

**YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, APRIL 27, 2023
WEITCHPEC TRIBAL OFFICE**

ROLL CALL: 11:00am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District; Lana McCovey, South District (internet inconsistency throughout meeting).

ABSENT: None.

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: 9 present, 0 absent, quorum present.

OPENING PRAYER: Provided by Councilmember Ray.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Williams/Vice Chairman Myers to accept the agenda with additions T23-012 FY23 Fiscal Certifications & Assurances, OTA23-030, CA23-139, OSG23-001 Lost Coast Wind Contract extension, and YHHS23-031 CDDS. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

Office of Tribal Attorney

OTA23-028, ~~Work Session Request~~ Submit Comments to Bureau of Ocean Management Submitted Alex Mesher

Motion made by Councilmember Vanlandingham/Councilmember Williams authorizing OTA to submit comments to Bureau of Ocean Management, Renewable Energy Moderation Rule, with OTA Edits. Motion carries by consensus.

CALENDAR:

May 3 - MMIP Candlelight Vigil Event at State Capitol
May 6 - Klamath River Clean Up
May 1-2 - Water Meetings in Medford, OR (Vice Chairman Myers)
May 15 - North District Meeting Aawok Marjorie Buckskin
June 22-25 - Chairman James out
July 6-9 - Sregon Brush Dance

COUNCIL CHECK IN:

46 **Councilmember Provolt:** Good morning Council, staff and membership. As summer season
47 begins, I would like to get an update on the portable toilets that Council approved to be
48 purchased. Thank you.

49
50 **Councilmember Williams:** United Indian Health Services is looking at 4-day work week,
51 however it would mean the Clinics would be open 6 days a week. We're talking about scaling
52 back and they are talking about going the other way. Our membership would actually benefit
53 from this change.

54
55 **Councilmember Crawford:** Weather is warming up. I want to give a big shout out to Hoopa
56 Valley Girls Softball team who is doing very well and I encourage everyone to go watch if you
57 get a chance. Lots of tribal members on that team. It's very exciting.

58
59 **Councilmember Natt:** Pass.

60
61 **Councilmember McCovey:** As mentioned by Councilmember Crawford, warm weather is going
62 to start rolling in and people should start getting fire safe ready. Most of the state has been
63 released from drought conditions but not northern California. In a State consultation meeting I
64 attended the other day, we were notified that within California, 7 counties are out of the
65 drought crisis.

66
67 **Councilmember Ray:** Pass.

68
69 **Councilmember Vanlandingham:** Pass.

70
71 **Vice Chairman Myers:** We are happy to announce that we received 18 million dollars for
72 restoration in the upper basin. We met with the Shasta Nation and working with them about
73 restoration in the basin. It's very nice to see the fruition that traveling to some of the meetings,
74 we've been going to is finally coming to light. As the weather gets warmer we are going to be
75 tempted to go swimming, but the river is not ready yet. Please refrain from swimming.

76
77 **Chairman James:** Summer is around the corner and we need to reach out to our team about
78 clearing out near elders home. We are going to work with our Departments to make sure our
79 elders are attended to and needs are heard. We haven't heard officially yet but we anticipate
80 that our salmon numbers are going to be low and we will be discussing this situation.

81
82 **TRIBAL MEMBER COMMENT:**

83 Rose Sylvia:

- 84
- 85 • Tribe received 62 million for those homes who did not get electricity the first time, and
86 want to be sure those who do not have power are first.
 - 87 • Going through COVID and having a kid in school, I tried other internet companies. I
88 have switched over to the Tribe's internet and I am so happy. But, I have never paid for
it, so not sure if the billing is going right.

- 89 • I see you have not hired a Telecommunications CEO and I think you need to hire the
90 best. I think the broadband is a super good idea. You also have never hired a PUD
91 Manager, now you have taken that employee and moved them to a corporation.
92 • This is health and welfare issues, we need to have a water manager to keep the system
93 going to meet standards.
94 • We need a refrigerator for Shaker Church.

95
96 Bertha Peters:

- 97 • When Rose was fired, Council said they didn't know about it, and that decision was
98 made by the Chairman (Joe). That is not right.
99 • There are drugs being ran down there (further downriver) and you are not doing
100 anything about it.

101
102 Lori Hodge:

- 103 • I sit on the School Board for area II, we need parent participation in the American Indian
104 Education Policy Committee.

105
106 Bertha Peters:

- 107 • How far are we behind in our audits?
108

109 **Directive to Executive Director to have the Planning Director hold Community Meetings to**
110 **share the current and future projects.**

111
112 Charlene Colegrove:

- 113 • You cannot mix culture and Shaker Church with Council. It doesn't work to me.
114

115 **BREAK: 11:28am-11:42am**
116

117 **EXECUTIVE SESSION:**

118 Personnel (Councilmember Williams)
119 Land for sale (Councilmember Ray),
120 Personnel (Councilmember Natt),
121 Kepel Reimbursement (Vice Chairman Myers)
122 Salaries of Yurok Police (Councilmember Crawford)

123
124 **CONSENT ITEMS:**

125 **Community Development Division**

126 *Planning Department*

127 P23-025, Letter of Commitment & SFL for CEC GRIP Grant
128 Submitted by Sophia Lay

129 **Motion made by Councilmember Vanlandingham/Councilmember Williams to retroactively**
130 **approve the Yurok Tribe Letter of Commitment for the California Energy Commission for the**
131 **California Energy Commission (CEC) grant application to the US Department of Energy (DOE)**
132 **Grid Resilience and Innovative Partnership (GRIP) Grant Program and authorize Chairman to**
133 **sign the letter and all other necessary grant documents. Motion carries by consensus.**

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Natural Resources Division

Fisheries Department

FISH23-039, Fisheries Grant Submission

Submitted by Barry McCovey

Motion made by Councilmember Vanlandingham/Councilmember Williams to authorize the Fisheries Department to submit grant applications for various funding opportunities to support high priority restoration projects in FY2023 and FY2025. Motion carries by consensus.

Wildlife

WILD23-001, Section 6 Funding Resolution

Submitted by Tiana Williams-Claussen

Motion made by Councilmember Vanlandingham/Councilmember Williams to retroactively approve resolution 23-48 designating Chairman, and his designees as appropriate, as an authorized representative for California Department of Fish and Wildlife Section 6 funding grant agreement number #Q2280104, and all necessary signatures. Motion carries by consensus.

Cultural Resources

Tribal Heritage Preservation officer

THPO23-006, THPO Annual Grant

Submitted by Rosie Clayburn

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Submittal of Annual Tribal Historic Preservation Grant in the amount of \$111,623 and Chair to sign all relevant documents. No match and Indirect allowed. Motion carries by consensus.

Council

CA23-114, Tribal Nation Grant Fund – Capacity Building Fund Grant

Submitted by Jodi Hoone

To approve submission of the Tribal Nation Grant Equal Distribution Grant 2023 for funding to be used for Council discretion based on priority unmet needs in FY2024. Item Pulled.

CA23-121, Council Meeting Minutes for March 2023

Submitted by Councilmember Provolt

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Council Meeting Minutes for the March 21st Gaming, March 21st Finance, March 22nd Planning and March 23rd Action Meetings as presented. Motion carries by consensus.

CA23-122, Letter of Support for Assembly Bill 389

Submitted by Taralyn Ipina

Motion made by Councilmember Vanlandingham/Councilmember Williams to retro approval of Letter of Support for Amended Assembly Bill #389 – Native American Heritage Commissions authority on certain Issues. Motion carries by consensus.

178 **AGENDA ITEMS:**
179 CA23-127, Appointment to Office of Self Governance
180 Submitted by Chairman James

181 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to retroactively**
182 **approval of appointment of Megan Siasoi to Office of Self Governance Director per the**
183 **Chairmans Constitutional authority with the advice and consent of the Yurok Tribal Council.**
184 **Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes,**
185 **Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes,**
186 **Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, no-0, abstain-0, not**
187 **present-1. Motion carries.**

188
189 **Executive Division**

190 *Executive Director*

191 EXDIR23-012, Rescind State of Emergency, Resolution #23-20

192 Submitted by Don Barnes

193 **Motion made by Councilmember Vanlandingham/Vice Chairman Myers to rescind Resolution**
194 **#23-20, “State of Emergency Declaration Due to Winter Storm Impacts to the Yurok**
195 **Reservation and Surrounding Areas.” Motion carries by consensus.**

196
197 **Community Development Division**

198 *Planning Department*

199 P23-010, Rejoining Fee to Trust Consortium FY24, FY25, FY26

200 Submitted by Marion Frye

201 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham for approval to rejoin**
202 **the Bureau of Indian Affairs California Fee to Trust Consortium for Fiscal Years 2024, 2025,**
203 **2025, authorize Chairman to sign Memorandum of Understanding and Resolution #23-013,**
204 **Secretary to attest. Motion carries by consensus.**

205
206 **Break: 11:27am - 11:40am**

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208 **Yurok Health & Human Services Division**

209 *Client Services*

210 YHHS23-012, Increase TANF Cash Aide eligibility to 175% FPL

211 Submitted by Madison Green

212 **Motion made by Vice Chairman Myers/Councilmember Natt to approve Yurok Tribal TANF**
213 **Program to increase cash-aid eligibility criteria to 175% federal poverty line gross income,**
214 **effective April 1, 2023. Motion carries by consensus.**

215
216 **Natural Resources Division**

217 *Fisheries Department*

218 FISH23-040, Fisheries Contract with California Fish and Wildlife

219 Submitted by Barry McCovey, Jr.

220 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to authorize the**
221 **Fisheries Department enter into a contract with the California Department of Fish and**
222 **Wildlife for various restoration projects in the Klamath Basin and to approve Resolution # 23-**

223 **052 granting a Limited Waiver of Sovereign Immunity in favor of California Department of**
224 **Fish and Wildlife, contingent on OTA approval. Roll call: Vice Chairman Myers-yes,**
225 **Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes,**
226 **Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes,**
227 **Councilmember McCovey-np. Yes-7, no-0, abstain-0, not present-1. Motion carries.**

228
229 FISH23-041, Coho Endangered Species Act Coverage
230 Submitted by Barry McCovey, Jr.

231 **Motion made by Councilmember Williams/Councilmember Vanlandingham to authorize the**
232 **Fisheries Department to submit a letter to the National Marine Fisheries Service requesting**
233 **consultation on the Yurok Tribe Resource Management Plan regarding take of Coho Salmon**
234 **under the Endangered Species Act. Motion carries by consensus.**

235
236 FIHS23-042, Tribal Comments on Trinity River Temperature
237 Submitted by Barry McCovey, Jr.

238 **Motion made by Councilmember Williams / Councilmember Vanlandingham to authorize the**
239 **Fisheries Department to submit comments on the Tribe's behalf regarding North Coast**
240 **Region Water Quality Control Board Basin Plan for the Trinity River. Motion carries by**
241 **consensus.**

242
243 TRANS23-012, Federal Transit Grant
244 Submitted by Patricia Ulmer-Gensaw

245 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve FY23**
246 **Federal Transit Administration (FTA) Certification and Assurances to accept all FY23**
247 **appropriations with indirect over the 10% allowed to be charged to project 407.0000 and**
248 **authorize Chairman to sign any documents. Motion carries by consensus.**

249
250 **LUNCH: 12:08pm -1:02pm**

251
252 **TRIBAL MEMBER COMMENT:**
253 Donna Matilton: Thank you for the delicious lunch.

254
255 Ryan Offins: Construction has been passion my whole life. I want to work for the Tribe.

256
257 Herman Quinn: It's awesome that we have a tribal member who can do this.

258
259 Shoshoni Hostler: Maybe you could hold a meeting just for those who have special skills.

260
261 **AGENDA ITEMS:**
262 **Prey-go-neesh Construction**
263 PGNC23-003, Prey-go-neesh Bylaws
264 Submitted by Pam Ames

265 **To accept Prey-go-neesh Bylaws approved by the Prey-go-neesh Board. Item tabled to the**
266 **first round in June.**

267

268 **Office of Tribal Attorney**
269 OTA23-022, Subscription to Caret Legal Software
270 Submitted by Maggie Poffenbarger

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve contract and associated Resolution #23-47 a Limited Waiver of Sovereign Immunity in favor of Caret Legal, and authorize Chairman to Sign and Secretary to attest. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-8, no-0, abstain-0, not present-0. Motion carries.

277
278 OTA23-024, Amended Probate Trust Ordinance
279 Submitted by Annie Perry

Motion made by Councilmember Provolt/Councilmember Vanlandingham to review public comment and approve attached proposed final Probate Trust Ordinance and authorize submission of the Ordinance to the Department of the Interior. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, no-0, abstain-0, not present-1. Motion carries.

287
288 OTA23-029, Frontier Term Sheet
289 Submitted by Kori Cordero

Motion made by Councilmember Natt/Vice Chairman Myers to authorize OTA and contractors to submit acquisition term sheet to Frontier, and handle negotiations, in accordance with director received by Council in Executive Session. Motion carries by consensus.

294
295 **Council**

296 CA23-109, Mawah Quarry Revitalization
297 Submitted by Councilmember Vanlandingham

Motion made by Councilmember Vanlandingham/Councilmember Natt to approve the Mawah Quarry Revitalization Permit and to waive the \$15,000 mining application fee. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-abs, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-no. Yes-5, no-2, abstain-1, not present-0. Motion carries.

304
305 **BREAK: 2:35pm -2:45pm**

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307 **EXECUTIVE SESSION: 2:45-3:30**
308 Confidential session with community member regarding property.

309
310 **AGENDA ITEMS:**
311 CA23-115, Tribal Member Business Request
312 Submitted by Councilmember Vanlandingham

313 **Motion made by Councilmember Ray/Councilmember Williams to make a recommendation**
314 **to the YEDC Board of Directors to allow request from Tribal Member(s) offering Beauty Salon**
315 **Services out of a portable salon trailer at Bluff Creek Resort. Motion carries by consensus.**

316
317

318 **TRIBAL MEMBER COMMENT:**

319 Darlene Magee: We used to do elders workouts in here and now Valerie works here for the
320 elders.

321

322 Shoshoni Hostler: It's a great idea and I would be a customer as well. I like the idea of putting
323 shops there. We want businesses there, because what we put into them they invest back into
324 our community. Any salon services bring in a lot of people.

325

326 CA23-112, Council Attendance

327 Submitted by Councilmember Vanlandingham

328 **Motion made by Councilmember Vanlandingham/Councilmember Williams on resuming**
329 **publishing Council Attendance logs for council meetings and work sessions in Yurok Today,**
330 **the Tribe's website and social media. To add virtual attendance column to data and publish**
331 **data monthly. Motion carries by consensus.**

332

333 CA23-113, Travel to Offshore Wind Conference

334 Submitted by Councilmember Williams

335 **Motion made by Councilmember Williams/Councilmember Vanlandingham to approve travel**
336 **to Offshore Wind Conference in Sacramento, CA May 8-10, 2023, for Councilmember Williams**
337 **and any other interested Councilmember(s). Motion carries by consensus.**

338

339 CA23-132, Update on BHCIP Grant for Weitchpec Youth Center

340 Submitted by Councilmember Vanlandingham

341 **Yurok Health & Human Services to provide an update during the Weitchpec Council Meeting**
342 **on the BHCIP Grant for the Weitchpec Youth Center. Discussion only, no action.**

343

344 CA23-116, New Dumpsters for Weitchpec Transfer Station

345 Submitted by Councilmember Vanlandingham

346 **Requesting an update on the purchase of new dumpsters for Weitchpec Transfer Station.**
347 **Discussion only, no action.**

348

349 **TRIBAL MEMBER COMMENT:**

350 Elizabeth Davis: It's good to see people getting back to the concerns of your people. Not just
351 the corporations, I remember 5 or 6 years ago, and we had this same conversation. We need to
352 get these projects finished.

353

354 **BREAK: 4:28pm-4:40pm**

355

356 **AGENDA ITEMS:**

357 CA23-117, AOD Vocational Training Program

358 Submitted by Councilmember Vanlandingham

359 **Discussion/Action to set a work session with relevant Departments and Council to begin**
360 **designing a Workforce Development Program for Alcohol and other Drug Treatment Fields.**
361 **Discussion only, no action. Directive to staff to have the meeting set.**

362
363 CA23-118, Declaring a State of Emergency
364 Submitted by Councilmember Vanlandingham

365 **Motion made by Councilmember Vanlandingham/Councilmember Williams to Declare a State**
366 **of Emergency on Fentanyl & Xylazine epidemic impacting Yurok on and off Reservation. To**
367 **have OTA draft a Resolution for approval. Motion carries by consensus.**

368
369 CA23-119, Donation to Tribal Member
370 Submitted by Councilmember Vanlandingham

371 **Motion made by Councilmember Vanlandingham/Councilmember Provolt to approve**
372 **donation to Tribal Member in the amount of \$900 to purchase a camper, funding to come**
373 **from Weitchpec District's (Councilmember Vanlandingham) Travel Budget. Motion carries by**
374 **consensus.**

375
376 CA23-124, Del Norte CASA Board Appointment
377 Submitted by Councilmember Williams

378 **Motion made by Councilmember Natt/Councilmember Provolt to approve Councilmember**
379 **Williams to serve on the Del Norte County Court Appointed Special Advocate (CASA) Board.**
380 **Motion carries by consensus.**

381
382 CA23-129, Installation of Pecwan Playground Equipment
383 Submitted by Councilmember Natt

384 **Motion made by Councilmember Natt/Councilmember Crawford to approve installation of**
385 **the Pecwan Playground Equipment at an estimated cost of \$16,000, funding to come from the**
386 **Tribal Consistency Fund. Motion carries by consensus.**

387
388 CA23-130, Yurok Lobbyist RFP
389 Submitted by Taralyn Ipina

390 **Motion made by Councilmember Vanlandingham/Councilmember Provolt to approve the**
391 **Request for Proposal for a Lobbyist for the Yurok Tribe. Motion carries by consensus.**

392
393 CA23-131, Celebration of 50 Years – Mattz v. Arnett
394 Submitted by Councilmember Provolt

395 **Motion made by Councilmember Provolt/Councilmember Williams to proceed with the**
396 **dedication sign at one of the Yurok Tribes docking areas & coordinate "Celebration" of the**
397 **50th year anniversary of the Mattz. V. Arnett Supreme Court decision on June 11, 1973**
398 **regarding Yurok Fishing Rights. Motion carries by consensus.**

399
400 **BREAK: 5:29pm -5:34pm**
401

402 **EMERGENCY AGENDA ITEMS:**
403 OTA23-030, AB525 Offshore Wind Permitting Roadmap Letter
404 Submitted by Alex Mesher

Motion made by Councilmember Vanlandingham/Councilmember Provolt to authorize OTA to submit letter on AB525 Offshore Wind Permitting Roadmap to the California Energy Commission for consideration at its May 10 business meeting, with OTA edits. Motion carries by consensus.

409
410 YHHS23-031, California Department of Social Services Tribal Dependency Representation
411 Program
412 Submitted by Jessica Fawn Canez

Motion made by Councilmember Williams/Councilmember Ray to approve Memorandum of Understanding with the California Department of Social Services Tribal Dependency Representation Program and authorize Chairman to sign. Motion carries by consensus.

416
417 CA23-139, Trinity Valley Elementary Wolf Creek Outdoor School
418 Submitted by Georgiana Gensaw

Motion made by Councilmember Ray/Councilmember Williams to approve a Community Donation in the amount of \$250 for Trinity Valley Elementary School's 5th grade Wolf Creek Outdoor School field trip. Funds contributed: \$200 Requa Travel line item, \$200 Pecwan Travel line item, \$350 East Youth fund. Total = \$1,000. Motion carries by consensus.

423
424 OSG23-001, Lost Coast Wind Contract Extension
425 Submitted by Amanda Ammon

To approve the Lost Coast Wind Contract extension till February 2024. Pending Office of Tribal Attorney review and approval. Council to designate funds from. Item tabled.

428
429 **EXECUTIVE SESSION:** 5:35pm -7:00pm
430 Personnel (Councilmember Williams)
431 Land for sale (Councilmember Ray),
432 Personnel (Councilmember Natt),
433 Kepel Reimbursement (Vice Chairman Myers)
434 Salaries of Yurok Police (Councilmember Crawford)

435
436 No action out of Executive Session.

437
438 **TRIBAL MEMBER COMMENT:**
439 Robert R Kinney: (hands out an Indian Education meeting flyer). Please attend if you can.

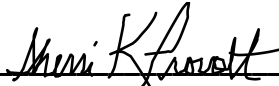
440
441 **CLOSING PRAYER:** Provided by Councilmember Williams.

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443 **ADJOURN:** 7:06pm

444
445 **MEETING MINUTES APPROVED ON:** **May 25, 2023**

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Sherri K. Provolt, Secretary

5/30/23

Date