	YUROK TRIBAL COUNCIL
	ACTION MEETING
	THURSDAY, MARCH 23, 2023
WEITCHPEC TRIBAL OFFICE	
ROLL CALL:	10:30am
PRESENT:	Joe James, Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan
T NEGERT.	District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip
	Williams, North District; Toby Vanlandingham, Weitchpec District
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ABSENT:	Frankie Myers, Vice Chairman (travel), Lana McCovey, South District (ill)
STAFF:	Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer;
	Melodie Meyer, Office of Tribal Attorney; Georgiana Gensaw, Council
	Operations Coordinator (recorder).
QUORUM:	7 present, 2 absent, quorum present.
QOOROW.	7 present, 2 absent, quorum present.
OPENING PRAYER:	Provided by Councilmember Williams.
REVIEW AGENDA/ADDITIONS/APPROVAL:	
Motion made by Councilmember Natt/Councilmember Vanlandingham to accept the agenda	
with additions CA23	-086 and YHHS23-014. Motion carries by consensus.
CALENDAD. Nod	-1
CALENDAR: No upd	ates
COUNCIL CHECK IN:	
Councilmember Williams: Good morning, unfortunately I am not able to be there in person. I	
had exposure to Covid 19. I tested negative this morning, but want to be careful. I am attending	
for the safety. Thank	
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	wford: I took a few days off this past week to go pick up my son from his
. •	t Stanford. When we were down in the area, I was busy talking to this lady
about my son and bragging about him. She said, "Boy, he must be really smart." My son then	
went in the building and was pushing on the door. Then he pushed again and he kind of looked	
confused. Then he pulled it and I just laughed. And I said to the lady, "there goes my bright,	
bright son." It made me think about really smart, very knowledgeable people, and I thought of	
my role on Council. You know sometimes we just got to use common sense and do what's right.	
There's no other way	y.
Councilmember Nat	t: Good morning, everybody. I want to bring to the Executive Director's
attention that our road (Highway 169) is still cluttered with a whole bunch of debris from the	
winter storms. So hopefully someone makes it down that way to help get it cleaned up. We did	
	y were working on the upriver side. Down river between Wautek and
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- 44 Lower Kepel there are a lot of trees that came down. They are cluttering up the ditches. And
- 45 the most important thing for me is to keep those ditches clear, because if it does rain, it could
- 46 make the road slide out. So, I just wanted to bring it to your attention today. Also, we have a
- 47 District Meeting coming up on Monday, 3pm-5pm at the Wautek Firehouse. Everybody is
- 48 welcome.
- 49 **Councilmember McCovey**: Not present.
- 50 **Councilmember Ray**: Pass.
- 51 Councilmember Vanlandingham: Pass
- 52 **Vice Chairman Myers**: Not present.
- 53 **Councilmember Provolt**: I am sorry I cannot be in attendance in Weitchpec. I will pass today.
- Chairman James: I want to let the tribal members know, it's has been heavy (sad) lately, not
- 55 just here on the Reservation, but throughout the districts and for the other Tribes. I did have a
- 56 conversation with Chairman Davis. First, I congratulated him on being reelected on his second
- 57 term and second regarding the overdoses that are happening, and thanked him for the work he
- is doing. He has a meeting for Monday, March 27<sup>th</sup> regarding fentanyl. Don if we could make
- sure to have staff be there for that meeting so we stay on top of this issue. I did discuss with
- 60 Council the possibility of a state of emergency or whatever we need to do to address this issue.

## **TRIBAL MEMBER COMMENT:**

- Rose Sylvia: I'm from the Pecwan District. I am an Elder, ex-Councilmember and excellent past
- 63 employee. I came this morning because people need to be heard. In this last thing that
- happened, something became very clear to me. The reputation that you are putting out there
- to all your members. It was wrong. We elected you guys, and the Constitution gives you power.
- 66 That is why we have Council representation. So, if you are sitting at the table and you're silent,
- then that's consent. We did not vote for a dictatorship. It needs to be run by all of you. You
- 68 need to bring our voice forward. I have been studying the Constitution, and in the Constitution,
- 69 it says that you, you guys, you develop the policies, you develop the laws, and it's the
- 70 Chairman's responsibility to uphold your voice. Every time that you make an exception to a
- rule, then you ruin the game. We, as people need to move forward together, which means that
- everybody has to play by the rules. If there is going to be an exception, then I think that needs
- to be by an action that's brought by you. You set those laws and you have to say. And if there is
- an exception, it has to be clearly stated so people understand why you're making an exception.
- You are our voice. So, I wanted to say that. Then I wanted to talk about another matter. A few
- short years ago, there was a huge protest regarding one of the employees of the Yurok Tribe.
- We met with the council. The council said, okay, we are developing new rules and we're going
- to enforce those rules. Well sitting here today with no change. What happened to me gave me
- a completely different perspective. And I did not do anything. I think that as a Council, you
- 80 need to think about your reputation as an employer. Who do you want to be? What do you
- want from the people that work for you? Do we want to treat everybody fairly? Do we want to
- 82 treat everybody nicely? So today I am requesting that as a Council, you consider changing the
- harassment policy and make it an ordinance, a code. So, what happens to me as an employee,

and if I'm the one to step forward and say, "Hey, that's harassment, or there's bullying", then there is an ordinance to follow. I have an individual here today that submitted a complaint and nothing happened. Ultimately set up whole system that blocks the employee from having a voice. And I just want to ask you who we want to be as an employer? So, if an ordinance was developed, then it is not just for us, it also applies to all entities. It would give it a formalize process how the investigation is conducted. It formalizes what the fines are. It formalizes what happens if it's true. And right now, what happens is nothing, nothing. If you and this administration does not want to address the issue, then they do not. Timelines. They do not have to abide by any of that. And there is no recourse as an individual. I want my tribe to be a place where people are proud to work, that they feel like they are treated fairly. Right now, a lot of your employees feel demoralized. I do not know if you're aware of that, and I don't know if you considered that, but they feel like they have to keep their head down and I think that's a terrible reputation to have as an employer. I know that we are growing great leaps and bounds but I think that you really need to consider putting rules in place that make us a great employer. I think the tribe has done some really great things by adopting the bullying rule. That is commendable. It just needs to be pushed a little bit further. When the tribe adopted children in the workplace that was commendable. You are looking at 40 hour work week options, that's commendable. So, I am just asking you to be in the forefront in settling grievances and harassment issues. When a rule is violated, what happens? Nothing. How can that be when you are elected to enforce our rule, you are elected to ensure that something happens. All we want is to be heard. You are our people. You are the policy center. You are the law. So, you just need to do it. You need to find out what it is, and we just need to do it. Then I have one more thing to say. I stood up and I talked to conflict interest, and I said that you guys need to do something. People. The CEO and the presidents are responsible for that organization. If we are moving forward as a tribe and we're trying to form corporations where are the checks and balances? Are they in place? Who was accountable? Did you guys do anything about the board who was responsible? We have an invested percentage to this tribe. Everything that you know is us. So, you do not own it, the tribe don't own it. I own it. I am an invested member along with every other tribal member. I am an invested member. I am a tribal member. That is my corporation. I do not want to say in a way that stops the tribe from moving forward. I am proud of you guys for moving forward, for having the wherewithal to say we're going to do. The Public Relations Department is the best there ever was. Everything you do forward, I like that just as much as you guys like that. So, let us fix it. It needs to be fixed. It has to be fixed. We are not your enemy. Tribal members are not your enemy. We are looking for you to lead us. Thank you.

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Bertha Peters: I agree with what Rose is saying and I think each and every one of you need to look at all other policies. Joe cannot make a decision on his own. You are his boss. What is wrong? Don't you have a backbone? The way it looks. You are his boss, and we are your guy's boss. When we filed an issue with the ethnic committee, we still have got no answer from him. We have been waiting for how long to get some kinda answer. There have been no answers. It is something that you guys need to look at. Read the policies and read the Constitution. So, think about your call. Think about that, and I hope you guys do that. And the other thing, I usually do not go around too much, but yesterday I went to a service. And so, they said, where were you? I thought you were not going to be here? And I said, well, yes, but I am sure you guys know that people are doing drugs on their duty. You should be going around each department finding stuff, not just sitting there because it is a bad problem. People are dropping over dead. I

know some young folks, like fourteen, being affected. It's something that you guys need to address as a leader that should be your number one thing. Don't wait until people are laying there dead. You know what happens, what the outcome will be if they keep it up.

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**Jewel Frank:** If we come up here and we feel intimidated and scared and you guys are our leaders, it's not healthy for women. Regarding the MMIP, you know we walk around with the target on our back and to get victimized by our own men and our own tribe. It is scary. My son was illegally excluded from this reservation. His rights were violated. You did acknowledge the success of Joe Davis and the overdose epidemic, but I would also like to have a zero drug reservation. But it was placed on by leadership, from this district, to take that zero-drug policy off the table. And I would like to have put that on the table because it talked about our integrity. So, in regard to like being victimized and looking at drugs for our people and our water with the slash marijuana issue, I mean, our children are vulnerable. They are vulnerable. And we are trying to normalize it. Marijuana is misleading. It is not Yurok. It is promoting drug activity. I was just at the post office up in Orleans, and so somebody walked in, and they smelled like marijuana, it was so bad. Awful. I mean, it's not normal and it's not healthy. In regard to the embezzlement and mismanagement of this corporation for losing millions of dollars when that could be serviced for tribal members, we don't even have real numbers. We haven't seen an audit. We've seen some new articles about the purchasing of properties. And the most disappointing purchase is regarding the golf course and the water issue. I want to talk about bullying. At first it seems like it's non-threatening, but it's very threatening. If I'm intimidated by leadership, it's not ok. I've been with my district since the exclusion of my son. I am a mother. My son was bullied on Facebook by my leadership, and I've never gotten formal apology, never. This recent situation with Rose and what happened to my son, is wrong. But yet, the Tribe hires someone who is known to be a bully and non-respectful. His parents live in the old village. The Violence against Women's Act, it's real but it's not practiced here. I had a niece and a great niece murdered, shot in the head in Loleta. I am a secondary victim of the MMIP. They were brutally murdered because someone was on marijuana, coke and alcohol. But the gateway drug for him, which was normalized, was marijuana. And he was only about 18 years old. These are things that we can learn from as Indian people. We don't want to normalize marijuana. I'm trying my very best to be respectful.

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Charlene Colegrove: Good morning. Still the same problem regarding housing and my situation. I really hope something happens to help me. But I'm tired. I don't want to fight. We got to get along. We got to help people. You know, the storm was bad. You did come check on me. But did you or you or you? It's everybody's job. So please try to check in a little bit more. We don't want one of us ending up in an emergency room. Say about storage trust, you know, and, and I'm going to keep my trailer even though no one can help me fix it. I think to fix the electrical will be about \$2,000. That's what I'm thinking. And, it's up to you guys to push it to get the trailer fixed with housing. Thank you.

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Margo Robbins: Aiy ye kwee' nek new' Margo Robbins mey wo-me chook Pecwan District. In view of the recent employee terminations, I would like to encourage the Tribal Council, to review and potentially revise the "at will" policy and procedures. I don't know what's currently in place. Do supervisors give periodic evaluations of job performance of their employees? If yes, are employees notified of shortcomings and given an opportunity to correct them? It seems

really unfair for someone to walk into work one day and be told out of the blue that they're fired. It also seems really unfair. That when somebody files a grievance and is found that they were wrongfully terminated, that they don't receive any back pay. It puts people in really, really difficult financial situations. If it was a wrongful termination, then I think that the tribe should make it right by giving them their back pay.

Carole Lewis: Nek New Nick now. Carol Lewis. I live up on Upper Capel Road temporarily. I am currently in Hoopa just until my house is finished. I'm concerned about the hiring issues also. And I'm most concerned about to make sure that the policies of the tribe and the rules that the tribe follows are actually followed and not exceptions made because it's convenient. I've worked for the tribe for 20 years and during this time I've worked with Rose Sylvia. I've am really proud of what she did with the tribe. Now I find that there's some issues and over the years that I worked with her, I can't remember that there were problems. Policies are enforced in some way and for some people, but not always. I've watched it for many years, and I've always thought it was very helpful that we've had the opportunity to look at other tribes in the area. And I think to a great degree, we've learned a lot from their mistakes. And I've been really proud of our tribe because in most instances, they are ethically administered. And I think that the tribe has been quite careful about doing favoritism for friends, for relatives, for this because it's more convenient to not have to work for something. I would really suggest that you look at this because it's critical that we conduct our business as a tribe in ethical ways and uniformly. So that's what I have to say. Chuue' goodbye.

Mary Jackson: North District, and I was on the first Tribal Council. The Tribal Council was responsible for creating legislation rules, regulations and policies. At that time, we had to create education policies, human resource policies, etc. And when we came to this point of being an "at will" employee, the discussion was when you are hired, they tell you that we are an "at will" employee. That does mean that you can be fire without any just cause, without any reason. But our Council decided to enact and follow our human resource policies. And those policies that were set up had a disciplinary action process. If you were not meeting your job expectations, you got a verbal warning first and you had a chance to correct what you were doing wrong. And if that didn't work, you got a written reprimand and that went into your record. And thirdly, you could be fired if you didn't continue to improve. And even then, every employee has the right to appeal the decision. And we set that up because we wanted to assure our employees that we weren't going to fire them for any reason or because we didn't like you or any of that. So, they felt secure. And when you have an Executive Director that meets with the staff and says you are an "at will" employee and that means you can be fired at any time for any cause without any reason, then you have created a hostile work environment and that is against the law. So as a Council it is your responsibility. And above all, the Tribal Chairman role is spelled out in the Constitution that he (or she) is to faithfully implement and enforce the legislative enactments and policies of the Yurok Tribe. And, if I was an employee of the tribe and I saw something wrong and I needed to work because I'm raising a family and I need this job, I would not file a complaint because I would be fearful. You have created a hostile work environment and I'm really disappointed that this has been allowed. A couple years ago when people filed a sexual harassment against an employee, our Tribal Chairman told us that our hands are tied. You've got to make this correct. You've got to do this right because our employees because are doing good things. You have got to do what's right for our

employees and make them feel safe and follow our human resource policy. Otherwise, their job is not safe. And it's sad. We might lose employees. People might be afraid and, and start looking for another job. I hope that doesn't happen, but that's my point. And I hope you reconsider. I don't know that those employees would want to come back to us after what has happened to them being fired "at will" with no reason and no cause, no written justification for it. So, that's what I would like you to consider. Thank you.

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Jewel Frank: In regards to internet broadband, I would like you to put it on your agenda regarding investment of \$500,000 for the former Director. That information is important to the tribe. And when it was withheld for months and months and now we are in March of 2023. The last thing I want to talk about but will bring up is the complaint that was filed at least a year to two ago, and it was put on the back burn. It appeared to be an unfair Board, and Vice Chair was sitting as one of the board members. Who is questioning the ethics of the leadership, when we had the leadership sitting on the board? The complaint is not going to go anywhere, obviously, because of the unfair board. A lot of these boards are unfair. I think you guys know right and wrong. However, what is our backup plan? How do we create some kind of solution here? Because it seems as though every time I make a comment, I got three looking at me, one taking notes, and I feel like the other guys don't care about me or anything said.

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Elizabeth Davis: East District. A couple things I want to talk about. One of the things I heard mentioned was about an employees' evaluation. I don't believe I've had evaluation for at least two to three years. So, I believe that the Council and our (Executive) need to look at some of their data follow through. They expect the employees to follow rules, change, do their job and perform. But we don't have any guidance in that department. The other thing is, I really feel like since Covid, we have so many people not going to returning to work. I come to work every day with I clock in. I'm here till five every day, answering the phone all day long. We have so many employees I don't even know how to get ahold of, I can't get ahold of them. I've asked several times for updated contact information for employees. Who's in my department? What's their extension? How do I get ahold of them? I feel like the tribe has really moved away from the people, we're no longer about our people. We're about corporations, we're about making money, and we're about employees' relocation. From case in point, we opened the Willow Creek office, had a Grand Opening. There's nobody there to hand out applications. There's no phone number, there's no way to email in their LIHEAP application. It was to accommodate employees. And that's wrong. We're not about our people anymore. You can see here that we hardly have anybody that comes to the office anymore. And now we've got a couple of empty offices. There's no direction, (no) leadership. We need to get back to community again and being about our people. Common sense. And as far as the termination of employees, we had a pretty good little process when we got to have the all-employee meetings online. That was taken away from us. We don't have that anymore. That was a positive thing. We could ask questions. We were given information because the Lord knows our directors don't pass the information down to us line workers. My Director never tells me what's going on. Where is the process for employee's to provide input? Employees do not have a voice. And when we had that monthly employee meeting during Covid, it was a forum where the employees could bring up issues but that was taken away. And any kind of criticism or suggestions can lead to positive outcomes. They don't always have to be negative. We need to have a place to voice our concern as employees. And we do not have that unfortunately. And I'd really like our Executive

Director, or whoever is over our employees to step it up and make sure that employees are returning to work. We have got all these new offices, they're empty. Where are your employees? They're working from home. During Covid, yes. Granted, they needed to work from home because childcare centers were closed and all those types of issue. I'm pretty sure the State in California declared the Covid over. Let's get our people back into the offices where they belonged and actually have phones being able to transfer to extensions and have somebody pick up a call. Please open up a door for employees input. You know, we have a lot of issues that, you know, we like to bring aboard to help the process run better. I think for any employee who is not doing their job there needs to be a process. You get a verbal warning, then you get corrective action, then the third time you're out. But again, the process doesn't seem to be followed. Thank you.

Roger Boulby: Aiy ye kwee' Requa District. I'm not sure if you guys are aware, but I was fired six months ago and I've been doing grievance process. I most my life job after 10 months off hip surgery. I was proud to be part of this company and now it's pretty emotional. I'm reaching out to you guys. I would like to be able to rebut what happened to me. I had reasons why they said I was fired but I didn't get heard. There is bullying going on since the corporation started. I tried to file something but there is nothing in place. They had no HR, no personal policies. Nobody had copies. I kept a copy and I gave it to another employee. That's how we were, we were able to follow through and actually file something. But there's still nothing there. I have had no verbal which came out in an investigation. I would like to hear something. I'm not sure what's going on and don't know whatever the process so I can follow it.

Ronald "RT" Jones: The second time I'm showing up. I was curious about my grievance. I wrote it about 18 months ago about the way I was treated. I'm pretty sure that I passed it along to almost everybody here. I brought her up to the Board Members. I brought it up to the Vice Chair. I was threatened and bullied every single day. And then I was injured on the job and I never even filed paper. So I'd go to the doctor, but I didn't file a grievance on that, even though they said that it was. And they did file the paper a month and a half later and I was able to see the doctor. I asked about my job. At that meeting that we had, we were all family, but apparently this must not be like the family. He said that I was going to come back to work, now I'm not. Then he said that there was no work. He hired his brother, hired his nephew. It seems like everything is going on. I have friends that are in the meetings. They're telling me that there are trucking jobs that are being advertised elsewhere. Tribal members that are working there and told they could be replaced. I told members at my old job that they don't want to step forward because Roger and I were being used as an example, so shut your mouth or go. This happened over nine months and now I'm waiting and nothing's happening. I don't understand. I don't have any writeups. What was it that I was doing to get fired? I'm just waiting for any kind answer.

**Rose Sylvia:** So, I wanted to wait to hear what everybody had to say. RT was willing to share with me the documentation said he submitted and I was pretty shocked. That's what I'm talking about. The harassment and bullying policy and needing to be in ordinance. That applies to corporations as well. So, in that situation, when an employee says I think I'm in a hostile work environment, it's the responsibility that the organization can immediately separate the employees. They say, okay, we're going to look into it, and they conduct an investigation to

determine if there's merit to the complaint. That's what I'm talking about when I say it's up to you guys to ensure that the rules are followed, because if it's months later and you still haven't heard anything, then where are we? Why aren't we responding to the employees? That's my question to you. If nobody gets back to me and violates the policy, I can't come forward. Cause it's a grievance. If I come forward, then I violate the terms of the grievance. I have to let it go through the process. But if the process is violated by everybody that is in the chain of command to hear it, what's my recourse? That's what I'm trying to say here. There is none. You have all of these employees and we're just sitting there waiting and you're not supposed to talk about what's going on. You guys are never going to see it. The Council's never going to see it. According to the Constitution, we gave you the responsibility to develop laws and policies. I feel much disrespected today because I put out on Facebook, come to the meeting in Weitchpec, and hold Council accountable. That's a simple statement. As a tribal member, if you are not paying attention, then nothing gets changed. The other thing I wanted to say is for the "at will", did you know that when you applied for unemployment you can tell them that your organization fired you "at will" for no cause and they'll instantly do an interview. California is an "at will" state, but there's still rules. I've worked for this organization for like 17 years and there was an Executive Director that worked here before. He would not sign a termination without there being documentation in place why they were being terminated. He also would not sign the documentation that prevented someone to be re-hired. These are our people. They're going to come back to us. But we're so far from that. My final comment on all of this is, in the personnel policy, it talks about chain of command. I'm third man on that chain, what happens to other two above me? I'm being accountable. Accountable. What happened to them in the process? Was the chain of command followed?

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and have an "ask" from fellow tribal members and then of the Council. First, it's really important to model the behavior at the top. Higher expectations are required by all of you. Model the behavior that you want to see in your employees. Lead the behavior. I bring this up and I don't get much of a response. I won't go into all my experiences, but I left. I had to make some choices because of some of the behaviors that I experienced of unfair. And I won't go into all of those because this isn't really so much about me, but about other members and consistency of policy model, the behavior, whether that's on social media or in person. There are Councilmembers who disclose things and say that they don't on social media. There's no accountability for some of those. You know who you are, who constantly is bullying and picking on tribal members. So that's what I mean by modeling the behavior. Calling Department Directors out on social media is completely unacceptable. So, either you are involved in personnel matters or you're not. And I think according to the Constitution, you're not. So really putting the action back on your Executive Director to make sure policies are followed. You have the COO to invest and support your Executive Director to ensure the policies are followed. And incidences of these happen because it really matters on who you follow and who you're not in with. I experienced other Department Directors being allowed to get into my area and be able to report things that were not true or have involvement in the department that I was responsible for. There are a lot of inconsistencies that happen depending on relationships. And so holding true to policies is important and if the policies are not working, fix them. I would change them if they are not working. Work with your tribal membership and your staff to resolve policy issues. You have a lot of executive management positions that should be part of

Stephanie Weldon: From the South District. I want to just make a couple of acknowledgements

their scope, are the policies being followed? Bring in a contractor if you need to. There is plenty of support out there. Track complaints. I often hear of tribal members who have filed grievances and complaints about bullying and harassing. Where have those complaints gone and what have has been left? We really do not push our leadership to move forward with the next step. Let us see it in writing. What is the next step? Who's going to submit an action item to summarize some of these next things because if we just walk away, I don't know if anything's what actually will happen. And then secondly, I would ask that there be some kind of action or directive given to look at all the pending grievances and complaints and to resolve them because it is unfair for tribal members to be sitting in limbo. I have been a supervisor, so I know it goes both ways when you try to hold people accountable. And in my experience with numerous different Chairpersons there are differing varying perspectives on their role as C E O. In my time with the tribe, it was held very clear. Even though you had "at-will" employment, you always follow progressive discipline process and you always, especially for tribal members, unless it was so egregious that they hurt somebody. But you always document and give people an opportunity to lift up, build, and grow even at the higher levels. We have a limited number of tribal members. We want our people working at the Tribe. So again, I ask that all these pending grievances that we hear about that shouldn't be becoming before Council, that your Executive staff take a responsibility to track and get those and find out if investigation was completed, if their due process was completed, that they're closed and that they have resolution. Because having those hanging out there is completely unfair. And then there needs to be some kind of action item to move forward, or a directive on how to re-look at the policies, see where we are at with at will, as well as the Council policy and Council behavior. I know there's an Ethic Committee, which is a whole other issue, but really holding and modeling the behavior that we want our staff at the Executive level and all the way down. If we're not having honest conversations with our staff about their lack of performance. What are we doing? Because that's a cultural value to discuss things with people and to settle up or to have a conversation. Those cultural ways of doing things are not really being followed nor are the policies. So again, I urge Council Member, at least my District Member or any one of you, to put an action item forward to close the loophole on these pending actions. And sometimes it is an employee that needs to be held accountable and that was the best decision. But give them their due process and attend to the policy issues and see what needs to happen. Thank you.

**LUNCH:** 12:15pm - 1:15pm

### **AGENDA ITEMS:**

Motion made by Councilmember Natt/Councilmember Vanlandingham to suspend the rules and add CA23-088, Community Donation for elder housing/storage issues. Motion carries by consensus.

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CA23-088, Community Donation for Elder housing/storage issues Submitted by Chairman James

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve a Community Donation in the amount of \$300, including an additional \$500 Requa District travel line item, \$500 Pecwan District travel line item, \$500 Weitchpec District travel Line

item, \$500 Orick District travel line item, and \$300 East District travel line item. For a total of \$2,600. Motion carries by consensus.

### TRIBAL MEMBER COMMENT:

**Elizabeth Davis:** I would like to ask the Council when and if we're going to have a Planning Session regarding the Elder Funds. I have some ideas that I could throw out there, and one of them is to purchase laptops for our elders. A lot of the meetings are on Zoom and there are elders that could take advantage of that but don't have the funds purchase a home computer now that we are getting internet service out here. I want to know if there is any plan of scheduling a meeting to go over Elder Funds with elders.

**Lottie Ammon:** To go along with thought about computers, the costs to get the internet broadband is not always available to everyone on reservation or in the East District. They would like to have internet service too, but they cannot. The initial startup to get the internet is like \$600-700, then they would be responsible for their own bill monthly bill. But helping with the costs to have the internet service would be helpful in our district. It may be the same issue for other areas. That would be something to look into, to go along with the internet. Thank you.

# Yurok Health & Human Services

- 423 Client Services
- 424 YHHS23-021, Eureka TANF 6<sup>th</sup> Street Lease & Resolution
- 425 Submitted by Madison Green

Motion made by Councilmember Provolt/Councilmember Ray to approve 7-year lease for 1034 Sixth Street, Eureka, CA and associated Resolution #23-041 Limited Waiver of Sovereign Immunity in favor of Carrington Company, with edits, and authorize Chairman to sign and Secretary to attest. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abstain-0, not present-2. Motion carries.

#### TRIBAL MEMBER COMMENT:

Jewel Frank: I read the OTA comments. I would not recommend going agreement with language that implicates of Sovereign Immunity. It violates the Supreme Ordinance. So, when we waive our sovereign immunity, how exactly are we vulnerable? My other comment is that it is becoming common practice of waiving sovereign immunity and that the tribal membership is unaware of that practice. I do not think they would agree to it. I do not agree with it, I don't like my sovereign waived without my knowledge. I know some of these corporations started to create bank accounts without our knowledge. That should be public announcements. I agree with OTA in this comment. Thank you.

- YHHS23-014, California Tribal Families Coalition Contract
- 445 Submitted by Allyson McCovey

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve action item YHHS23-014, California Tribal Families Coalitions Contract Amendment as a single source

contract and to approve the Chairman to be able to sign all contract and agreements development from this contract amendment. Motion carries by consensus.

### **Natural Resources**

- 452 Fisheries Department
- 453 FISH23-028, In-Season Adjustment
- 454 Submitted by Barry McCovey, Jr.

455 Motion made by Councilmember Ray/Councilmember Vanlandingham the Fisheries

- Department to requests Tribal Council adopt In-Season Adjustment 2023-01, with edits, to
- 457 the Fishing Rights Ordinance regarding the 2023 Tribal Spring Fishery. Roll call: Vice Chairman
- 458 Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember
- 459 Vanlandingham-yes, Councilmember Provolt-abs, Councilmember Natt-yes, Councilmember
- Williams-yes, Councilmember McCovey-np. Yes-5, no-0, abstain-1, not present-2. Motion
- 461 carries.

#### TRIBAL MEMBER COMMENT:

Desmond Oliver: This is for spring fishing right. So, if I am down there snagging with a three-prong hook, is going to be an issue? Meanwhile sports fishermen are down there snagging all day, every day. It is just a different style, but I was down there snagging two or three days ago and Eagle Boy was telling me that I couldn't be snagging. I thought a Yurok could catch a fish any way he can to eat and feed his family.

Lottie Ammon: We see at the craft fairs that salmon smoke, canned salmon, is being sold. I thought that we were not supposed to sell the salmon, but you go to the craft fair, and you see the salmon there. They're not bartering. They are selling it. We are still low levels at Trinity Lake, and I just heard yesterday. That is one of our main things, during the fall run, we want that lake to be let out to let fish come, and right now it's still low. I am bringing it to your attention. If you don't know that yet, we need to have somebody start investigating this so we can get that water staying in the lake to have water in our rivers of fall.

Bertha Peters: I quit coming and making comments on fisheries when they come up here because the people that wanted to barter or wanted to sell their fish, they started out voting me. So, my voice is nothing. So I am not making comments. It is true. You need to can and preserve the fish, so I do need more than two that is allocated, especially when making trips out to the smokehouse, the building the fire, and keeping the fire going.

Lottie Ammon: These meetings are really hard for people to make it during the work week, It is for some people like today, I couldn't get in earlier because I was watching the kids, but I was on my phone, but I couldn't figure out how I was supposed to talk. But for some of these big issues that are discussed, once a month to meet here is hard because some people that are really involved with fishing, they take the time off to go down to Klamath to commercial fish. So to be able to make it to these meetings, it's kind of hard. I would hope that we would have like a weekend meeting. I'm just kind of speaking up for people that like to fish, but they cannot make their public comment because it's on a zoom and it's really hard if you have a job to get into Zoom or to even make it to one of these meetings.

493494 Desmond Oliver: Inaudible.

Vicky Palin: My question is what is going on with the phone? Is there anything can do? What is wrong with the internet? It's been out since the middle of December.

James Dunlap: My only question is, and it has been a longstanding concern, and that you put so much effort and time into making the regulations to be balanced and consider conservative measures for future generations, but you never allocate anything for enforcement. I got a real issue with the tribal police having five- six boats and only one or two guys that are authorized to drive them. And there is no effort to get enforcement. And this has been ongoing year after year after year since the appointment of Chief O'Rourke. There's no effort, whatsoever on behalf of tribal public safety to get the officers trained in water safety, to operate the boats, to enforce the rules that we are making. So what good is it if you're not going to enforce any of the rules and especially across the board, not selective enforcement, but across the board enforcement? What is going to be done about that? It has been going on for years. That is my question.

Alanna Nulph: Hello. just letting everyone know I am on my 15-minute break. I am not talking about tribal court. I just wanted to make a comment about the snagging thing. The way it is written in our ordinance, I believe it just in general, says you can't use equipment that's meant for the fish to not take into its mouth voluntarily. It is extremely broad and as it is written, it actually gives us less rights than non-Indians fishing in the chute. Those non-Indian fishermen down there are snagging. They are just using different equipment than us. So, if we are not, if you're going to rewrite the ordinance, it needs to be more specific as to what we are or are not allowed to use. I do not think it was the intention of the original people who wrote the fishing ordinance to give us less rights than non-Indians down there. And I encourage people to make public comment on the ordinance soon. Thank you.

## Office of Tribal Prosecutor

PRO23-006, Prosecutor Org Chart & Job Description 2023

Submitted by Rosemary Deck

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Prosecutor's proposed 2023 organization chart to include the Security Operations Center (SOC) and approve job descriptions for Office Manager, Information Security Officer, and Information Security Specialist. Motion carries by consensus. Council requested a work session to review the Prosecutor's Office organization chart in full.

## TRIBAL MEMBER COMMENT:

**Lottie Ammon**: I was just wondering how long is the grant? And you are just going to keep building programs with grants to make this business work? I see right here the salary range listed. Are we going to have somebody step up and want more money than what they are making? We had that happen before and now they want way more. They wanted 140,000 per year instead of what was listed. So where are we are pulling those funds from? Is it going to come from other people's position?

Jewel Frank: I was very sad thinking about a case that is 45 years old that remains unsolved. And we have not had any credible cops. The thing I noticed on this organization chart is there is not public offender. I see that there was a victim witness services. That was provided to me and my family through the county which was a disservice because they didn't care. In regards to secondary trauma, we got to talk about post-traumatic stress disorder. We are all the secondary victims, because we have this horror in our history and we need to address it. It takes someone two hours to get someone here. My kids' cousin was murdered and it took the ambulance didn't come and get her for hours. That is the last memory of her very own grandfather murdered in her own home downtown. And she is not here to talk for herself about what her needs are. She needs services. Our people need services to help with trauma.

2:45pm- Councilmember leaves meeting to attend to other Council business.

PRO23-007, Exclusion of Nikwich Nez

553 Submitted by Brienne Bennett

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve Resolution #23-034 excluding Nikwich Nez from the Yurok Reservation after Tribal Court recommendation and authorize Chairman to sign and Secretary to attest. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-no, Councilmember Williams-yes, Councilmember McCovey-np. Yes-4, no-1, abstain-0, not present-3. Motion denied.

#### TRIBAL MEMBER COMMENT:

Bertha Peters: Joe, there was a person that was going to come back to the reservation, but no one does anything about it. So, if the Police goes by the house, if they see smoke and they know very well someone is there. Are they looking at that? So, if I tell you, then you tell them that I said something, and they get me and shoot me down. This is the fear that keeps people from saying something. This is not working in our area.

Jewel Frank: The people that are being excluded, is there due process? We just talk that no public defender to speak on their behalf of a person, so they don't even know what rights are being violated in regards to due process. So, we are missing a step. They have a right to face their accusers. If that is being sidestep then it's an unfair process. I did not read in the exclusion this is the alcohol and drug related incident. Services are not even available for addiction, like narcotics anonymous or alcohol is anonymous. The Red Road, which is more Indian friendly for the native person having gambling problem, alcohol, or whatever addiction it may be, is a good program. But it is in my opinion, it's an unfair trial if the person doesn't have a public defender. The holistic approach is another thing, these guys have a right to go to their ceremonies, and that is not addressed here. There is a religious freedom to participate in regard to their wellness. That is not mentioned here. We are medicine people but that has not been happening for a long time. We pay millions of dollars to the corporations to fund alcohol business or cannabis use, but it's time for real talk. We just had two drug overdoses. We need to get back to the track of treating our people with respect. Thank you.

Rose Sylvia: I want to know how it is selected for those that get excluded. Who do you have to be and what do you have to do in order to kick it out of the door? That is my question. Because I know other ones that were selected that exclusion did not happen. What do you need to do wrong to get you excluded from your country because this is your territory? The established rules are not enforced. And it just depends on who complains about the individual and where it how this happens. I did not read the documents so I don't even know what they were charged. I was really sad because I really liked Nick. Nick is a very respectable young man, has really good manner.

Lottie Ammon: I thought the reservation was given to Indians to have a place to live. This is more of a question, about mental health and issues like this. I have a grandson that just recently had to sit in the ER. He sat in the ER for 11 hours down in the city down by Temecula. And then they finally got him home where he sat in EH for a week. It's was like almost the whole month that they dealt with this situation. So mental health is really touching issue. He was not dangerous enough because the schools never made the report, but they should have. Now he has run away from home, and then he attacked three or five girls at school. I have been trying to help my kids find him a place to get him help, and we can't find a place. He is 15, so when he turns 18, it's going to get hard. He's already refusing to take his meds. The shootings that just happened in Denver, is an example. We're kicking our people off the reservation, but they have drug addiction, alcohol addiction, and we're saying they're bad. I do not understand this Joe. We need to help them instead of kicking them off, they need to have a facility. Why can't we have a facility where they can learn to adapt, and get off drugs or alcohol and whatever addiction they have? It is hard. I've been one to judge and make my comments until now. I have a grandson and I see that he never got the help. I went to school and started working with the school to get help for him and the teachers and everybody did not do the paperwork like they were supposed to. The government gave us this land years ago and the Rancherias so that no native person goes without a house.

Jewel Frank: I do not know these two individuals or the older siblings. There's some stuff that has not been addressed as far as the abuse of alcohol and drugs. If they're violent because of alcohol and drug abuse and lack of effective law enforcement. And the reason I am going to say lack of law enforcement is that there's been some stuff that has been happening with our law enforcement. Why hasn't she come up here to introduce herself? This is where Emily turned out missing. So it's the lack law enforcement and lack of actually working. It's been mentioned that you're working at home. The first time seeing law enforcement in area was today. And so, I think it is a fair statement because law enforcement has not been effective. We are not saving our women.

Directive given by Chairman to staff to coordinate a meet & greet with MMIP/Prosecutors Office in Weitchpec and all areas.

- PRO23-008, Exclusion of Chay-Gee Romannose-Jones
- 625 Submitted by Brienne Bennett

Motion made by Councilmember Vanlandingham/Councilmember Natt to approve Resolution #23-035 excluding Chay-Gee Romannose-Jones from the Yurok Reservation after Tribal Court

recommendation, authorize Chairman to sign and Secretary to attest. Roll call: Vice Chairman Myers-np, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-4, no-0, abstain-0, not present-3. Motion denied.

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### TRIBAL MEMBER COMMENT:

Lottie Ammon: So would this be considered double jeopardy when we're going to the courts in Del Norte and then we bring it back to Tribal Court? His brother Dante, was kill on the reservation, and the person that killed him was not held accountable. So to hear he is going to get excluded for attempted murder, but yet his little brother was killed, and nothing has happened. There is something to bring to your attention about justice. Fair Justice. I agree. It is wrong that he tried to kill somebody.

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Jewel Frank: Is it unfair. There is no defense for individual regarding what that happen. We are not seeing police reports in this packet documents. We are not seeing if anything regarding the medical evidence. We do not even know if it was a self-defense case. We do not know how severe the alcohol and drug problems use was to affect this case. We are being unfair, and it is not right. This is an illegal and for my District Representative to support the alleged murder charges because he's going on what he's reading here, he's not looking at a police report and he's not looking at medical evidence and he's not even taking testimony from the alleged perpetrator or victim. I mean, this, this sort of paperwork is kind of glitch. It is unfair and unprofessional.

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Amanda Wilson: I am not sure if this exclusion is permanent. I can't really hear very well. As others said, his 13-year-old brother was point blank shot in the head, in the trailer park across from Yurok Tribal Police Department. Nothing was done about that. Not one thing to this day has been done about that. That was a very traumatic, traumatic event. It has damaged so many very young people. Very young people and, and elderly people at that. I am a mother, I'm a grandmother. I am a sister, I'm an auntie. I just have to speak up because uncle needs to know that the murderer is walking free to this day and has been in and out of jail. Pardon me, and he is allowed on this reservation. His family lives on this reservation. His mother is a sick woman who needs help, who lives on this reservation. I do not know the facts of this case, but I do know one thing that Council should really please consider an exclusion, because that's a big deal. It is a big deal to me. It is not helping people. It is not helping our people. This is a really touchy subject and I really would encourage you to look into that too. That case is horrible. It is a horrible thing to have a 13-year-old boy point shot blank in the head. His body then dragged through a hole in the fence and tried to be disposed of. People know this happened. People called the police. This is literally within walking distance of your main tribal headquarters. I am not by any means saying that it we condoned what happened in this situation, but this individual does not deserve to be excluded from his own place or from where he has been raised and grown up. Like everyone says, there are always two sides to every story. Just please consider to put more pressure on your tribal police. Thank you for your time. Jewel Frank: We have to take care of this drug problem. Our kids are dying from overdoses,

671 672 from being incarcerated. I'm saying that we have a broken system here and we have ineffective 673 law enforcement. There are all kinds of things going on, wrongful terminations, etc. and, you 674 know, I am just, it doesn't, you know, and we haven't even done the body yet. Then we're 675 talking about private security with the cyber stuff. It is like for those are like high positions, we 676 are talking like 50 to 100 thousand dollars in salary. But we can't help this person. I mean his 677 little brother was murdered and that is not even resolved yet. I do not know the facts to think 678 you would look at the medical evidence and the police report. It is unfair. Thank you. 679 680 Bertha Peters: What did they do before Public Law 280? I think that the crime does not have to 681 be set up like the state court, but at least you got have some kind a representative. 682 683 **AGENDA ITEMS:** 684 CA23-086, Meeting with Tsuari Ancestry Society 685 Submitted by Secretary Provolt 686 Executive session: Meeting with Tsuari Ancestry Society (TAS) regarding Study Area. Directive 687 to Council Operations to follow up. 688 689 CA23-061, Lost Coast Wind Contract Extension 690 Submitted by Vice Chairman Myers 691 To authorize staff to negotiate and execute the extension of Lost Coast Wind Contract for an 692 additional nine months and allocate \$36,000 from budget \_\_\_\_\_. Set for March 22, 2023 @ 693 1pm. Item tabled to next round. 694 695 CA23-053, Yurok Tribe's Legislative Agenda 696 Submitted by Vice Chairman Myers 697 Discussion on the Yurok Tribe's legislative agenda. (PLANNING AGENDA). Item tabled to next 698 round. 699 700 **EXECUTIVE SESSION:** 3:19-3:45 pm 701 CA23-081 702 703 Action out of Executive Session: 704 705 CA23-081, Office of Emergency Services Update regarding emergency response & supply 706 distribution 707 Submitted by Councilmember Crawford 708 Executive Session: Office of Emergency Services (OES) Update on emergency response & 709 supply distribution. Discussion only, no action. 710 711 **PLANNING & COMMUNITY DEVELOPMENT:** None provided. 712 713

715 TRIBAL MEMBER COMMENT:

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716 Rose Sylvia: So earlier you talked about having a meeting with Chairman Joe Davis to discuss 717 and producing a campaign against drugs. So, when you are thinking of the game plan or how to

**LITIGATION UPDATE:** None provided.

effectively do that, you need to think about your propaganda. What is going to be your active propaganda that is out there every day so that our children see it, so that the drug users see it? Because that is where it needs to be. It needs to be this constant pressure from those that are no longer using it or whatever that campaign is. And, the second part is a lot of our young men have gone through drug addiction. Some of them are older men now. When we had a dance, they depend on that for their sobriety. They depend on those dances that we have. So, I think that is huge. And so, I just want to say that needs to be part of the game plan. It is about who we are as people. It is about our culture, and it's about trying to promote that in a good way so that, so that they identify. A long time ago, the boys were about eight or nine, they went to sweat houses. And so I think that needs to be a part of this also. And maybe they don't go into the courthouse anymore, but we have this group with mentors. Men who are participants in our cultural dances, whether it's just taking a couple of boys and teaching them how to play cards, or it's teaching them like the drum song or, or whatever that is, that you guys really consider that because we need to do it our way. So, if America's war on drugs is not effective, then we do not want to do that. We think outside the box. So, I just wanted to thank you.

Bertha Peters: You do not need money for it (sweats). It is good for them to do that and take them in when they're young so that they can grow up with it. But the way we are now, nobody does it. Do not lose it. You do not need money to do it. All you have to do is just get a bunch of people together, guys together, put a house together. You need to get your young people and get it done. That is so good at doing it for sure.

Charlene Colegrove: I just want to thank the council for being here and listening to us. Thank you, Chairman.

Lottie Ammon: This morning when I was Zoom, I am sorry I was hollering, but Council, there's just some things I like to want you guys to kind think about with the Executive Director and other Directors. Look at how they work, how they do some of their stuff and how they did not follow through since 2019 on some things. We need to look at some of the higher ups and make sure they do their evaluations. And when an evaluation hasn't been done since 2019 and now we're in 2023 and I think that you might want to look at that person and see if they did their job. I think that you as Chair needs to kind of look into this and following up a little bit more. I am feeling that because it's a female involved, that it's not important. And so then hearing the comments this morning where females are getting overlooked in the tribe and things are happening to them, it's something to look into.

Jewel Frank: I want to bring up accountability with the audits regarding the corporation and that we have a right to those numbers. We have been asking for years now. It's been well over a couple years and you guys have not provided us those numbers for us to view. Those audits take a while to be done. And there was question about like embezzlement. We have a right to look for ourselves. Why and how did that happen? It is your job to tell us what was going on. The other thing that I have not seen much of his progress reports from our Directors, whether it be from the Yurok Child Court, the Police Department, or Social Services. Yes, we're not seeing any kind of reports, monthly or even every six months. How much is the budget per department, what are they doing for the people? We have a right to look at those numbers.

department, what are they doing for the people Thank you for coming to Weitchpec. Thank you. Bertha Peters: I have to tell you, we have more offices than ever. No one should be working from home. The Council should not be sitting in front of us alone. We have got to stop that and get people back together. I do not know where Sherri is, but she should be sitting here. We like to look at your faces and hear what you are saying. Truth. That is what the people are saying. That's it. Thank you.

Lottie Ammon: I was at the tribal office the other day, to find a phone directory. I got a hold of Toby for her number, but it was not working. Then I remember Isaac Kenny saying that he was working out at Bluff Creek. I called the tribal office and asked them for the number, and they didn't know. And Georgiana, you did not get back with me because I left a message. The office in Willow Creek should have this phone number so when a tribal member calls and they might want to rent a space there, they can call and talk to someone. There are people who have jobs up there and a lot of them are going to be want to rent a cabin or trailer space. How have we been renting the spots? Just by people driving by? This is information staff should have.

CLOSING PRAYER: Provided by Councilmember Ray.

**ADJOURN:** 4:19 pm

 NATITUDE NAINUITES ADD

MEETING MINUTES APPROVED ON:

Shorri K. Broyelt Socretary

Sherri K. Provolt, Secretary

April 27, 2023

04/28/2023

Date