

**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.

44 Councilmember McCovey: I'm going to pass today.

45

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

53

54 Council member Vanlandingham: Pass

55

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

65

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

74

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

87 indigenous people, for Indian communities, our community through depression and anxiety.
88 We've lost a lot of members to that so making sure that we're mental health at the forefront is
89 extremely important. Thank you.

90
91 Chairman James: Thank you, George. I love it when we speak from our heart, that's who we
92 are. Mr. Barnes let's line up a work day, at a minimum a two day grassroots effort with
93 volunteers, council or staff, volunteers. Snow is coming. Let's all get together. Council has a lot
94 of family, a lot of trucks. There is a huge wood deck out there. Let's set that up to get firewood
95 out to our elders. We could have some coffee, some snacks, come from a village mindset.
96 We're here all together, set those two days up at a minimum and we'll just do a full court press
97 for our districts. Everybody's doing it with the trucks, show up with the right clothing,
98 chainsaws, all that. It's been brought to my attention a couple of times that elders need some
99 type of portable shed or something there to store their wood in. Don let's also set up a check in
100 phone call to our elders and disabled member for the month in November, December, and
101 January. A phone call goes a long ways. As part of that phone call, I want staff to check on
102 heating, food needs, etc. Let's set that up and have staff do an outreach for a minimum of
103 those three months. I am also setting up a meeting with Caltrans and the local Area Director.
104 I asked Mr. Barnes to attend part of that meeting on what's happening within the Yurok
105 ancestry territory for the next five years. And so it's a quarterly meeting and I just wanted to
106 provide Council an update on that. Thank you.

107
108 **EXECUTIVE SESSION:**
109 P21-069, Land purchase
110 P21-077, Land purchase

111
112 **TRIBAL MEMBER COMMENT:** None provided.

113
114 **CONSENT ITEMS:**
115 **Fisheries**
116 FISH21-077, Trinity Winter Flows
117 Submitted by Barry McCovey, Jr.

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

121
122 **Office of Tribal Attorney**
123 OTA21-098, Energy Resources Comments
124 Submitted by Kori Cordero

125 **Motion by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve**
126 **the submission of the Yurok Tribe's comments on the California Distributed Energy Resources**
127 **2.0 draft. Motion carries by consensus.**

128
129 **Health & Human Services**

130 YHHS21-056, Consultation Comments
131 Submitted by Tamera Honrado

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.

135
136 **Council**
137 CA21-198, DCCC Teams Conference
138 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.

143
144 CA21-199, Assembly Speaker Readon Fundraiser
145 Submitted by Vice Chairman Myers

Motion by Councilmember Vanlandingham/Councilmember Hodge to authorize travel for Vice Chairman Myers to attend Assemblymember Speaker Anthony Readon fundraiser on November 1-3, 2021 (invitation from tribal partner room & fundraiser fees are covered by tribal partner). Motion carries by consensus.

150
151 **AGENDA ITEMS:**

152 **Council**
153 YHHS21-054, TANF Presentation
154 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.

157
158 **Yurok Indian Housing Authority**
159 YIHA 21-026, Monthly Report
160 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.

164
165 YIHA21-025, 2021 Indian Housing Block Grant Competitive Round
166 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.

171

172 **Environmental Program**

173 EP21-047, USEPA Grant Approval

174 Submitted by Louisa McCovey

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

179

180 EP21-048, NDN Collective Self Determination Grant

181 Submitted by Louisa McCovey

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

187

188 EP21-049, Tribal Drought Resilience Grant

189 Submitted by Louisa McCovey

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

196

197 EP21-050, Klamath Basin Tribal Water Quality Consortium

198 Submitted by Louisa McCovey

199 **Motion by Councilmember Provolt/Councilmember Hodge for Council to approve Resolution**
200 **#21-114 (with edits) that allow YTEP membership in the Klamath Basin Tribal Water Quality**
201 **Consortium and the Quartz Valley Indian Reservation to apply for funds on behalf of the**
202 **Consortium and act as an administer of those funds. Motion carries by consensus.**

203

204 EP21-051, YTEP Contract Extension

205 Submitted by Louisa McCovey

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

209

210 EP21-055, Food Sovereignty Land Use MOU

211 Submitted by Louisa McCovey

212 **To approve the proposed MOU and Addendum prepared by the OTA for the YTEP Food**
213 **Sovereignty Division to develop Food Villages and Food Production sites on the parcels**
214 **outlined and mapped in the attached documents. Agenda item pulled by Chairman James.**

215
216 **Watershed**

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

219 **Motion by Councilmember Williams/Councilmember Hodge to approve updated Resolution**
220 **#21-117 (with edits) as a part of the requests to re-contract BIA Reservation Roads Program**
221 **for Calendar Years 2022, 2023 and 2024 versus Fiscal Year per BIA request. Motion carries by**
222 **consensus.**

223
224 WS21-008, Remaining Funds for Watershed Office
225 Submitted by Richard Nelson

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

232
233 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to move WS21-008,**
234 **Remaining Funds for Watershed Office to Executive Session. Motion carries by consensus,**

235
236 **Health & Human Services**

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

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

242
243 YHHS21-057, Letter Nominating Stephanie Weldon
244 Submitted by Tamera Honrado

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

248
249 YHHS21-036, Title IV-E Minor's Council Contract Project # TBD/8271
250 Submitted by Valerie Ryles

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

254 contract. Approve Chairman to sign YHHS21-36 Minor Attorney’s Contract. Roll call: Vice
255 Chairman Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember
256 Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember
257 Williams-yes, Councilmember McCovey-yes. Yes-7, no-1, abs-0, np-0. Motion carries.

258
259 Lunch: 11:50am – 1:00pm

260 **TRIBAL MEMBER COMMENT:** None provided.

261
262
263 **Public Utilities**

264 YPUD21-012, North Coast Labs Water Analysis
265 Submitted by Mike Searcy

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

270
271 **Planning**

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

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

280
281 **Human Resources**

282 HR21-016, Job Descriptions
283 Submitted by Rose Sylvia

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

288
289 HR21-017, Executive Branch
290 Submitted by Rose Sylvia

291 **Discuss proposal to change Executive Branch to include CO Director as providing general**
292 **oversight in the Division. Modify Job description to reflect new title and pay grade. Council**
293 **consensus to table to a work session.**

294
295

296 **Council**

297 CA21-171, Energy Infrastructure

298 Submitted by Councilmember Natt

299 Note: Item was attended to at Finance Meeting, October 26, 2021.

300

301 CA21-197, South/Orick/Requa ARPA Request

302 Submitted by Councilmember McCovey, Provolt and Ray

303 Note: Item was attended to at Finance Meeting, October 26, 2021.

304

305 CA21-207, NAAC Nomination

306 Submitted by Councilmember Hodge

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

310

311 CA21-208, Interest Owed by Yurok Agricultural Corporation

312 Submitted by Councilmember Ray

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

316

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

320

321 CA21-202, Minutes

322 Submitted by Taralyn Ipina, CO Director

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

325

326 CA21-208, Elder Donation

327 Submitted by Chairman James

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

332

333 CA21-209, E. Risling Reward Fund Donation

334 Submitted by Chairman James

335 **Motion by Councilmember Provolt/Councilmember Natt to approve a donation in the**
336 **amount of \$5,000 to come from carryover funds for local native woman who is missing. These**

337 funds are for the reward the family is sponsoring in search of their daughter. Motion carries
338 by consensus.

339
340 CA21-210, Poll Vote Ratification
341 Submitted by Council Operations

342 **Motion by Councilmember Provolt/Councilmember Williams to ratify a poll vote taken on**
343 **October 19, 2021; approve revision as indicated in red text to Resolution #21-115 Limited**
344 **Waiver of Sovereign Immunity in Favor of First American Title Insurance Company and**
345 **attached agreement for the settlement services & endorsement, and authorize Chairman to**
346 **sign and Secretary to attest all associated document for purchase of North District building**
347 **(1585 Railroad Ave. Crescent City, CA). Motion carries by consensus.**

348
349 **Motion by Councilmember Hodge/Councilmember William to suspend the rules and add P21-**
350 **079. Motion carries by consensus.**

351
352 P21-079, Approval of HIS MOA CA21-N82
353 Submitted by Don Daines

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

359
360 **BREAK 2:24pm-2:40pm**

361
362 **EXECUTIVE SESSION: 2:40pm-4:10pm**
363 WS21-008, Watershed Building
364 P21-069, Land purchase
365 P21-077, Land purchase
366 Personnel (Ray)

367
368 Note: Councilmember Williams left meeting at 3:30pm for other required tribal duties.
369

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

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

376
377 P21-069, Land Purchase

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

385
386 P21-077, Land Purchase


387 **Directive to Executive Director to have staff continue to investigate and negotiate property as**
388 **discussed in Executive Session.**

389
390 **TRIBAL MEMBER COMMENT:** None provided.

391
392 **ADJOURN:** 4:14pm

393
394 **CLOSING PRAYER:** Provided by Councilmember Natt.

395
396 **MINUTES APPROVED ON:** **November 10, 2021**

397 
398 _____
399 **Sherri K. Provolt. Secretary**

11/17/21

Date