

**YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, AUGUST 10, 2023
KLAMATH TRIBAL OFFICE**

ROLL CALL: 10:02am

PRESENT: Joe James, Chairman; Sherri Provolt, Orick District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District; Lana McCovey, South District

ABSENT: Mindy Natt, Pecwan District (out sick); Frankie Myers, Vice Chairman (travel)

STAFF: Don Barnes, Executive Director; Jodi Hoone, Grants & Compliance Director; Maggie Poffenbarger Office of Tribal Attorney; Michael Maranger, Chief Financial Officer; Georgiana Gensaw, Council Operations Coordinator (recorder).

QUORUM: 7 present, 2 absent, quorum present.

OPENING PRAYER: Provided by Councilmember Williams.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Williams/Councilmember Provolt to accept the agenda with additions of P23-049 ICDBG Project, CA23-224 Emergency Donation, and CA23-225 Community Donation. Motion carries by consensus.

CALENDAR:
No additions.

COUNCIL CHECK IN:
Councilmember Williams: Pass.

Councilmember Crawford: Pass.

Councilmember Natt: Not present.

Councilmember McCovey: There will be a “Back to School” event in the South Area at the Bonnie Green Site starting at 6pm. I have attended a lot of the Offshore Wind meetings. Those projects are coming to the North Coast. The major discussion lately has been MMIP and how these types of industries can cause an increase in MMIP. What we brought to the table was how to prevent MMIP to this area, when these companies are bringing in “man camps.” Especially when housing is already an issue.

45 I was in a meeting with Crowley, one of the contractors for Wind Energy regarding how they
46 handle their harassments cases. We were there to let them know that they are entering a tribal
47 area and we are sovereign nations. I met with a few Unions; they are working on this Wind
48 project. So that's how Unions are a part of that discussion because they have funding to do
49 training and get locals to be trained up on those jobs. Tribal clean transportation is another
50 meeting I attended this is a federal program, they hold monthly meetings, that's going to bring
51 clean transportation to our area that will need to include Planning, Transportation and all the
52 Departments that would include. Lastly, on the 27th Huffman is having his Steelhead Fundraiser.
53 He's invited the Yurok Tribe.

54

55 **Councilmember Ray:** Pass.

56

57 **Councilmember Vanlandingham:** Pass.

58

59 **Councilmember Provolt:** I would like to acknowledge the department monthly reports. There
60 is a lot of good information in there. Thank you staff for providing these reports. I also
61 attended the Orick Community Water District meeting last night in Orick, I was able to give
62 them updates of Yurok Tribe activities in the Orick area, which included Shoreline, Prairie Creek
63 Restoration, the various housing projects, the old fish hatchery, and the development of a
64 training site there. It was a good update. They shared with me that the Orick Volunteer Fire
65 Department attended a fire at Johnson's on a 14 Acres. They shared with me that when they
66 leave Orick and go over Bald Hills that means there are no fire trucks available in Orick, because
67 they only have one. So maybe that's something we could think about in the future.

68

69 **Vice Chairman Myers:** Not present.

70

71 **Chairman James:** Pass.

72

73 **TRIBAL MEMBER COMMENT:**

74 Jewel Frank:

75 We got a letter yesterday from Laura woods, that they will be taking those lunches to Tulley
76 Creek as congregate meals which is due to their grant and because COVID is over and that they
77 cannot deliver our lunches anymore. Lots of elders do not drive, and they don't have anyone
78 who can go pick it up. Plus, that Tulley Creek road is awful, it's a terrible road to send people
79 over. Maybe they could split up the drop offs and do half and half deliver to Weitchpec. Thank
80 you. Wishing you all a great day.

81

82 **EXECUTIVE SESSION:**

83 OTA23-050 California Tribal Families Coalition

84 Personnel (Chairman)

85 Personnel (Provolt)

86 Litigation Update

87

88 **CONSENT ITEMS:**

89 **Natural Resources Division**

90 *Fisheries Department*

91 FISH23-070, Fisheries Funding Submission

92 Submitted by Barry McCovey, Jr., Director

93 **Motion made by Councilmember Ray/Councilmember Williams to authorize the Fisheries**
94 **Department to submit funding request for high priority restoration and monitoring projects**
95 **as described in attached documentation. Motion carries by consensus.**

96

97 **AGENDA ITEMS:**

98 **Administration Division**

99 *Finance Department*

100 FIN23-018, Budget Modification for Project 106

101 Submitted by Michael Maranger, CFO

102 **Motion made by Councilmember Ray/Councilmember Williams for Council to approve the**
103 **budget modification for project 106 – Yurok Broadband Services. Motion carries by**
104 **consensus.**

105

106 **Planning & Community Development Division**

107 *Planning Department*

108 P23-031, Weitchpec Distribution System Improvement

109 Submitted by Cynthia Bones, Planner

110 **Motion made by Councilmember Ray/Councilmember Vanlandingham to approve and**
111 **authorize the Chairman and Secretary, to attest to the 638 contract DES-23-I-0029 including**
112 **Resolution #23-079. Work will be done to replace the existing outdated Weitchpec**
113 **Community Wellness Distribution system, contract not to exceed \$997,000.00. Motion carries**
114 **by consensus.**

115

116 **Health & Human Services Division**

117 *Education Department*

118 EDU23-027, RX Safe Del Norte Contract

119 Submitted by Josh Norris, Promise Neighborhood Grant Director

120 **Motion made by Councilmember McCovey/Councilmember Williams to approve the contract**
121 **between the Yurok Tribe and RX Safe Del Norte to provide Education, planning and**
122 **intervention to address the opioid crisis in Del Norte, for \$277,750 over four years with a**
123 **required in-kind match of \$25,000. Motion carries by consensus.**

124

125 EDU23-029, True North Contract Amendment

126 Submitted by Josh Norris, Promise Neighborhood Grant Director

127 **Motion made by Councilmember Williams/Councilmember Vanlandingham to approve the**
128 **contact amendment between the Yurok Tribe and True North Organizing Network to increase**
129 **the total amount of the contract to \$2,049,809 and extend the time to December 31, 2026.**
130 **Motion carries by consensus.**

131

132

133 EDU23-036, Budget Revision to Projects 7201 and 172
134 Submitted by Jim McQuillen, Education Director

Motion made by Councilmember Williams/Councilmember Provolt for Council to review and approve budget revisions to project 7201 and project 172. Motion carries by consensus.

137
138 Jeff Harris, Del Norte School District Superintendent present for agenda item
139 EDU23-037, Recruitment Moving Allowance
140 Submitted by Jim McQuillen, Education Director

Motion made by Councilmember Ray/Councilmember Williams to offer a moving allowance of up to \$6,000 for new teachers to assist with Teacher and Principal recruitment at Margaret Keating school in Klamath. To be paid one-half at signing and the second half four-months later. Motion carries by consensus.

145
146 **Natural Resources Division**

147 *Environmental Department*
148 ENVR23-022, National Park Annual Funding Agreement
149 Submitted by Louisa McCovey, Director

Motion made by Councilmember Provolt/Councilmember Crawford for Council to approve and the Chairman to sign Annual Funding Agreement #G8480-22-0001 with the Department of Interior National Park Services for air quality monitoring in the amount of \$8,000 with no match required and full indirect allowable. Motion carries by consensus.

154
155 Fisheries Department
156 FISH23-067, Fisheries National Park Agreement
157 Submitted by Barry McCovey, Jr., Director

Motion made by Councilmember Provolt/Councilmember Ray to approve the Fisheries Department agreement with the National Park Services for restoration work at Elk Meadow on Prairie Creek. Motion carries by consensus.

161
162 FISH23-069, Accept BIA Water Rights Litigation and Negotiation Funds
163 Submitted by Barry McCovey, Jr., Director

Motion made by Councilmember Williams/Councilmember Ray to authorizes the Fisheries Department to accept FY2023 funding from the Bureau of Indian Affairs for Water Rights Litigation and Negotiation. Motion carries by consensus.

167
168 **TRIBAL MEMBER COMMENT:**

169 Jewel Frank:

- 170 • I'm excited about this, but at the same time I wanted to voice concerns about
171 everything being connected. Since you mentioned wind energy and the environmental
172 impact, there are some tribal members who talked about wind being destructive. It is a
173 massive bird killer. And some of our whales are beaching themselves, you know they
174 can't handle the sonic sound. And so, I'm really interested in hearing about this project
175 upon your return. I like the idea of a community member who has a passport
176 participating. Right now, at this Zoom meeting, we have only 25 participants. I think

177 when I look through the list, over half are tribal employees. So, if that's 25, maybe 10
178 are actual tribal members. And so, the district meetings are important because this is
179 the first, I'm learning about the Norway winds energy projects. Again, I'm excited to
180 know more, but want us to be cautious. Thank you for listening.

181
182 Wildlife Department

183 WILD23-011, FY2023 Redwood National Park Funding for Avian Flu
184 Submitted by Tiana Williams-Claussen, Director

185 **Motion made by Councilmember Ray/Councilmember Williams to approve the attached**
186 **agreement with Redwood National Park under Annual Funding Agreement #G8480-22-0001**
187 **to provide funding to the Yurok Tribe Wildlife Department to support Highly Pathogenic**
188 **Avian Influenza management for condors. Motion carries by consensus.**

189
190 Emergency Services Division

191 FIRE23-008, Budget Modification to Women in Fire Account
192 Submitted by Rod Mendes, Fire Chief

193 **Motion made by Councilmember Williams/Councilmember Provolt to approve budget**
194 **modification to move funding wages and fringe into supplies, training and travel, and small**
195 **equipment to the "Women in Fire" budget #2624. Motion carries by consensus.**

196
197 **BREAK: 11:21am -11:31am**

198
199 **AGENDA ITEMS:**

200 Yurok Indian Housing Authority

201 YIHA23-018, Tribal Homekey Grant
202 Submitted by Nicole Sager, YIHA Executive Director

203 **Motion made by Councilmember Ray/Councilmember Williams to approve the Yurok Indian**
204 **Housing Authority's (YIHA) application submission to the CA Housing and Community**
205 **Development Department's Tribal HomeKey Grant Program by Resolution #23-96. Motion**
206 **carries by consensus.**

207
208 YIHA23-019, YIHA Monthly Report
209 Submitted by Nicole Sager, YIHA Executive Director

210 **Motion made by Councilmember Ray/Councilmember Provolt to approve the monthly report**
211 **for the Yurok Indian Housing Authority as submitted by Nicole Sager, Executive Director YIHA.**
212 **Motion carries by consensus.**

213
214 YIHA23-020, Addendum B
215 Submitted by Nicole Sager, YIHA Executive Director

216 **Motion made by Councilmember Ray/Councilmember Provolt to approve Addendum B as**
217 **approved by the Board of Commissioners on July 11th, 2023, to add points for applications**
218 **that have not received prior HUD assistance. Motion carries by consensus.**

219
220 Tribal Prosecutor's Office

221 PRO23-018, One-Time BIA Funding

222 Submitted by Rosemary Deck, Prosecutor

223 **Motion made by Councilmember Provolt/Councilmember Crawford to approve Office of**
224 **Tribal Prosecutor requesting a one-time funds disbursement from the BIA Tribal Justice**
225 **Support to fund salaries for FY 24 for Director, Office Manager, and Justice Policy Lead as a**
226 **contractor, approve budget, and authorizes Chairman to sign necessary documents. Motion**
227 **carries by consensus.**

228
229 PRO23-019, Appointment of Council Delegate/Liaison
230 Submitted by Rosemary Deck, Prosecutor

231 **Motion made by Councilmember Williams/Councilmember Crawford to approve the**
232 **appointment of Councilmember Crawford as Council delegate and Councilmember McCovey**
233 **as alternate as liaison for the Office of Tribal Prosecutor. Roll call: Vice Chairman Myers-np,**
234 **Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-no,**
235 **Councilmember Provolt-yes, Councilmember Natt-np, Councilmember Williams-yes,**
236 **Councilmember McCovey-yes. Yes-5, no-1, abstain-0, not present-2. Motion carries.**

237
238 **LUNCH:** 12:00pm-1:00pm

239
240 **TRIBAL MEMBER COMMENT**

241 Rose Sylvia: From the Pecwan District, and I have a comment that I'd like to make.

- 242 • When I worked at the Yurok Tribe, there was a female DED, and she didn't get along
243 with one of the male Directors. And in that relationship, she was very upset because she
244 got called in and was told that, this male Director could be called in by Executive or the
245 Chairman at any time and it wasn't up to her. And now there is a male DED and a female
246 Director who don't get along and so this, they went before the Executive Director and
247 the female Director was told that she had to go through the chain of command. She
248 was told she couldn't go to the Executive or to the Chairman without the approval of her
249 DED, which is disparate treatment at a minimum. This DED continues to bully this
250 employee and no one's doing nothing. The tribe went through a few years back, this
251 whole, whole process of people being mistreated. The council at that time took action
252 to modify the personnel policy, including bullying, put in the investigative process and
253 everything. But it has not changed. It's still the same. And I want to appeal to the
254 Council to investigate the matter.
- 255 • You, Council, are our leaders. That's why we vote for you. And it doesn't seem like that.
256 It seems like this is backwards, that it doesn't get through. I've been told that the action
257 item gets denied, can't make the meeting, and that's wrong. As our legislators, you
258 have to take back that power. You must investigate these matters. You must make sure
259 that these things don't happen. I don't know what it's going to take for there to finally
260 be somebody to listen to what's happening and about the mistreatment. And it
261 continues.
- 262 • I urge Council to really investigate this matter. It's a disparate treatment. Where does it
263 have to go? Do we have to end up in federal court? I really felt the need to say this. And
264 I hope that something can be done. I hope that there can be some accountability,
265 especially for the highest paid people in the tribe. Thank you.

266

267 **AGENDA ITEMS:**

268 **Council**

269 CA23-218, Authorization of Funds for Travel

270 Submitted by Chairman James

271 **Motion made by Councilmember Vanlandingham/Councilmember Williams to approve use of**
272 **Wellness Center funding for travel to Washington, DC for Shoshoni Hostler and leadership,**
273 **for Traditional Healer’s Summit on behalf of the Yurok Tribal Council. Motion carries by**
274 **consensus.**

275

276 CA23-220, Compacting Indian Health Service Fund Resolutions

277 Submitted by Councilmember Provolt

278 **Motion made by Councilmember Williams/Councilmember Vanlandingham to approve**
279 **Resolution #23-97 authorizing Megan Siaosi, Self-Governance Director, Don Barnes, Executive**
280 **Director, and Office of Tribal Attorney to proceed negotiations with California Indian Health**
281 **Board regarding Compacting Health Care Dollars. (OSG, Exec. Director & OTA). Motion carries**
282 **by consensus.**

283

284 CA23-221, Travel to Norway for Wind Demonstration

285 Submitted by Councilmember Provolt

286 **Motion made by Councilmember Williams/Councilmember McCovey to approve retroactive**
287 **travel to Norway for RWE Floating Wind Demonstration Project, September 5, 2023, through**
288 **September 7, 2023, for Councilmember Provolt and Maggie Poffenbarger, OTA. Motion**
289 **carries by consensus.**

290 **TRIBAL MEMBER COMMENT:**

291 Jewel Frank:

- 292 • I would like more information, like about the effects this is going to have on fish, whales.
- 293 • I like the idea of having a community member being able to attend these meetings.

294

295 **Motion made by Councilmember Williams/Councilmember McCovey to suspend the rules**
296 **and add CA23-226 and OSG23-006. Motion carries by consensus.**

297

298 CA23-225, Community Donation Request- Home Repair

299 Submitted by Councilmember Ray/Council Operations

300 **Motion made by Councilmember Ray/Councilmember Williams to approve a Community**
301 **Donation in the amount of \$250 from Community Donations, \$130 from Requa Community**
302 **Donations to help Tribal Member Elder in need of fixing her water pipes. Motion carries by**
303 **consensus.**

304

305 **TRIBAL MEMBER COMMENT:**

306 Elizabeth Davis: This is Elizabeth Davis, East District.

- 307 • I'm hearing about a lot of issues where assistance is needed, especially by elders. I'd like
- 308 to challenge the Council to have a work session and talk about the processes for
- 309 sustainable development.

- 310
- I think that the Council really needs to sit down and prioritize the things that are needed for the membership. You know, there are so many needs for the membership. I'd really like to see a list of priorities established and how they plan to address each of those priorities. I know that you guys were talking about the wood situation the other day and the brushing that must happen every year.
 - I'd also like to bring up the point of the use of the restrooms at the dock down there at Requa. I went fishing last week and it's just really a shame that we can't have access to a port a potty right there at the docks. You must go way down to the bathrooms that are there, and they're not maintained. They're filthy. There's no toilet paper in there, there's no kind of oversight of that facility there that we all have a vested interest in. And, you know, this is just really one little tip of the iceberg, but I really think Council needs to prioritize the things that matter to the membership, instead of so much interest in the things that are big. Let's take care of our membership first.
 - Childcare is another big issue. I don't know where we're at with the new Head Start facility down at Morek Won, but I don't think the ground's been broken for a new one, correct me if I'm wrong, but those are really important issues. We have a lot of things that matter to our membership, and it doesn't feel like the council has that at the forefront. I think I would really like you guys to sit down in a work session and just prioritize some things for the membership.
 - We have a power outage coming here on Tuesday the 15th, and I got a call from an elder that she can't start her generator, and we're going to be on a heat wave here again starting next week or this weekend, and she needs assistance, starting her generator. We really need to find a system to address these types of things that come up daily. So hopefully you guys can make the time to do a work session and get a good strong plan down on how to accommodate these needs. Thank you.

335
336 Jewel Frank:

- I just wanted to suggest a timeline on services for tribal members and prioritize our tribal youth and our tribal elders. When I was commenting to Weitchpec District Representative regarding hardship for the meals to be in a central location and the road is bad. It's not an elderly friendly road to Tulley Creek. Not everyone has good reliable transportation. Maybe they could split that service, half at Tulley Creek and the other half at Weitchpec, because I appreciate both buildings. I hope that Elder gets her water pipe fixed soon and that you develop a timeline of priorities so we can see the progress on paper. Thank you.

346 CA23-224, Emergency Donation – Power Bill
347 Submitted by Council Operations/Councilmember Crawford

348 **Motion made by Councilmember Provolt/Councilmember Crawford to approve the use of**
349 **OES's emergency discretionary funds to help cover the cost of Tribal Elder's power bill. Roll**
350 **call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes,**
351 **Councilmember Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-np,**
352 **Councilmember Williams-yes, Councilmember McCovey-yes. Yes-5, no-1, abstain-0, not**
353 **present-2. Motion carries.**

354

355 OSG23-006, Nominate a Voting Member Block Representative
356 Submitted by Megan Siaoosi, Office of Self Governance

Motion made by Councilmember Williams/Councilmember Ray to nominate Raymond Bacon and Sherri Provolt as an alternate for Voting Block Member to represent the Yurok Tribe and submit an endorsement letter for nominate to represent and be a voting member of the CERF Voting Member Block. Motion carries by consensus.

361
362 CA23-226, Letter of Commitment to Participate in 15 by 35 COE
363 Submitted by Councilmember Williams

Item pulled.

BREAK: 2:10pm-2:20pm

EMERGENCY AGENDA ITEMS:

369 P23-049 ICDBG Project
370 Submitted by Ray Moisa, Grant Writer

Motion made by Councilmember Ray/Councilmember Williams to direct Planning Department staff on the project to submit for this year's Indian Community Development Block Grant proposal with the most viable option being the Yurok Food Village at Margaret Keating Elementary School. Motion carries by consensus.

EXECUTIVE SESSION: 2:24pm -4:31pm

Action out of Executive Session.

Office of Tribal Attorney

380 OTA23-050, California Tribal Families Coalition
381 Submitted by Alexandra Mojado, Office of Tribal Attorney

Motion made by Councilmember Ray/Councilmember Williams for the Yurok Tribe to consent to the continued legal representation by the California Tribal Families Coalition in Indian Child Welfare matters and to approve the Chairperson to sign the attached letter of consent. Discussion held in executive session. Motion carries by consensus.

4:00pm - Councilmember McCovey leaves for the day.

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Councilmember Ray.

ADJOURN: 4:33pm.

MEETING MINUTES APPROVED ON:



398 **Sherri K. Provolt, Secretary**

September 14, 2023

09/18/2023

Date