YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, FEBRUARY 23, 2023
https://us06web.zoom.us/j/92549693537

ROLL CALL: 10:20am

PRESENT: Joe James, Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Lana McCovey, South District

ABSENT: Frankie Myers, Vice Chairman; Toby Vanlandingham, Weitchpec District (No internet connection due to severe weather conditions)

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Kori Cordero, Office of Tribal Attorney; Michael Maranger, Chief Financial Officer; Georgiana Gensaw, Council Operations Coordinator (recorder).

QUORUM: 7 present, 2 absent, quorum present.

OPENING PRAYER: Provided by Councilmember Williams.

REVIEW AGENDA/ADDITIONS/APPROVAL:
Motion made by Councilmember Provolt/Councilmember Natt to approve the agenda with additions of YHHS23-16 MOU with CDSS, PRO23-003 BIA One Time Funding, and CA23-61 Lost Coast Wind Contract extension. Motion carries by consensus.

CALENDAR:
Monday, February 27- YEDC Meeting is cancelled.
Friday, February 24- YAC Meeting. Chairman will follow up to set a meeting time.

COUNCIL CHECK IN:
Councilmember McCovey – Pass
Councilmember Natt – Pass
Councilmember Provolt – I would like to thank the Tribal Members that attended the Willow Creek Grand Opening and the Council meeting yesterday even though the weather was no favorable. I am excited to have the building open to provide services. Please be safe.
Councilmember Ray – Pass
Councilmember Crawford – I agree with Councilmember Provolt. Thanks everyone for work done to get the Willow Creek site completed. We are pleased with the turnout. The East
District Meeting held after the Council Meeting went to 8:45 pm. There were quite a few
attending, and they were a fun group.

Councilmember Williams – Pass.

Councilmember Vanlandingham – Not present.

Vice Chairman Myers – Not present.

Chairman James – We had a good day yesterday with the opening of the East District Building
and the Eureka 3rd Street Building will be opening soon.

TRIBAL MEMBER COMMENT: None provided.

EXECUTIVE SESSION:
P23-008 Property Purchase
OTA23-002, Appointment Tribal Court
OTA23-014, JUUL Litigation
Tribal Member Emergency (Natt)
Legal Update (Williams)

CONSENT AGENDA ITEMS:
Natural Resources
Environmental Department
ENVR23-006, Grant Acceptance
Submitted by Louisa McCovey

Motion made by Councilmember Williams/Councilmember Provolt to approve the attached
grant agreement for the Environmental Department’s FY23 USEPA Performance Partnership
Grant, amendment #BG-97907921-4 totaling $251,177, no match is required and full indirect
charges are allowable. Motion carries by consensus.

Council
CA23-059, February 9, 2023 Council Meeting Minutes
Submitted by Councilmember Provolt

Motion made by Councilmember Williams/Councilmember Provolt to approve with edits and
corrections February 9, 2023 Council Planning/Action Meeting Minutes. Motion carries by
consensus.

AGENDA ITEMS:
Administration Division
Public Health
PH23-001, Vaccine Incentive
Submitted by Don Barnes
Motion made by Councilmember Natt/Councilmember Williams to approve and accept this one-time funding of $50,000.00 from CA Indian Manpower Consortium for implementing a vaccine incentive program. Funding to be paid out using Public Health’s Vaccine incentive application attached. Motion carries by consensus.

**Yurok Economic Development Corporation**

YEDC23-002, Letter of Support
Submitted by Sara Barbour

Motion made by Councilmember Williams/Councilmember Natt to approve for the Yurok Tribal Chairman to sign letter of support for the City of Crescent City’s RAISE grant application, in partnership with Elk Valley Rancheria. Their application will seek funding for key components of Front Street completion and a Cultural Inclusion Project. Motion carries by consensus.

**Office of the Prosecutor**

PRO23-002, MMIP Multi-Disciplinary Team Invitation
Submitted by Katherine Katcher

Motion made by Councilmember Williams/Councilmember Natt to approve the Yurok Tribe’s participation in the Cahuilla Consortium’s MMIP Multi-Disciplinary team and approve Katherine Katcher to organize the Tribe’s participation. Motion carries by consensus.

**Yurok Indian Housing Authority**

YIHA23-003, YIHA Procurement Policy
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Provolt to approve the updated YIHA procurement policy to reflect compliance with the Tribe’s Procurement Policy, YIHA policies and 2CFR 200. Motion carries by consensus.

YIHA23-004, Tax Credit Property Policy
Submitted by Nicole Sager

Motion made by Councilmember Provolt/Councilmember Natt to approve YIHA’s edited Tax Credit Eligibility, Admissions, and Occupancy Policy revisions for compliance with State of California Occupancy standards. Motion carries by consensus.

YIHA23-005, Tentative Subdivision
Submitted by Nicole Sager

Motion made by Councilmember Natt/Councilmember Crawford to approve the tentative subdivision map parcel 531-076-020-000. Approval based on the existing high density residential development for the Tulley Creek area. Motion carries by consensus.

YIHA23-006, Monthly Report
Submitted by Nicole Sager
Motion made by Councilmember Provolt/Councilmember Natt to approve the YIHA monthly report for February as submitted by Nicole Sager, Executive Director. Motion carries by consensus.

Yurok Health & Human Services Division
Yurok Health & Human Services
YHHS23-005, TANF Contract Heyomue Village Consulting
Submitted by Dorothy Sylvia
To approve contract for Heyomue Village Consulting (Lisa Sanderson) in the amount of $18,000 to provide culturally focused facilitation of prevention curriculum’s for TANF clients and at risk families. Item pulled by Department.

Natural Resources Division
Fisheries Department
FISH23-022, Arcata Office Building for Sale
Submitted by Barry McCovey, Jr.
Motion made by Councilmember Natt/Councilmember Provolt for approval to discuss the potential purchase of an office building in Arcata, CA with various Tribal Departments and Corporations. Motion carries by consensus.

Office of Tribal Attorney
OTA23-007, Amended Controlled Substances Ordinance
Submitted by Annie Perry
Motion Made by Councilmember Williams/Councilmember Natt to review public comment and approve attached proposed final Controlled Substances Ordinance. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-no, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-no. Yes-4, No-2, Abs-0, not present-2. Motion denied.

Statement for the Record:
Councilmember Provolt: I am concerned about water usage, managing natural resources, pesticides, and drought issues. I am also concerned there is no oversight over these personal gardens and the potential harm to our rivers and streams. Those are my reasons for voting no.

OTA23-008, Amended Probate Trust Ordinance
Submitted by Annie Perry
Motion made by Councilmember Provolt/Councilmember Williams to review public comment and approve attached proposed final Probate Trust Ordinance and approve Resolution #23-26. Motions withdrawn. Item tabled to March 22, 2023.

OTA23-015, Acceptance of Broadband Grant Award
Submitted by Kori Cordero
Motion made by Councilmember Natt/Councilmember Provolt to retroactively approve Yurok Tribe staff to submit a California Public Utilities Commission Local Agency Technical Assistance grant application, 2) Chairman to sign an acceptance letter for the Yurok Tribe’s to
the California Public Utilities Commission Local Agency Technical Assistance Program. Motion carries by consensus.

Council

CA22-312, Increase Burial Assistance for Tribal Members
Submitted by Councilmember Williams

Motion to increase Burial Assistance for Tribal Members to $7,000.00. Item tabled.

CA23-028, Waiver of Tribal Member Past Due Water Bill
Submitted by Councilmember Ray

Motion to approve waiver of Tribal Member Past Due Water Bill. Item tabled.

CA23-058, Nomination of Sandra Lowry to Culture Committee
Submitted by Councilmember Ray

Motion made by Councilmember Williams/Councilmember Natt pursuant to Chairman’s constitutional authority, Chairman James appoints Sandra Lowry ad Requa District Culture Committee alternate with the advice and consent of the Tribal Council. Motion carries by consensus.

CA23-060, Councilmember Provolt to Yurok Economic Development Corporation Board of Directors Nomination
Submitted by Chairman James

Motion made by Councilmember Williams/Councilmember Natt pursuant to Chairman’s constitutional authority, Chairman James appoints Councilmember Sherri Provolt to the Yurok Economic Development Corporation Board of Directors with the advice and consent of the Tribal Council. Motion carries by consensus.

Office of Tribal Prosecutor

PRO23-003, BIA One Time Funding Request
Submitted by Rosemary Deck

Motion made by Councilmember Provolt/Councilmember Williams to approve the Office of Tribal Prosecutor to request one-time disbursement from the BIS to fund operating expenses and authorize Chairman to sign documentation. Motion carries by consensus.

Yurok Health & Human Services

YHHS23-016, MOU CDSS & Yurok Tribe Tribal Core constituent
Submitted by Jessica Fawn Canez

Motion made by Councilmember Ray/Councilmember Williams approval of the MOU with the California Department of Social Services for the Tribal Core Constituent (TCC) participation in the development of the Child Welfare Services California Automated Response and Engagement System (CWS-CARES) and Child Welfare Digital Services (CWDS), subject to final OTA edits. Motion carries by consensus.

Councilmember McCovey leaves meeting family emergency.
LUNCH: 12:04pm-1:05pm

TRIBAL MEMBER COMMENT: None provided.

EXECUTIVE SESSION: 1:04pm-1:55pm

P23-008 Property Purchase
OTA23-002, Appointment Tribal Court
OTA23-014, JUUL Litigation
CARB23-006 Statkraft Proposed Sale
CA23-61 Lost Coast Wind Contract
Tribal Member Emergency (Natt)
Legal Update (Williams)

Action out of Executive Session:

AGENDA ITEMS:

P23-008, Property Purchase
Submitted by Marion Frye

Motion to approve the Planning Department to negotiate property purchase, and to authorize Chairman to sign all necessary purchase documents, including Resolution #23-22 granting a limited waiver of sovereign immunity in connection with the purchase agreement, and in favor of the seller, the estate of Sherry Natt. Item tabled.

OTA23-014, JUUL Labs, Inc. Litigation Settlement
Submitted by Annie Perry

Motion made by Councilmember Natt/Councilmember Williams to approve participation in JUUL Labs, Inc. settlement and to sign a “letter to All Tribes” and a “Release of All Claims”, including Resolution #23-25 for Limited Waiver of Sovereign Immunity for arbitration of the settlement. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-5, No-0, Abs-0, not present-3. Motion carries.

OTA23-002, Appointment of Chief Judge for Tribal Court
Submitted by Maggie Poffenbarger

To approve attached contract and appoint Judge Abinanti as Chief Judge pursuant to Chairman James Constitutional Authority, with advice and consent on Council, and authorize Chairman to sign.

Motion made by Councilmember Natt/Councilmember Provolt to approve attached contract for judicial services with edits with Abby Abinanti and authorize Chair to sign. Roll call: Vice Chairman Myers-np, Councilmember Crawford-no, Councilmember Ray-no, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-no, Councilmember McCovey-np. Yes-2, No-3, Abs-0, not present-3. Motion denied.
CA23-61 Lost Coast Wind Contract
Submitted by Vice Chairman Myers

Agenda item not discussed as Vice Chairman not available to present.

Motion made by Councilmember Provolt/Councilmember Williams to suspend the rules and add CARB23-006, StatKraft Resolution 23-027. Motion carries by consensus.

CARB23-006, StatKraft Proposed Sales Transaction
Submitted by Javier Kinney

Motion made by Councilmember Natt/Councilmember Provolt to approve pending final OTA review the carbon offset sales agreement with StatKraft and to approve Resolution# 23-27 for a Limited Waiver of Sovereign Immunity in favor of Statkraft. Please see attached memorandum. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-5, No-0, Abs-0, not present-3. Motion carries

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Chairman James.

ADJOURN: 2:13pm

MEETING MINUTES APPROVED ON: March 9, 2023

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Sherri K. Provolt, Secretary       Date
03/14/2023
03/14/2023
03/14/2023
03/14/2023