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**YUROK TRIBAL COUNCIL
PLANNING/ACTION MEETING
Thursday, August 12, 2021
<https://www.gotomeet.me/yuroktribe>**

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ROLL CALL: 10:00am

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

ABSENT: None

STAFF: Don Barnes, Executive Director; Taralyn Ipiña (recorder); Dawn Baum, General Counsel.

QUORUM: 9 present, 0 absent, quorum present.

OPENING PRAYER: Provided by Chairman James.

ADDITIONS TO AGENDA:

Motion made by Councilmember Williams/Councilmember Natt to accept the agenda with no additions. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

CA21-132, Schedule Meeting re: Culture Committee Response
Submitted by: Councilmember Hodge

Council consensus to schedule a Council work session for August 18, 2021 at 10:00am to respond by letter to the culture committee regarding our last meeting on June 25, 2021.

CA21-139, Jackie McGown's Governor Candidate
Submitted by: Georgiana Gensaw, Council Operations

Council consensus to direct Council Operations to add to Council schedule.

CALENDAR

August 21, 2021 2-4pm South District Back to School drive through event
August 23, 2021 Cultural Sharing event at Sacramento – Chairman travel
September 2, 2021 3-5pm Requa District Meeting
September 8, 2021 6-8pm North District Meeting

42 **COUNCIL CHECK IN:**

43 Councilmember Provolt: Good morning everyone. I want to thank the Council for meeting with
44 the Trinidad Coastal Land Trust and Green Diamond about Strawberry Rock. We had those
45 meetings last week. Hopefully we made some progress on the easement on behalf of the Yurok
46 people. I also attended the City of Trinidad Council meeting where they did pass the
47 government to government policy. With that policy, I hope we can start setting some
48 government to government meetings with the City of Trinidad. Lastly, it was an honor
49 yesterday to attend the Secretary Haaland event.

50

51 Councilmember Natt: no Council Check in.

52

53 Councilmember Ray: I have a couple of elders on Requa Hill that need some assistance. One our
54 TERO department has contacted one of them regarding their yard work. For the other elder, I
55 went up there last week and the elder really needs assistance with yard work. As well, as some
56 help with YTEP to haul some things out. From what I can see their house is being taken over by
57 sticker bushes. It's just an elder and her granddaughter there. There's another elder on Blake
58 Road, Richard Mendes that is fearful of a tree failing down on his house. The tree is growing
59 outside of the bank. We definitely need to get a crew out there. August 16th is right about the
60 corner, hopefully ICDBG grant is going to clear and we will be back in construction mode. I've
61 been counting the days down. Do we have any word on sanitation technicians? If the Tribe
62 can't do it, maybe it's a better fit for YEDC for the gas stations. I've been getting some calls
63 about the Tribal website. It needs some updated information on it. Someone said the OES part
64 of it regarding the new strain for COVID. Can we get the information updated? People need
65 assistance with water and so forth. I had another one come regarding the tribal website. It's not
66 user friendly, just trying to find information is impossible to find. For example the fishing
67 regulations, that was a suggestion from a tribal member. Couple of more for TERO, are we on
68 track to finish the bus stops and basketball court in the Klamath Glen? They said they could pull
69 off this year, specifically the fencing around the court.

70

71 Councilmember Hodge: Just want to remind folks, they can call Jeannette Bain for assistance for
72 social services, she will steer you in the right direction. I also want to remind people to keep
73 their housing applications up to date especially through this pandemic and fire. There's no
74 telling what kind of help they can give you if just keep your housing applications up to date and
75 contact them. I think that's all. I just want to be sure we are checking on our elders through this
76 hard time with all this smoke and fear of the fires especially in the Salyer and Burnt Ranch area.

77

78 Councilmember Williams: Good morning, on August the 4th I had my North district meeting. The
79 subject at the time as the Social Media Policy but it grew into a whole bunch of other things.
80 Briefly the Social Media Policy, the statements of the membership felt that we the Council
81 should not be fighting or bullying on social media. Then another member believed we should
82 consider freedom of speech and we shouldn't try to censor each other. Also, she agreed that
83 we should not be acting in a malicious way on social media. Some of the other membership was
84 concerned about ARP funding, there's been a lot of wonder on how we are spending it. They

85 asked that we submit a budget or spend down on our tribal website for the membership.
86 Another elder her statement was that we should hiring more maintenance with the funding
87 received and also asked that we update our infrastructure on existing businesses. Another
88 statement was from a tribal member that wanted to have an update from all our businesses.
89 Another tribal member said they stopped by the Shoreline Market and it was closed and it was
90 previous to 6pm and they were wondering why it was not open. Another statement and to
91 echo what Councilman Ray said was about our tribal website. It's hard to navigate, in my
92 personal feeling we should tailor our tribal website so that an elder is not proficient in
93 technology can still navigate that site.

94
95 Councilmember McCovey: I've been on a lot of consultations since March. In the last few days
96 I've been in the California Indian Health Service consultation, it's also going on today so I may
97 be hoping off to attend the consultation sessions. I had a chance to speak to the Acting UIHS
98 Director about the conditions that California and Yurok Tribes are going through because of
99 fires, heat, and drought. I made the request that they really need to consider what is happening
100 to us out here on the coast and they really need to consider water, air cleaners, generators, air
101 conditioners and more funding for our water systems. Our water systems are ready to go dry or
102 need help. She directed me to Beverly Miller. Beverly requested I give her the contact
103 information our point of contact for her emergency manager. I sent an e-mail passed it along to
104 Don Barnes. One of the things, that people need to realize is that part of the infrastructure bill
105 coming down there are a lot of things that still have only passed the Senate. Any funding in that
106 can't be considered until it's actually gone through. Which brings me to broadband, I've been
107 following all the meeting and participating with NTIA who is overseeing the major broadband
108 grants. There is a hard date of September 1st to get the grant application in. It's going to be
109 extremely important that the Tribe focus on this. I did bring it up to them that our area is being
110 hit pretty hard with COVID and we shut our offices down again. They really emphasized that we
111 get the application in and put in as much as we can and they will work from us from there.
112 There will be money that is down in the infrastructure bill but it can't be considered until its
113 actual law. Hard dates in the ARP are still hard dates and they don't predict them to change.
114 The South District will be doing a back to school event, it will be a drive through event on
115 Saturday, August 2-4pm. Thank you.

116
117 Councilmember Vanlandingham: No Council Check in.

118
119 Vice Chair Myers: No Council Check in.

120
121 Chairman James: First of all, thank you to our staff to working hard through these difficult
122 times, it's always challenging, its hard week by week faces obstacles and challenges. Thank you
123 for doing everything you can on behalf of the Yurok government. Don, can you set up a meeting
124 a meeting for Elder and disabled services regarding services and set up wellness check? I've
125 coming at that from a village mind-set. Some of our elders don't have access to internet or
126 Facebook. Can you put together a wellness check team? Whether it's clearing out homes,
127 getting water of filters? I think it goes a long ways when we check on our elders to see what we

128 can do for them. Please set up with our directors. We met recently with Secretary Deb Haaland
129 at the Chairs round table the other day and our team met her the other day. Our team
130 welcomed her to Yurok country and keep pushing on the work that we are doing.

131

132 **TRIBAL MEMBER COMMENT:** No Tribal member comment provided.

133

134 **EXECUTIVE SESSSION:**

135 CA21-130, A. Cordalis Contract

136 ExDir21-013, Tsurai Ancestral Society Meeting (3pm)

137 FIN21-05, Printed signature on payroll checks

138 OTA21-079, Dan Drachler Change of Law firms

139 Planning- Land Purchase

140 Personnel Issue (McCovey)

141

142 **CONSENT ITEMS:**

143 ExDir21-014, Consultant for Fiscal Year 2020 Audit Prep

144 Submitted by: Don Barnes

145

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve agreement with McCabe-CPA Group to conduct all Fiscal audit preparation for our Fiscal Year '20 audit, with funds to come from Indirect Cost pool. Motion carries by consensus.

149

150 Fish 21-056, Budget Modification 7054

151 Submitted by: Barry McCovey Jr.

152

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively authorize the Fisheries Department to modify project code 7054 as described in the attached memo and budget modification spreadsheet. Motion carries by consensus.

155

156 Fish21-057, Budget modification 7070

157 Submitted by: Barry McCovey Jr.

158

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively authorize the Fisheries Department to modify project codes 707a, 7070b and 7070j as described in the attachment memo and budget modification spreadsheet. Motion carries by consensus.

159

160

161

162 Fish21-059, Restoration Proposal RE: Colville Tribe
163 Submitted by: Barry McCovey Jr.

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively retro-actively authorize the Fisheries Department to submit the attached restorations design proposal, in partnership with Resource Environmental Solutions (RES), to the Coleville Tribe. Motion carries by consensus.

168
169 Fish21-060, Retroactive Scott/Shasta comments
170 Submitted by: Barry McCovey Jr.

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve comments submitted to the State Water Quality Control Board reading the Scott and Shasta Rivers. Motion carries by consensus.

174
175 **STANDING PLANNING AGENDA ITEMS:**
176 IT20-040, IT Department update

Council consensus to pull from agenda. No action.

178
179 YHHS21-16, Generator Program Update
180 Madison Green provides update.

Discussion item only, no action.

182
183 YPUD21-006, Water System Update
184 Mike Searcy provides update.

Discussion item only, no action.

186
187 **AGENDA ITEMS:**
188 **Council**
189 CA21-136, Redwood Parks Conservancy (August 12, 2021 @11:30am)

Council consensus to table until next Council meeting.

191
192 **Education**
193 EDU21-031, Budget Revision 7201
194 Jim McQuillen presents

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the budget revision for 7201. Motion carries by consensus.

197

198 **Executive Office**

199 ExDir21-012, Drought Response Plan

200 Submitted by: Don Barnes

201 Mike Searcy presents

202 Provide an update and overview of Emergency Drought Response Plan to Council

203 **Discussion only, no action.**

204

205 ExDir21-015, Indian Health Services

206 Submitted by: Don Barnes

207 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve**
208 **Resolution #21-90 with edits authorizing the Executive Director and General Counsel to begin**
209 **negotiations with California Area Indian Health Service on behalf of the Yurok Tribe;**
210 **authorize Chairman to sign and Secretary to attest. Roll Call Vote. Vice Chairperson Myers-**
211 **yes, Councilmember Hodge=yes, Councilmember Ray=yes, Councilmember Vanlandingham-**
212 **yes, Councilmember Provolt=no, Councilmember Natt=yes, Councilmember Williams=yes,**
213 **Councilmember McCovey=no. Yes-6, No-2, Abs-0, Np-0. Motion carries.**

214

215 **Finance**

216 CA21-133, Council Discretionary Youth Fund

217 Submitted by: Councilmember Hodge

218 **Motion made by Councilmember Natt/Councilmember Vanlandingham to approve motion for**
219 **fiscal department to give council a complete audit of the Youth Discretionary Fund since**
220 **2019, information to be provided by next Council meeting. Motion carries by consensus.**

221

222 CA21-135, HVAC and Surveillance

223 Submitted by: Councilmember Natt

224 **Motion made by Councilmember Williams/Councilmember Natt to approve Wautec**
225 **Firehouse HVAC and Surveillance system in the amount of \$31,643. Funding to come from**
226 **American Rescue Planning Act dollars if no CARES Act dollars or department indirect funding**
227 **is available. Motion carries by consensus.**

228

229 CA21-138, Funding for vaccination drive

230 Submitted by: Councilmember Ray

231 **Motion made by Councilmember Vanlandingham/Councilmember Ray to authorize \$10,000**
232 **from CARES or ARPA for community vaccination drives to encourage community**
233 **participation. Motion carries by consensus.**

234

235 **TRIBAL MEMBER COMMENT:**

236 Nicole Provolt: I am in support of this, I don't know how much is going to incentivize people to
237 get vaccinated and doing everything we can do to increase that possibility is something we
238 should be working for. I'd like to see education about the untruths of the vaccines being a focus
239 as well. I am support of this.

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Fisheries

Dave Hillemeier presents
FISH21-055, Fishery In-season adjustment for Elders Fishery

Motion made by Councilmember Natt/Councilmember Ray to authorize the 2021 Yurok Elder Fishery In-Season Adjustment to the Fishing Rights Ordinance, amending number 4 for “15 fish per day” and “a maximum of 150 fish weekly to be purchased” in the proposed adjustment. Additional amendment to extend buying station open hours to Monday at Noon. Finally, to authorize unmet need of \$31,000 from Budget 50 FY20 Carryover funding to support Elders Fishery. Roll Call Vote. Vice Chairperson Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-no, Councilmember McCovey-yes. Yes-7, No-1, Abs-0, Np-0. Motion carries.

Yurok Health and Human Services

Alita Redner presents
YHHS21-030, Humboldt State University Agreement
Submitted by: Alita Redner

Motion made by Councilmember Hodge/Councilmember Natt to approve Chairman signature on the Humboldt State University Agreement including Resolution #21-091 with edits for Waiver of Limited Sovereign Immunity in favor of Humboldt State University. Motion to approve project # request and budget. Roll Call Vote. Vice Chairperson Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-abs, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, No-0, Abs-1, Np-0. Motion carries.

YHHS21-031, Rural Tribal COVID -19 Response budget
Submitted by: Alita Redner

Motion made by Councilmember Natt/Councilmember Provolt to approve a budget modification for Rural Tribal COVID-19 Response program. Motion to approve Chairman’s signature on prior approval request letter. Motion carries by consensus.

YHHS21-034, Families First Transition Act Budget
Submitted by: Alita Redner
Requested motion to approve Families First Transition Act Budget Modification.

Council consensus to table per request of YHHS.

TRIBAL MEMBER COMMENT:

Charity Moore: I was just wanting to bring up an option for fresh water. There’s a commercial scale desalination plan that is operated by solar and wind energy which produces fresh water and creates dry salt. When it’s distilling the water it doesn’t leave a harsh concentration of salt water. Like a bi-product that gets put back into the ocean. I’m wondering if the Tribe would

282 consider building one at Klamath. That way we could produce salt and fresh water that we
283 could transport made by the ocean. They have been designed by Spanish researchers. It's solar
284 and wind energy. I was just hoping someone would consider looking into that because we really
285 need it. It's called a desalination plant.

286

287 **LUNCH: 12:35pm-1:35pm**

288

289 **Presentation:**

290 YHHS21-033, 21'Yuork Youth Community Readiness Assessment

291 Daniel Norton Luna, Annelia Hillman and Madison Green presents

292 Yurok Tribe Wellness Coalition presentation to the 2021 Yurok Youth Community Readiness

293 Assessment. Request for direction from Council on sharing information outside entities who are

294 members of the coalition.

295 **Discussion item only, no action.**

296

297 Councilmember McCovey returns at 2pm from lunch for authorized tribal business.

298

299 **Information Services**

300 Jessica Engle presents

301 IT21-027, Tribal Broadband Grant Resolution

302 **Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve Yurok**
303 **Telecommunications to submit the NTIA Tribal Broadband Connectivity Grant and authorize**
304 **Chairman to sign Resolution #21-85 with edits and other related documents. Motion carries**
305 **by consensus.**

306

307 IT21-028, Broadband Billing transition plan

308 Submitted by: Jessica Engle

309 **Motion made by Councilmember Vanlandingham/Councilmember Natt to approve**
310 **broadband billing transition plan moving billing over from Fiscal to Yurok Telecom by 9/30/21**
311 **and to authorize customer list be provided right away to being informing customers of the**
312 **change. Motion carries by consensus.**

313

314 **Planning**

315 P21-038, Long Range Transportation Plan

316 Submitted by: Brandi Natt

317 **Motion made by Councilmember Hodge/Councilmember Vanlandingham to approve**
318 **addendum & Resolution #21-71 to existing Long Range Transportation Plan (LRTP) to satisfy**
319 **requirements necessary to add new routes to National Tribal Transportation Facility**
320 **Inventory (NRRF) with edits. Motion carries by Consensus.**

321

322 P21-056, VW Settlement Funding

323 Submitted by: Gino O'Rourke

324 **Motion made by Councilmember Vanlandingham/Councilmember Williams to approve and**
325 **authorize the Chairman to sign Appendix D-6 form, Semi-annual reports, and other**
326 **documents related to 4th funding cycle of the Volkswagen Settlement.**

327
328 **Prosecutor**

329 Rosemary Deck presents
330 PRO21-01, Visiting Fellows Program

331 **Motion made by Councilmember Hodge/Councilmember Ray to approve Resolution #21-88**
332 **with edits for the submission of the Bureau of Justice Assistance Fiscal Year 2021 Visiting**
333 **Fellows Program Grant Application and authorize the Chairman to sign all necessary forms.**
334 **Motion carries by consensus.**

335
336 **EXECUTIVE SESSION: 3:00pm-4:50pm**
337 ExDir21-013, Tsurai Ancestral Society
338 Submitted By: Don Barnes
339 Council to meeting with Tsurai Ancestral Society RE: Strawberry Rock, Trinidad Rancheria
340 Cultural Center proposal, Trinidad Lighthouse.

341 **Discussion only, no action.**

342
343 CM McCovey leaves for family emergency at 4:30pm.
344

345 **Natural Resources**

346 NR21-012, 2021 Statkraft carbon offset sale
347 Javier Kinney presents

348 **Motion made by Councilmember Vanlandingham/Councilmember Ray to approve Agreement**
349 **for purchase and sale of California Carbon Credits with Statkraft; approve Resolution #21-93**
350 **with edits granting a Limited Waiver of Sovereign Immunity in favor of Statkraft US LLC; and**
351 **authorize Chairman to sign and Secretary to attend. Roll Call Vote. Vice Chairperson-yes,**
352 **Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes,**
353 **Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes,**
354 **Councilmember McCovey-np. Yes-7, No-0, Abs-0, Np-1. Motion carries.**

355
356 **Yurok Telecommunications**

357 Jessica Engle presents
358 YTEL21-001, Authorization of Funds for Yurok Telecom
359 Request motion: To authorize fiscal to transfer \$575,000 received from settlement with
360 Frontier Communications to the Yurok Telecommunications Corporation. Contingent on
361 proposed budget.

362 **Council consensus to table.**

363
364 **Tribal Court**

365 Jessica Carter presents

366 TC21-013, Budget Modification

367 **Motion made by Councilmember Provolt/Councilmember Hodge to approve budget**
368 **modification for project 4077a Cal OES Tribal Court Victim Advocate Program. Motion carries**
369 **by consensus.**

370

371 **Council**

372 CA21-131, Willow Creek Building Security

373 Submitted by: Councilmember Hodge

374 Discussion on how to get at least exterior on cameras on the Willow Creek building & what can
375 be done to make a presence.

376 **Discussion only, no action.**

377

378 CA21-137, Recreation Program-funding, grants, etc.

379 Submitted by: Councilmember Ray

380 Discussion with Recreation Coordinator regarding programs, grants, etc.

381 **Discussion only, no action**

382

383 CA21-140, July 28 & 29, 2021

384 Submitted by Georgiana Gensaw, Council Operations

385 To approve with edits and corrections Council Meetings minutes for July 28-29, 2021.

386 **Council consensus to table.**

387

388 **TRIBAL MEMBER COMMENT:**

389 Trish Carlson: Confidential comments re: child custody case.

390 Directive given to Don Barnes, Executive Director.

391

392 **EXECUTIVE SESSION: 4:45pm-7:20pm**

393 Action out of Executive Session:

394 **Directive to Planning Director to carryout directives as discussed in executive session**
395 **regarding potential land purchases.**

396

397 Councilmember Ray leaves 6:20pm for previously scheduled tribal meeting.

398

399 **Council**

400 CA21-130, Cordalis contract

401 Submitted by: Councilmember Hodge

402 Update on Amy Cordalis contract with any reports she may have submitted.

403 **Discussion only, no action.**

404

405 **Finance**

406 FIN21-005, Printed payroll checks

407 Submitted by: Steven Edmiston

August 12, 2021 Council Planning-Action meeting

408 Requested motion: Motion to allow facsimile (printed) signatures on the Tribe's paper payroll
409 checks.

410 **Discussion only, no action.**

411

412 **Office of Tribal Attorney**

413 OTA21-079, Dan Drachler Change of Law firms

414 Submitted by: Dawn Baum

415 **Motion made by Councilmember Provolt/Councilmember Williams to approve continued**
416 **relationship with Dan Drachler at his new firm Loeff, Cabraser, Heimann & Bernstein on the**
417 **same terms as existing retainer. Motion carries by consensus.**

418

419 **CLOSING PRAYER:** Provided Councilmember Williams.

420

421 **ADJOURN:** 7:30pm

422

423 **MEETING MINUTES APPROVED ON:**

August 26, 2021

424

425

426 

08/30/21

427

Sherri K. Provolt, Secretary

Date