YUROK TRIBAL COUNCIL
ACTION MEETING
Thursday, October 28, 2021
https://www.gotomeet.me/yuroktribe

ROLL CALL: 10:00am

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

ABSENT: None

QUORUM: 9 present, 0 absent, quorum present

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

OPENING PRAYER: Provided by Councilmember Williams.

REVIEW AGENDA/ADDITIONS/APPROVAL:
Motion by Councilmember Vanlandingham/Councilmember Provolt to accept agenda with additions CA21-208, CA21-210, and YHHS21-036. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:
Office of Tribal Attorney
OTA21-094, Stanford Law Presentations
Submitted by Dawn Baum

To schedule 2-hour slot for students from Stanford law school to present on Tuesday, November 10, 2021 in the afternoon. Consensus by Council.

COUNCIL CHECK IN:
Councilmember Hodge: Good morning, everyone. Thank you for being here at our meeting. Please stay safe and watch out for the weather. Thank you.

Councilmember Williams: Good morning membership. We are starting to move into the winter months and we have had a lot of loss this past year. A lot of people that have suffered broken hearts. I pray for all the people like me that have suffered this past year, the past few years. I just want to take a minute to encourage everybody that’s struggling, as we’re coming into winter months, to keep going, wash your face. We love you. Your family depends on you. Keep going. Thank you.

October 28, 2021 Council Action meeting
Councilmember McCovey: I'm going to pass today.

Councilmember Ray: As the temperature drops, I think it's important that we get the elders firewood out as soon as possible. I'm willing to take my truck over loaded up if needed. I know there's a couple of people in the community that are willing to load up and take it to the elders. We just got to figure out a mechanism to do it. If we can have forestry out there at the time, figure out some kind of way we can set it up, we can get trucks out there and load up. We could have some kind of form that they sign off on that can be turned back into forestry or something.

Council member Vanlandingham: Pass

Councilmember Provolt: I just wanted to report that we had an Orick district meeting on Saturday, October 23rd and I wanted to thank Daniel Martin Luna who provided a presentation on the Hoh-ke-pek program. One of the things our members wanted to pass on to Council is not to forget about working toward our Cultural Center so that we have our baskets and archives available for our members to visit and learn from. I also attended the Orick Chamber of Commerce meeting. I got invited since the Tribe is a member by having a business (Shoreline) in Orick. It was nice to meet the membership. They do fun events around the community like a Christmas tree lighting, funding raising for the school events, etc. They did ask about Shoreline and I let them know that we're still in the permitting process. Thank you.

Councilmember Natt: I wanted to report that I've been helping tribal member elders filled out their LIHEP application and seeing if they need wood or anything. I am also trying to get wood vendors in the district. We had a site visit for the new Headstart and the guy showed us some of the plans and the layout, what it could look like for the new Headstart and the expansion of the Morek-won facility. It looks really good. There's a lot of parking there's and an additional road that would be put in. I've been working on trying to get the orchard cleaned up and we had a date scheduled and it got canceled due to a family member passing away, so we will reschedule that for next week, that's it. Thank you.

Vice Chairman: Thank you, George. I just wanted to continue with some words from Councilmember Williams. As we begin the holiday season, for some folks, this is a time we all look forward to being together. And it's good to remember for some folks it can also be a very, very difficult time of the year. It becomes an incredibly intense time of the year for individuals and that we remind ourselves and remind others to reach out, and take care of your mental health, take care of yourself, make sure that you're looking out for those around you, reaching out to our elders, reaching out to those that may be hurting. If you're listening and need support, reach out to Council, have conversations. I think of this last year and what we've all been through collectively, so let's think about each other. Thank you for that Councilmember Williams for reminding us. And let's remember to look forward. The tribe has upcoming events and being able to go out and feed people is important. How we can feed our people, how we can gather in good ways, and be COVID safe and COVID friendly? But remembering for
indigenous people, for Indian communities, our community through depression and anxiety. We've lost a lot of members to that so making sure that we're mental health at the forefront is extremely important. Thank you.

Chairman James: Thank you, George. I love it when we speak from our heart, that's who we are. Mr. Barnes let's line up a work day, at a minimum a two day grassroots effort with volunteers, council or staff, volunteers. Snow is coming. Let's all get together. Council has a lot of family, a lot of trucks. There is a huge wood deck out there. Let's set that up to get firewood out to our elders. We could have some coffee, some snacks, come from a village mindset. We're here all together, set those two days up at a minimum and we'll just do a full court press for our districts. Everybody's doing it with the trucks, show up with the right clothing, chainsaws, all that. It's been brought to my attention a couple of times that elders need some type of portable shed or something there to store their wood in. Don let's also set up a check in phone call to our elders and disabled member for the month in November, December, and January. A phone call goes a long ways. As part of that phone call, I want staff to check on heating, food needs, etc. Let's set that up and have staff do an outreach for a minimum of those three months. I am also setting up a meeting with Caltrans and the local Area Director. I asked Mr. Barnes to attend part of that meeting on what’s happening within the Yurok ancestry territory for the next five years. And so it’s a quarterly meeting and I just wanted to provide Council an update on that. Thank you.

EXECUTIVE SESSION:
P21-069, Land purchase
P21-077, Land purchase

TRIBAL MEMBER COMMENT: None provided.

CONSENT ITEMS:
Fisheries
FISH21-077, Trinity Winter Flows
Submitted by Barry McCovey, Jr.

Motion by Councilmember Vanlandingham/Councilmember Hodge to retroactively approved Chairman’s signature on the attached support letter submitted to the Bureau of Reclamation regarding winter flow variability in the Trinity River. Motion carries by consensus.

Office of Tribal Attorney
OTA21-098, Energy Resources Comments
Submitted by Kori Cordero

Motion by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve the submission of the Yurok Tribe’s comments on the California Distributed Energy Resources 2.0 draft. Motion carries by consensus.

Health & Human Services
Council

Motion by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve Chairman’s signature on the attached letter responding to Tribal Consultation on September 29, 2021. Motion carries by consensus.

Council

CA21-198, DCCC Teams Conference
Submitted by Chairman James

Motion by Councilmember Vanlandingham/Councilmember Hodge to authorize travel for Chairman James to attend DCCC Teams Conference on November 12-13, 2021 at Palm Springs and approve donation of $2,500 to the Democratic Congressional Campaign Committee. Motion carries by consensus.

AGENDA ITEMS:

Council

YHHS21-054, TANF Presentation
Submitted by Annelia Hillman

Request to set a date in December 2021 for a 30 minute presentation on Tobacco Wellness. Council set date for the TANF Presentation for December 1, 2021.

Yurok Indian Housing Authority

YIHA 21-026, Monthly Report
Submitted by Nicole Sager

Motion by Councilmember Provolt/Councilmember Williams to approve the October monthly report as submitted by Nicole Sager, Executive Director, as approved by the Board of Commissioners on October 12, 2021. Motion carries by consensus.

YIHA21-025, 2021 Indian Housing Block Grant Competitive Round
Submitted by Nicole Sager

Motion by Councilmember Hodge/Councilmember Provolt to approve the Yurok Indian Housing Authority to apply to US Housing and Urban Development Indian Housing Block Grant Competitive Round as described in Resolution #21-116 (with edits) for construction of single-family homes. Motion carries by consensus.
Environmental Program

EP21-047, USEPA Grant Approval
Submitted by Louisa McCovey

Motion by Councilmember Ray/Councilmember Hodge to allow the Environmental Food Sovereignty Division to apply to the USEPA Anaerobic Digestion Grant for a total of $199,988 over two years, full indirect is allowable, and no match is required. Motion carries by consensus.

EP21-048, NDN Collective Self Determination Grant
Submitted by Louisa McCovey

Motion by Councilmember Ray/Councilmember Vanlandingham to allow the Environmental Water Division to apply to the NDN Collective Self-Determination grant for a total of approximately $199,999 over two years, no match is required, and direct is limited to 15%. YTEP Water Division is requesting Council approval to cover $11,583 of the indirect shortfall. Motion carries by consensus.

EP21-049, Tribal Drought Resilience Grant
Submitted by Louisa McCovey

Motion by Councilmember Ray/Councilmember Hodge to allow the Environmental Program Pollution Prevention Division to apply to the National Integrated Drought Information Systems Coping with Drought: Building Tribal Drought Resilience grant for a total of $499,999 over two years, full indirect is allowable, and no match is required, and for Vice Chairman to provide a letter (with edits) of support for the total project proposal. Motion carries by consensus.

EP21-050, Klamath Basin Tribal Water Quality Consortium
Submitted by Louisa McCovey

Motion by Councilmember Provolt/Councilmember Hodge for Council to approve Resolution #21-114 (with edits) that allow YTEP membership in the Klamath Basin Tribal Water Quality Consortium and the Quartz Valley Indian Reservation to apply for funds on behalf of the Consortium and act as an administer of those funds. Motion carries by consensus.

EP21-051, YTEP Contract Extension
Submitted by Louisa McCovey

Motion by Councilmember Hodge/Councilmember Ray for Council to approve contract extension with Washington State University, Goldberg Laboratory. Motion carries by consensus.

EP21-055, Food Sovereignty Land Use MOU
Submitted by Louisa McCovey
To approve the proposed MOU and Addendum prepared by the OTA for the YTEP Food Sovereignty Division to develop Food Villages and Food Production sites on the parcels outlined and mapped in the attached documents. Agenda item pulled by Chairman James.

**Watershed**

WS21-007, BIA Road Maintenance Contract
Submitted by Richard Nelson

Motion by Councilmember Williams/Councilmember Hodge to approve updated Resolution #21-117 (with edits) as a part of the requests to re-contract BIA Reservation Roads Program for Calendar Years 2022, 2023 and 2024 versus Fiscal Year per BIA request. Motion carries by consensus.

WS21-008, Remaining Funds for Watershed Office
Submitted by Richard Nelson

Motion by Councilmember Ray/Councilmember Williams to approve remaining funds for the new watershed office purchase to include setup, delivery, removal and disposal of old office. Funds in addition to the approved $150,000 per Council Action Item CA21-186. Roll call: Vice Chairman Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-no, Councilmember Natt-no, Councilmember Williams-yes, Councilmember McCovey-abs. Yes-3, no-4, abs-1, np-0. Motion denied.

Motion made by Councilmember Vanlandingham/Councilmember Hodge to move WS21-008, Remaining Funds for Watershed Office to Executive Session. Motion carries by consensus,

**Health & Human Services**

YHHS21-049, CSBG Covid Relief MOA Modification #1
Submitted by Springwind Marshall

Motion by Councilmember Provolt/Councilmember Vanlandingham to approve and sign the MOA #20 CARES-700 with Modification #1 to accept additional reimbursement fundings to immediately assist tribal members within service area. Motion carries by consensus.

YHHS21-057, Letter Nominating Stephanie Weldon
Submitted by Tamera Honrado

Motion by CouncilmemberMcCovey/Councilmember Provolt to approve Chairman’s signature on the attached letter of support for Stephanie Weldon (with edits) to be appointed to the Director position at the Office of Tribal Affairs. Motion carries by consensus.

YHHS21-036, Title IV-E Minor’s Council Contract Project # TBD/8271
Submitted by Valerie Ryles

Motion by CouncilmemberMcCovey/Councilmember Provolt to approve single source contract for Minor Attorney’s Contract with Jhette Diamond/Law Office of Jhette Diamond, P.C for the Title IV-E Foster Care Program & the exigent factors supporting the sole source

Lunch: 11:50am – 1:00pm

TRIBAL MEMBER COMMENT: None provided.

Public Utilities
YPUD21-012, North Coast Labs Water Analysis
Submitted by Mike Searcy

Motion by Councilmember Provolt/Councilmember Vanlandingham to 1) approve the contract for services for YTEP water quality monitoring and the YTEP EPA required testing for public water systems and 2) for approval for Chairman to sign contract as necessary. Motion carries by consensus.

Planning
P21-075, Small Community Drought Relief
Submitted by Henry Solares

Motion by Councilmember Hodge/Councilmember Vanlandingham to review and approve the Planning Department’s submission to the Small Community Drought Relief program from DWR for $14,395,100 and to authorize Chairman to sign all necessary documents, including Resolution #21-112 with edits. Due 11/5/2021, no cost share required, indirect costs are not applicable. The funding will be used to interconnect Yurok Community Water Systems. Motion carries by consensus.

Human Resources
HR21-016, Job Descriptions
Submitted by Rose Sylvia

Motion by Councilmember Vanlandingham/Councilmember Ray to approve job descriptions (with edits) Administrative Assistant IV-Education, Database Manager-Education, Contracts/Grants Specialist-Education, Trauma Coach-Education, Data Analyst -ICWA, Tribal Archivist, and Public Relations Manager. Motion carries by consensus.

HR21-017, Executive Branch
Submitted by Rose Sylvia

Discuss proposal to change Executive Branch to include CO Director as providing general oversight in the Division. Modify Job description to reflect new title and pay grade. Council consensus to table to a work session.
Council
CA21-171, Energy Infrastructure
Submitted by Councilmember Natt
Note: Item was attended to at Finance Meeting, October 26, 2021.

CA21-197, South/Orick/Requa ARPA Request
Submitted by Councilmember McCovey, Provolt and Ray
Note: Item was attended to at Finance Meeting, October 26, 2021.

CA21-207, NAAC Nomination
Submitted by Councilmember Hodge

Motion by Councilmember Hodge/Councilmember Natt to approve nomination of Councilmember Williams to the California Department of Transportation Native American Advisory Committee. Motion carries by consensus.

CA21-208, Interest Owed by Yurok Agricultural Corporation
Submitted by Councilmember Ray

Motion by Councilmember Provolt/Councilmember Ray to invoke the agreement with Yurok Agriculture Corporation and the Yurok Tribe for interest payment owed to the Yurok Tribe within 30 day of this approved agenda item. Motion pulled.

Motion by Councilmember Provolt/Councilmember Ray requiring Yurok Agriculture Corporation to bring forward a contract for payment owed to the Yurok Tribe within 30 days. Motion carries by consensus.

CA21-202, Minutes
Submitted by Taralyn Ipina, CO Director

Motion by Councilmember Provolt/Councilmember Williams to approve October 6 and October 7, 2021 Council meeting minutes with edits. Motion carries by consensus.

CA21-208, Elder Donation
Submitted by Chairman James

Motion by Councilmember Natt/Councilmember Hodge to approve a donation in the amount of $3,000 for tribal member elder who needs financial assistance for medical services. Donation of $500 to come from travel line item from Chairman James, North District, Pecwan District, East District, Vice Chairman, and Requa District. Motion carries by consensus.

CA21-209, E. Risling Reward Fund Donation
Submitted by Chairman James

Motion by Councilmember Provolt/Councilmember Natt to approve a donation in the amount of $5,000 to come from carryover funds for local native woman who is missing. These
funds are for the reward the family is sponsoring in search of their daughter. Motion carries by consensus.

Motion by Councilmember Provolt/Councilmember Williams to ratify a poll vote taken on October 19, 2021; approve revision as indicated in red text to Resolution #21-115 Limited Waiver of Sovereign Immunity in Favor of First American Title Insurance Company and attached agreement for the settlement services & endorsement, and authorize Chairman to sign and Secretary to attest all associated document for purchase of North District building (1585 Railroad Ave. Crescent City, CA). Motion carries by consensus.

Motion by Councilmember Hodge/Councilmember William to suspend the rules and add P21-079. Motion carries by consensus.

P21-079, Approval of HIS MOA CA21-N82
Submitted by Don Daines

Motion by Councilmember Provolt/Councilmember William to approve and authorize the Chairman to sign Indian Health Services MOA CA21-N82 and all amendments associated with the MOA. IHS is providing funding to serve an estimated three (3) homes located within the Arcata Field Office Service Area with water supply systems and/or sanitation facilities. Motion carries by consensus.

BREAK 2:24pm-2:40pm

EXECUTIVE SESSION: 2:40pm-4:10pm
WS21-008, Watershed Building
P21-069, Land purchase
P21-077, Land purchase
Personnel (Ray)

Note: Councilmember Williams left meeting at 3:30pm for other required tribal duties.

Action out of Executive Session:
WS21-008, Watershed Building

Motion by Councilmember Provolt/Vice Chairman Myers to approve use of carbon credit funds in the amount up to $34,680 to support remaining funding needed for the Watershed new office including purchase, set up, delivery, removal and disposal of old office. Motion carries by consensus.

P21-069, Land Purchase
Motion by Councilmember Provolt/Councilmember Vanlandingham to approve the purchase of property as discussed in Executive Session utilizing set aside APRA funds identified for the development of a Wellness Village. Logging proceeds from this property be replenished to the Wellness Village ARPA fund. Roll Call: Councilmember Natt-yes, Councilmember McCovey-yes, Councilmember Provolt-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Hodge-yes, Councilmember Williams-np, Vice Chairman Myers-yes. Yes-7, no-0, abs-0, np-1. Motion carries.

P21-077, Land Purchase
Directive to Executive Director to have staff continue to investigate and negotiate property as discussed in Executive Session.

TRIBAL MEMBER COMMENT: None provided.

ADJOURN: 4:14pm

CLOSING PRAYER: Provided by Councilmember Natt.

MINUTES APPROVED ON: November 10, 2021

Sherri K. Provolt. Secretary 11/17/21