankie Myers, Vice Chairman (excused)

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

QUORUM: 8 present, 1 absent, quorum present.

OPENING PRAYER: Provided by Chairman James.

REVIEW AGENDA /ADDITIONS /APPROVAL:

Motion by Councilmember Vanlandingham/Councilmember Hodge to accept the agenda with additions CA22-063, CA22-64, CA22-065, YHHS22-024, FISH22-014, P22-010, and OTA22-017. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

Fisheries Department
FISH22-013, California State Coastal Conservancy
Submitted by Barry McCovey, Jr.

Consensus to set March 15, 2022 for Council to accept the invitation for a Government to Government consultation and schedule a meeting with the California State Coastal Conservancy regarding the Tribe’s involvement in Prairie Creek restoration activities.

Parks and Recreation Department
PAR22-001, Parks and Recreation Planning Session Request
Submitted by Darian Ferris

Consensus to set March 31, 2022 to discuss recreation plans and logistics, and receive input and directives on specific items of question.
Tribal Court
TC22-007, Data Advocacy Presentation Request
Submitted by Lori Nesbitt

Consensus to schedule April 6, 2022 for a planning session with Dr. Blythe George to present her Data Advocacy Build Strong Systems, Stronger Communities Report to Tribal Council.

COUNCIL CHECK IN:
Council Member Williams: Pass

Council Member Provolt: I'll just remind membership that I have an Orick district meeting this Saturday. It will be held at the Westhaven Fire Hall, and I'm hoping to work with our public health nurse to get some COVID testing out to vulnerable populations. Thank you.

Councilmember Natt: Pass

Councilmember Ray: Pass

Councilmember Hodge: Good morning Council, Staff and Membership. I would just wanted to say my district meeting is coming up on the March 21st. I didn't set a specific agenda yet, but if you have any issues that you would like me to bring forward, I can get the appropriate people to attend our meeting and you could ask questions. Also our Prey-go-neesh Board, the 8A construction is still looking for an additional board members. So if you are interested, please get ahold of me or get ahold of Pamela Ames or Vice Chairman Myers. Also I've been recently appointed to the Yurok Telecommunications Corporation Board and the Yurok Agricultural Corporation Board. I look forward to learning more about those two corporations and working hard to move them forward. Thank you.

Councilmember Williams: Pass.

Councilmember McCovey: Hello everyone. I had my district meeting and we had a presentation from YEDC and Housing regarding a good year that YEDC had and how the Arcata housing project is still accepting applications. Per council's request, I was in contact with United Indian Health Services, CEO, and we’re in the process of setting a date for them to come and report to Council. Thank you.

Councilmember Vanlandingham: Pass.

Vice Chairman Myers: Not present.

Chairman James: A couple of highlights. The Yurok Tribe was recently awarded some funding to help with the drought situation and that funding should be coming out soon for close to $13 million so we can install a new water system. We are looking at long long-term infrastructure on the reservation and also working hard for our people off the reservation. Also, I will highlight...
that Council will traveled to Sacramento next week to advocate for all our projects. We will meet with top level staff, directors and managers to discuss how Yurok Tribe is working to improve the lives of our tribal citizens through the services that the government provides. We will continue to advocate and work hard on your behalf and for the Yurok people. Thank you.

TRIBAL MEMBER COMMENT: None provided.

INTRODUCTION OF NEW EMPLOYEES: Carlos Moreno (Information Technology), Chris Villarruel (Forestry).


CONSENT ITEMS: None provided.

AGENDA ITEMS:

Administration Division
Krystel Patapoff-Pruitt presents for agenda item
Enrollment & Elections Department
EE22-002, Blood Degree Correction
Submitted by Krystel Patapoff-Pruitt

Motion by Councilmember Provolt/Councilmember Williams for approval of the recommendation of the Enrollment Committee in a meeting held on March 1, 2022 to approve the blood degrees listed on Resolution #22-020 with edits who meet membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
Annelia Hillman: I just wanted to state and remind folks that blood quantum is a tool of racial discrimination for our people. We need to start thinking about some other way to define Yurok and how we enroll our people. We can think about some other ways, outside the box, such as dedicating hours to actually practicing being Yurok and people spending time in our ancestral territory those types of things. Yurok people can contribute to the tribe instead of this other narrative of what does the tribe do for me type of mindset. So, thinking about different way.
We can approach our blood degree and allow our children to be able to be enrolled because we can't keep the blood lines going without interbreeding. So, we've got to think about these things and what we're doing. There's a lot of children, Yurok children, who are descendants that can't get on the roll. They live here, live like Yurok people, and deserve to be on that roll. That's all I've got to say today. Wok-hlew’

EE22-003, Enrollment of New Members
Submitted by Krystel Patapoff-Pruitt
Motion by Councilmember Natt/Councilmember Williams for approval of the recommendation of the Enrollment Committee in a meeting held on March 1, 2022 to approve to enroll applicants listed on Resolution #22-021 with edits who meet membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus.

EE22-004, Denial of Applicants
Submitted by Krystel Patapoff-Pruitt

Motion by Councilmember Natt/Councilmember Hodge for approval of the recommendation of the Enrollment Committee in a meeting held on December 7, 2021 and March 1, 2022 to deny enrollment of applicants DY-1011 through DY-1023 who do not meet membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus.

EE22-005, Relinquishment
Submitted by Krystel Patapoff-Pruitt

Motion by Councilmember Natt/Councilmember Hodge for approval of the recommendation of the Enrollment Committee in a meeting held on March 1, 2022 to relinquish the Tribal Member listed on Resolution #22-022 with edits pursuant to the membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus.

Planning & Community Development Division
Facilities Department
FAC22-001, Security Monitoring 3rd Street
Submitted by Dean Baker

Motion by Councilmember Vanlandingham/Councilmember McCovey to sign Advanced Security Monitoring Agreement and Limited Waiver of Sovereign Immunity in favor of Advanced Security for services at the Eureka 930 3rd Street Building, and approve Resolution #22-019 with edits. 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, abstaining-0, not present-1. Motion carries.

FAC22-002, Security Monitoring Klamath Justice Center
Submitted by Dean Baker

Motion by Councilmember Vanlandingham/Councilmember McCovey to sign Advanced Security Monitoring Agreement and Limited Waiver of Sovereign Immunity in favor of Advanced Security for services at the Klamath Justice Center, and approve Resolution #22-024 with edits. 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, abstaining-0, not present-1. Motion carries.
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yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not present-1. Motion carries.

Health & Human Services/Ner-gery “Oohl Division
Springwind Marshall, Tamara Honrado present

Health & Human Services Department

YHHS22-004, Low Income Energy Assistance
Submitted by Springwind Marshall

Motion by Councilmember Vanlandingham/Councilmember Natt to approve the acceptance of $56,485.00 from Administration of Children & Families (ACF) of which $51,485 will be used for heating assistance and $5,000 will be used towards emergency heating assistance for our Low-Income Home Energy Assistance Program (LIHEAP) FY22 and authorize fiscal to set up a project code. Motion carries by consensus.

YHHS22-012, Minor/non-Minor Attorney Services
Submitted by Valerie Ryles

Motion by Councilmember Vanlandingham/Councilmember Williams to approve YHHS22-12 (Contract Amendment) for all changes described in the contract amendment as part of the Title IV-E Program’s Implementation process and to approve the Chairman to sign all contract and agreements developed from this contract. Motion carries by consensus.

YHHS22-014, Low Income Home Energy Assistance Project Code
Submitted by Springwind Marshall

Motion by Councilmember Vanlandingham/Councilmember Natt to approve the acceptance of $5,789.00 additional funding from the Administration of Children and Families that was awarded to our Low-Income Home Energy Assistance Program Project Code #8264 and approve updated budget modification. Motion carries by consensus.

YHHS22-019, James Irving Foundation Nominations
Submitted by Tamara Honrado

Motion by Councilmember Vanlandingham/Councilmember Williams to nominate Delia Sharpe, Executive Director of California Tribal Families Coalition and Jessica Carter, Board Secretary for Kee-cha-E-Nar for this prestigious award. Authorize Chairman’s signature on associated documents if needed and with edits. Motion carries by consensus.

YHHS22-024, Behavioral Health
Submitted by Alita Redner

Motion by Councilmember Vanlandingham/Councilmember Hodge to approve Yurok Health and Human Services to submit an application for the Behavioral Health Infrastructure Planning Grant for FY 2022 offered by the Department of Health Care Services and to waive indirect. Motion carries by consensus.
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Natural Resources Division

Fisheries Department

FISH22-011, Fisheries Oregon Gulch Permit Application
Submitted by Barry McCovey, Jr.

**Motion by Councilmember Vanlandingham/Councilmember Williams to request Chairman’s signature on the Fisheries Department’s permit application submission regarding restoration activities on the Tribe’s Oregon Gulch property. Motion carries by consensus.**

FISH22-012, Fisheries Invasive Species Removal Permits
Submitted by Barry McCovey, Jr.

**Motion by Councilmember Vanlandingham/Councilmember Ray to request Chairman’s signature on the Fisheries Department’s permit application regarding the use of pesticide for the removal of invasive exotic vegetation associated with off reservation Klamath Dam Removal restoration activities, pending OTA review. Fisheries to bring back implementation plan for restoration activities. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Williams-yes, Councilmember Natt-yes, Councilmember McCovey-yes. Yes-6, no-1, abstaining-0, not present-1. Motion carries.**

FISH22-014, Fisheries Submit Offer on Field House.
Submitted by Barry McCovey, Jr.

**Motion by Councilmember Vanlandingham/Councilmember Hodge to authorize Fisheries to submit an offer to purchase a property in Hornbrook, CA with a value not to exceed $450,000.00. The down payment will be approximately 20% of the total price and will come from Project 7054. This property will be utilized for dam removal activities. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-yes, Councilmember Natt-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not present-1. Motion carries.**

Wildlife Program

WILD22-003, Section 6 Funding contract
Submitted by Tiana Williams-Claussen

**Motion by Councilmember Hodge/Councilmember Williams to approve the attached California Department of Fish & Wildlife Traditional Section 6 Funding Contract in support of Humboldt Marten population distribution, associated Resolution #22-016 in support of a Limited Waiver of Sovereign Immunity, all associated documents and all necessary Chairman signatures pending OTA final approval. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-yes, Councilmember Natt-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not present-1. Motion carries.**
WILD22-008, Purchase of Wildlife Vehicles
Submitted by Tiana Williams-Claussen

Motion by Councilmember Vanlandingham/Councilmember Hodge to approve the purchase of six vehicles for the Wildlife Department for natural resource management, not to exceed a total amount of $297,850 to be funded by Projects 6693 ($262,150), 6659 ($15,700) and 6664 and 177 ($20,000). Motion carries by consensus.

WILD22-009, Bat Acoustic Analysis Contract
Submitted by Tiana Williams-Claussen

Motion by Councilmember Provolt/Councilmember McCovey to approve the attached contract with Bat Conservation International as a sole-source contract to conduct analyses of bat acoustical data collected from Yurok Tribal lands, and all necessary Chairman’s signatures. Motion carries by consensus.

Council

CA22-064, Card Game Donation
Submitted by Taralyn Ipiña

Motion by Councilmember Hodge/Councilmember Provolt to approve donation in a total of $1,150 for Card Games. Funds from Travel Line Item: Orick ($250), East ($250), Chairman ($250), Requa ($150), and $250 from Community Donations line item. Motion carries by consensus.

CA22-063, Community Donation Request
Submitted by Councilmember Ray

Motion by Councilmember Ray/Councilmember Provolt to approve a community donation in the amount $150 for Community Donation - Application#22-003CM/Tribal Member #10306. Motion carries by consensus. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-abstain (conflict), Councilmember McCovey-yes. Yes-6, no-0, abstaining-1, not present-1. Motion carries.

Office of Tribal Attorney

OTA22-017, Opposition to EPA Voluntary Remand
Submitted by Melodie Meyer

Motion by Councilmember Provolt/Councilmember Hodge to retroactively approve the Yurok Tribe’s decision to direct Earthjustice attorneys to draft and file opposition to EPA’s motion to voluntary remand their rule on DecaBDE toxins and to request consultation with the EPA on a government-to-government level in litigation against the EPA. Motion carries by consensus.

TRIBAL MEMBER COMMENT: None provided.
LUNCH: 12:25pm - 1:32pm

TRIBAL MEMBER COMMENT: None provided.

AGENDA ITEMS:
Office of Tribal Attorney
OTA22-012, 30 x 30 Comment Letter
Submitted by Maggie Poffenbarger

Motion by Councilmember Provolt/Councilmember Natt to retroactively approve Chairman’s signature on Yurok Tribe’s request for consultation letter and comments to the California Natural Resources Agency (CNRA) regarding the latest 30x30 document. Motion carries by consensus.

OTA22-016, California Public Utilities Commission Microgrid Proceeding
Submitted by Melodie Meyer

Motion by Councilmember Natt/Councilmember McCovey to direct OTA to file a motion for party status (or equivalent) in California Public Utilities Commission Proceeding #A2106022 and to submit and file all other documents and fillings necessary to advance the interest of the Yurok Tribe in consultation with the Yurok Tribal Council. Motion carries by consensus.

Public Health
Hollie Strahm presents for agenda item
PH22-001, Electronic Case Report
Submitted by Hollie Strahm

Motion by Councilmember Provolt/Councilmember Natt to have Chairman James approve and sign all relevant documents and letter of support related to the application for Electronic Case Report grant application for Nation Indian Health Board (NIHB). Grant allows full indirect with no match. Motion carries by consensus.

Tribal Court
Lori Nesbitt presents for agenda item
TC22-001, Court Innovation Contract
Submitted by Lori Nesbitt

Motion by Councilmember McCovey/Councilmember Provolt to approve authorization for Chairman to sign the contract for Center for Court Innovation to help provide technical assistance, reduce barriers to treatment and increasing access to Medications for Opioid Use Disorder (MOUD), and increase awareness and understanding of the opioid epidemic. Motion carries by consensus.

Yurok Indian Housing Authority
Nicole Sager presents for agenda item
YIHA22-004, Monthly Report

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Submitted by Nicole Sager

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

Yurok Tribe Construction Corporation

YTCC22-001, Employee 2021 Tax Exemption Letter
Submitted by Wes Scribner

Motion by Councilmember Hodge/Councilmember Williams to authorize Chairperson to sign the letter qualifying work performed by the Yurok Tribe Construction Corporation during 2021 as fishing rights related activities. Motion carries by consensus.

Council

CA22-058, AB 2176
Submitted by Tribal Council

Motion by Councilmember Provolt/Councilmember Ray to approve letter of support for AB 2167, expanding the timeframe for Native American families to register a birth of a child. 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, Abstaining-0, Not Present-1. Motion carries.

CA22-065, Masten Political Donation
Submitted by Council

Motion by Councilmember Hodge/Councilmember Natt to approve donation of $2,000 from Budget #50 for tribal member Susan Masten’s political campaign for 5th District Del Norte County Board of Supervisors. Motion carries by consensus.

CA22-059, Self-Governance Director
Submitted by Chairman James

Motion by Councilmember McCovey/Councilmember Hodge pursuant to Chairman James’s constitutional authority, Chairman James appoints Kori Cordero to the Self Governance Director with the advice and consent of the Tribal Council. 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, Abstaining-0, Not Present-1. Motion carries.

CA22-060, Madrone Political Contribution
Submitted by Taralyn Ipiña

Motion by Councilmember Vanlandingham/ Councilmember Hodge to authorize political contribution in the amount of $1,000 to support re-election of Humboldt County 5th District Supervisor Steve Madrone. Motion carries by consensus.
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BREAK: 2:22pm - 2:32pm

EXECUTIVE SESSION: 2:32pm-4:01pm
P22-020 Property Purchase Agreement
OTA22-008 Yurok Agricultural Corporation Agreement
OTA22-013 Contract for Judicial Services,
Legal Issue at Baseball Field (Ray)
Business license at Stone Lagoon (Hodge),
Confidential mail (McCovey)

3:20pm Councilmember Ray leaves meeting for appointment.

Action out of Executive Session:
OTA22-008, Investment Agreement with Yurok Agricultural Corporation
Submitted by Maggie Poffenbarger
Discussion of attached confidential investment agreement with Yurok Agricultural Corporation (YAC). Item tabled.

OTA22-013, Contract for Judicial Services
Submitted by Maggie Poffenbarger
Motion by Councilmember Vanlandingham/Councilmember Williams pursuant to Chairman James's constitutional authority, Chairman James appoints Abby Abinanti to the Chief Judge, with the advice and the consent of the Council. Furthermore the Council approves the attached contract and authorize Chairman to sign and Secretary to attest, with edits. Motion carries by consensus.

P22-010, Property Purchase Agreement
Submitted by Michael Gerace
Motion by Councilmember Provolt/Councilmember Hodge to approve property purchase agreement and associated Resolution #22-006 Waiver of Sovereign Immunity in favor of the Seller, and Authorize Chairman to sign and Secretary to attest, and to approve immediate allocation of $5,000 from Operational Reserve to be used as a down payment. Roll call: Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-np, Councilmember Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-5, No-1, Abstaining-0, Not Present-2. Motion carries.

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Councilmember Williams.

ADJOURN: 4:09pm

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MEETING MINUTES

APPROVED ON: May 5, 2022

Sherri K. Provolt, Secretary

Date

05/09/2022