ROLL CALL: 10:00AM

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

ABSENT: None

STAFF: Earl Jackson, Taralyn Ipiña, Dawn Baum, Georgiana Gensaw (recorder)

QUORUM: 9 present, 0 absent, quorum present

OPENING PRAYER: Provided by Chairman James.

ADDITIONS TO AGENDA:

Motion made by Councilmember Vanlandingham/Councilmember Ray to accept agenda with additions OES20-013 Power Shut off Plan, EDU20-29 Required COVID-19 Testing. 
Motion carries by consensus.

COUNCIL CHECK-IN:

Councilmember Provolt:
1. Orick District Meeting was held on Saturday, October 24. Guests, Nicole Sager and Peggy O’Neill, share current programs and upcoming projects. We discussed the need for affordable housing in the Orick District (Westhaven, Trinidad, Big Lagoon, Orick areas). The Orick District will be working on a housing survey with YIHA. Fish and elder food boxes were delivered this past week.
2. I also had the opportunity to share the Council Honorarium at the both the Orick and South District meetings. Comments were shared by tribal members that overwhelming questioned why a stipend payment was provided to Councilmember for performing expected responsibilities. Tribal Members also requested a way to make comments that would be heard by the full Council about this subject.
3. I attended the Trinidad City Council meeting on October 13th. In the packet for discussion was a government to government policy which I will forward to OTA for their review. They may be able to make some suggestions to this policy.
4. I also attended the Trinidad Planning Commission meeting on October 21st whereas Trinidad Rancheria presented their plans for Harbor Storm Water Runoff Management to replace the existing parking lot, create trench drains and bioswales to manage the runoff and eliminate discharge into the bay and beaches. The plan was prepared by Pacific Watershed.

October 29, 2020 Council Planning/Action meeting
Association (Arcata) and was comprehensive. However, I'm not sure the Yurok Tribe nor the
Tsurai Ancestry Society was consulted on the project that is within the Tsurai Village and Yurok
aboriginal territories.

5. I was able to provide comments on October 28, 2020 to the Office of Head Start Tribal
Consultation. Talking points are attached of our concerns, questions and needs.

6. Lastly, I attended the Trinidad Watershed Council Meeting on October 28th. They will be submitting a planning grant to work with the stakeholders, including Tsurai
Ancestry Society, Yurok Tribe, Coastal Commission, City Trinidad, Parks and others to identify
priorities and create an action plan to stabilize the bluffs and beaches on the west and south
side of town.

Yurok Tribe's Talking points for Head Start Tribal Consultations:

1. We are asking for additional "Best Practices training" for Head Start and Early Start
Programs to provide services virtually please.

2. Will there funding for construction and rehabilitation of Head Start facilities? Our Ke'pel
facility really needs Replacement! The facility is literally falling apart - We don't want it to
fall down before its replaced. We also could use facilities for Expansion.

3. Will the Office of Head Start be offering the CLASS teacher observations and
other reviews virtually on line?

4. Due to remote location of two of Yurok Tribe Head Start Centers bus services are vital
and are a huge strain on the budget. Funding allocations for this type of service would benefit
the Yurok Tribe.

5. Due to the COVID pandemic concerns will there be any other "changes" to the grant
funding?

To'wee-shon'

Councilmember McCovey: I have been meeting with UIHS and I have been doing a lot of different
meetings with the CDC tribal advisory meetings. I am not official member but they do allow me
to participate. One of the things that has been happening is the development of a Tribal Public Health
Division; this will allow us to go for more funding. Instead of the CDC giving out competitive
grants, we are looking to create a base funding for tribes, so that we can create programs that
fit our individual tribal community needs. One of the problems with CDC and their perception
of consultation with Tribes. I want to thank Sherri for presenting her presentation at my
meeting. At first my members were taken aback, especially about the stipend, but I was trying to let
them know that this process is to try and include them. Also, I had a presentation by Madison
Green, for activities for events that will be happening here at the south site. Lastly,
Congratulations to Ryan Ray.

Councilmember Ray: Pass

Councilmember Natt: We had a fire at Wauteck, almost everyone knows about
it now. I want to send out a huge thank you for everyone in the community; they really stepped

October 29, 2020 Council Planning/Action meeting
up. I ran into Joe Nix, who was able to jump on the dozer and saved the Carrie Turner house and probably the rest of the houses in the village. A big thank you to Joe Nix.

Vice Chairman Myers: I am sure Chairman will go over the government to government meeting with Karuk yesterday. It’s really exciting work in talking about dam removal. It’s exciting to see the Tribe being able to push our tribal sovereignty. It’s really exciting to see that our capacity to be at the table as partners with the State and Feds. Our staff is doing a phenomenal job, during this COVID pandemic situation. Our staff keep adding to their duties to their plates. A big thank you to my fellow Council and to our workers.

Chairman James: Council and I met with Karuk Tribe; there was good dialogue for dam removal. It was a good meeting. We also talked about our land legislation and Karuk has one of their own too. We talked about wildland fire and that we don’t get enough funding from the state or the federal government. We will be providing generators for our elders, for our disabled, and those that have medical needs that require electricity. That was one of the things we heard that along the trail. We have been working on creating our health self insurance, and will include YEDC and YIHA that will provide health insurance and save money. We need to have a multi tribal clinics on our reservation. We can never have enough medical facilities and another goal is to provide health insurance for all of our elders.

CALENDAR:
November 11-15, Councilmember McCovey vacation
November 23, South District meeting 6pm

AGENDA ITEMS:
EXECUTIVE SESSION
CA20-225, Dam Removal tabled, Land Discussion (Hodge)

CONSENT ITEMS:
Office of Tribal Attorney
OTA20-112, Retro Approval of Yurok Motion to Intervene
Submitted by Geneva Thompson

Motion made by Councilmember Ray/Councilmember Provolt to retroactively approve the filing of the Yurok Tribe’s Motion to Intervene in the Klamath Irrigation District v Oregon Water Resources Department. Motion carries by consensus.

Council
CA20-277, HSU Letter of Support
Submitted by Vice Chair Myers

Motion made by Councilmember Ray/Councilmember Provolt to approve letter of support for Humboldt State’s application for National Science Foundation National Research Traineeship Program. Motion carries by consensus.

October 29, 2020 Council Planning/Action meeting
TRIBAL MEMBER COMMENT

Kelly Lindgren: My name is Kelly Lindgren and I am here to speak for Tsurai Ancestral Society. We did request an urgent meeting last week, but we understood that Council has been working hard on other urgent matters, so I wanted to make a comment here today to briefly summarize what our issues are. We appreciate the Tribe’s help in protecting Tsurai Village staff like Ms. Clayburn is dedicated on working on this important matter. Where our concern lies is with comments made by Council Woman Provolt during the City Planning and Council meeting. Those comments either out right say that the Yurok Tribe and Trinidad Rancheria share ancestral land and resources or allude to it. This is usually followed by a representative from Trinidad Rancheria commenting in an agreement and that do share the land and resources. And it gives the public impression that the Tribe and Rancheria is working together. This is as especially awkward when Tsurai Ancestral Society is in opposition to the agenda item, such as we opposed the approval of the project because neither TAS nor the Yurok Tribe being consulted. Ms. Provolt went on to let the City and Rancheria now how much she supported the project and praised it. While saying that the consultation could happen even after the approval. That is the recommendation that the Council followed, and the project is moving forward. Consultation could happen at some point in the future, but if there are portions, we don’t agree with or need to be changed, it isn’t clear on how that will be dealt with. This includes an agreement between the City of Trinidad and Trinidad Rancheria regarding the Galindo trail. These types of statements put the TAS to appear as though we are at odds with the Tribe and the Tribe agrees with the Rancheria. It’s also problematic due to the current litigation whereas our position is that Trinidad Rancheria doesn’t have ancestral land and that only the Yurok Tribe holds that right. There is a possibility that Ms. Provolt maybe called as a witness because of her comments made at the recorded City meeting. TAS would like to clarify if these statements are from the Yurok tribe Council or just Councilmember Provolt? And we would request that a staff member of the Yurok tribe attend these meetings, that they could state the tribe’s position and report back to council. Thank you.

AGENDA ITEMS:

Education
Jim McQuillen presents
EDU20-029, Required COVID-19 Testing
Submitted by Jim McQuillen

Motion made by Councilmember Hodge/Councilmember Aubrey to review and approve a policy Requiring Regular Frequent COVID-19 testing for All Education employees. Motion carries by consensus.

Vice Chair Myers leaves meeting 10:55am for other tribal business.

Enrollment/Elections
Krystel Patapoff-Pruitt
EE20-013, Renew Emergency Election Ordinance
Submitted by Krystel Patapoff-Pruitt

Motion made by Councilmember Ray/Councilmember Aubrey to renew emergency election ordinance and authorize Chair to sign and secretary to attest. Roll call; Vice Chair 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.

Environmental

Louisa McCovey presents YTEP20-014, Resolution 20-115, Klamath Tribal WQ Consortium

Submitted by Louisa McCovey

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve resolution 20-115, which approves the Yurok Tribe's participation in the Klamath Tribal WQ consortium. Motion carries by consensus.

Natural Resources-Fire

NRFIRE20-03, Fire Department Charter

Submitted by Rod Mendes

The Yurok Fire Department is requesting approval of a resolution and charter for the Yurok Fire Department to establish it as an entity of the Yurok Tribe. Item tabled.

Fisheries

FISH20-84, Technical Support for Prairie Creek Restoration

Submitted by Dave Hillemeier

Motion made by Councilmember Provolt/Councilmember Hodge to authorize the Fisheries Department to submit proposals to provide technical support for the Prairie Creek restoration project. Motion carries by consensus.

Vice Chair Myers returns to the meeting 11:07am

Housing Authority

Nicole Sager presents YIHA20-018, Monthly Report

Submitted by Nicole Sager

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

YIHA20-019, Indian Housing Block Grant

Submitted by Nicole Sager

Motion made by Councilmember Aubrey/Councilmember Vanlandingham to approve the submission by the Yurok Indian Housing Authority to the US Housing and Urban Development
for the Indian Housing Block grant competitive Round 2020 and corresponding Resolution #20-14 and for the Chairperson to sign and the Secretary to attest with edits. Motion carries by consensus.

YIHA20-021, Wautec Land Assignment transfer
Submitted by Nicole Sager

Motion made by Councilmember Natt/Councilmember Aubrey to approve the placement of the home on the Wautec land assignment WTV-019 for spouse revocable land use permit for non-member spouse. Motion carries by consensus.

Office of Tribal Attorney
OTA20-108, 2020 Humboldt State University Placement Agreement
Submitted by Tamara Honrado

Motion made by Councilmember Provolt/Councilmember Hodge to approve Chairman's signature on four (4) year placement agreement and addendum # 1 with Humboldt State University and YHHS to support bachelors and masters level interns to work in the field with YHHS ICW Social Workers & supervisors. Motion carries by consensus.

OTA20-109, Jenner & Block Engagement Letter
Submitted by Dawn Baum

Motion made by Councilmember Vanlandingham/Councilmember Natt to approve engagement letter with Jenner & Block for lobbying services and authorize Chair to sign. Funding from Project 50, Account 6060. Motion carries by consensus.

OTA20-110, Resolution 20-113 Appointing Public Health Officer
Submitted by Kori Cordero

Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve Resolution 20-113 with OTA edits. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-no, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-5, no-3, abs-0, np-0. Motion carries.

OTA20-111, Human Resources Attorney Contract
Submitted by Dawn Baum

Motion made by Councilmember Vanlandingham/Councilmember Provolt to approve selection of Big Fire for HR attorney project, approve contract (will have contract after action item deadline) with edits to the hourly rates. Motion carries by consensus.

OTA20-113, Engagement Letter to Western Environmental Law Center
Submitted by Geneva Thompson

Motion made by Councilmember Vanlandingham/Councilmember Ray to authorize Chairperson to sign the engagement letter with the Western Environmental Law Center for
legal representation in the Klamath Irrigation District v. Oregon Water Resources Department case, subject to the Office of the Tribal Attorney edits. Motion carries by consensus.

OTA20-114, Berkey Williams Law Firm Contract
Submitted by Dawn Baum

Motion made by Councilmember Natt/Councilmember Vanlandingham to approve contract with Berkey Williams LLP (Scott Williams) to conduct an investigation into a tribal transaction and make recommendations, authorize Chair to sign contract not too exceed $10,000. Motion carries by consensus.

Office of Self-Governance
OSG20-005, Government to Government Consultation request letter
Submitted by Don Barnes

Motion made by Councilmember Aubrey/Councilmember Hodge to retroactively approve and authorize Chairman James to sign the government-to-government consultation request for Dept. of Army, U.S. Army Corps of Engineers, in response to the Corps’ outreach letter to Chairman James. Motion carries by consensus.

Watershed
WS20-016, g-6-1 Road Removal Redwood National Park
Submitted by Rich Nelson

Motion made by Councilmember Provolt/Councilmember Hodge to approve attached project statement #P20AC01111 Annual Funding Agreement G848017001 for the project titled: Remove Failing Road G-6-1 and Stabilize Erosional Threat at Redwood National Park. Motion carries by consensus.

Wildlife
Tiana Williams-Claussen presents

WILD20-022, Project 6667 Carryover budget
Submitted by Tiana Williams-Claussen

Motion made by Councilmember Provolt/Councilmember Aubrey to approve submission of a carryover budget request to the Administration for Native American for grant #90NR0306 (project #6667), and all necessary Chairman signatures. Motion carries by consensus.

WILD20-023. BIA ESA Condor application
Submitted by Tiana Williams-Claussen

Motion made by Councilmember Hodge/Councilmember Vanlandingham to approve the submission of an application to the Bureau of Indian Affairs Endangered Species Act Compliance fund in support of condor reintroduction, and, if necessary, Indirect support from Council not to exceed $30,000. Motion carries by consensus.

WILD20-024, BIA ESA Northern Spotted Owl application

October 29, 2020 Council Planning/Action meeting
Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve the submission of an application to the Bureau of Indian Affairs Endangered Species Act Compliance fund in support of northern spotted owl compliance monitoring, and Indirect support from Council not to exceed $30,000. Motion carries by consensus.

WILD20-025, BIA ESA Humboldt Marten application Submitted by Tiana Williams-Claussen

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve the submission of an application to the Bureau of Indian Affairs Endangered Species Act Compliance fund in support of Humboldt marten conservation and monitoring, and Indirect support from Council not to exceed $30,000. Motion carries by consensus.

LUNCH 12:40-1:33pm

TRIBAL MEMBER COMMENT:
Rose Sylvia: I think we need to talk about yesterday. I think Joe Nix was very instrumental in saving houses by jumping on that dozer. We might need our crews stay on and do brushing around houses. I had mentioned before that someone at Pecwan Creek is doing a wood mill, the land that Butch Reed is building a home up there on that land, because of fee land? If Council is not apart of this, I consider it trespassing. My mom’s house is at Cautep. There is no one living there, we are trying to clean it up. I have contacted YTEP and I have to pay for that, and my family has to come up with that. Years ago, Council has requested a report and it was one of the worst with all of the environmental claims. The report came back and said it was environmental. That house was built by my grandpa and his brother. I am going to take pictures and send it to the Reed heirs. The Tribe came in and cleaned up the bottom again, but not the top. I have made tribal member comments and I don’t see it go anywhere.

Council
CA20-223, Basket Collection Catalog Submitted by Lana McCovey

To allow CM McCovey to create a mock-up catalog of the Basket Collection to present to Council and the Culture Committee using Tribal materials, the Tribal seal, and discussion with staff/tribal members. The intent of the mock catalog is to have a visual to use for future discussion on basket collection projects. Item pulled by CM McCovey.

CA20-225, Dam Removal Submitted by Vice Chair Myers

Executive Session: Klamath River Dam Removal. Item tabled.

CA20-226, CA Truth and Healing Council Submitted by Vice Chair Myers
Motion made by Councilmember McCovey/Councilmember Hodge to approve the nomination of California’s truth and Healing Council; Vice Chair Myers and Councilmember McCovey. Motion carries by consensus.

CA20-228, Winter Celebrations
Submitted by Taralyn Ipiña
Logistics planning for 2020 Winter Celebrations. Item tabled to November 9.

CA20-229, Rename South Area Operations Site
Submitted by Councilmember McCovey
Motion made by Councilmember Aubrey/Councilmember McCovey to rename the South Area Operations site to the “Yurok Tribe- Bonnie Green South Area (in Yurok) -South Area Operations” and to work with language department for the correct language and spelling for South Area. Motion carries by consensus.

CA20-231, Calendar
Submitted by Lana McCovey
Motion made by Councilmember Vanlandingham/Councilmember Hodge to allow CM McCovey to create a calendar for fundraising purposes using Tribal material and the Yurok Tribal Seal. Proceeds will go to the South District Youth Fund. Motion carries by consensus.

CA20-232, Annual Meeting (debrief)
Submitted by Councilmember Provolt
Annual Meeting 2020 debrief. Discussion only, no action.

CA20-230, Minutes for October 7 & 8, 2020
Submitted by Georgiana Gensaw
To approve Council meeting minutes for October 7 & 8, 2020. Item tabled.

Submitted by Serene Hayden
Motion made by Councilmember Vanlandingham/Councilmember Aubrey to formally adopt a Public Safety Power Shutoff emergency operation plan and add as an annex to the Tribes current emergency operation plan. This plan is a living document and can be modified at any time. This document is required in order to apply for the Cal OES grant due October 30. Motion carries by consensus.

BREAK: 2:46-3:00pm
EXECUTIVE SESSION: 3:00-5:00pm
CA20-225, Dam Removal
OTA20-115, Boat Dance case

October 29, 2020 Council Planning/Action meeting
Land Discussion (Hodge)

Items out of Executive Session:
OTA20-115, ADR and Amended Complaint for Boat Dance case
Submitted by Geneva Thompson

Motion to authorize the office of the Tribal Attorney to investigate potential settlement with BOR and to seek to amend the complaint to remove the religious freedom restoration act claims, remove Vice Chair Myers as a named plaintiff and focus on the 2019-2024 operations plan for the Boat Dance case. Discussion only, no action.

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Councilmember Aubrey.

ADJOURN: 5:09pm

MEETING MINUTES APPROVED ON: November 10, 2020

Sherri K. Provolt, Secretary 11/30/2020

Date