YUROK TRIBAL COUNCIL
PLANNING/ACTION MEETING
Wednesday, October 25, 2023
East District Office, Willow Creek
https://zoom.us/j/92549693537

ROLL CALL: 10:00am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan District (10:09); Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District; Lana McCovey, South District.

ABSENT: None.

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Maggie Mais, Office of Tribal Attorney; Georgiana Gensaw, Council Operations Coordinator (recorder).

QUORUM: 9 present, 0 absent, quorum present.

OPENING PRAYER: Provided by Councilmember Williams.

REVIEW AGENDA/ADDITIONS/APPROVAL:
Motion made by Vice Chairman Myers/Councilmember Vanlandingham to accept the agenda with the following additions: CA23-272, CA23-273, CA23-274, CA23-275, CA23-276, CA23-231, CA23-278, CA23-279. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:
Natural Resources
NR23-007, Marine Department Planning Session
Submitted by Tim Hayden

Request to schedule a Council Planning Session to update the Council on the status of the Marine Department and discuss strategic planning to engage partners in marine management. Request 1 Hour Council Planning Session. Meeting set for November 29th for one-hour.

Council
CA23-268, Indigenous Habitat Institute
Submitted by Taralyn Ipina

Request a meeting with the Indigenous Habitat Institute to discuss Hempcrete Housing Opportunities. The meeting is set for November 29, 2023.

INTRODUCTION OF NEW EMPLOYEES: The new IT Director was introduced to Council.
COUNCIL CHECK IN:

46  Councilmember Williams – Pass

47  Councilmember Crawford – Congratulations to all the re-elected Councilmembers. I have been reflecting on my first year of being on Council and know there are a lot of good things being done for members. We have some tough decisions to make, like offshore wind energy. I want to be sure Council does things the right way and are good to people.

53  Councilmember Natt – Pass

54  Councilmember McCovey – Pass

55  Councilmember Ray – Pass

56  Councilmember Vanlandingham – Pass

57  Councilmember Provolt – I would like to take this opportunity to remind the tribal membership of some upcoming public hearings and hope folks can attend. Your input is important as we develop these laws. Thank you.

60  Vice Chairman Myers – Pass

61  Chairman James – We are working on dates to deliver firewood for elders. I have also been reflecting on the year. I want to remind us all to take care your health, and your family.

63  TRIBAL MEMBER COMMENT:

64  Nicole Provolt: I missed the swearing in yesterday, thank you to the newly installed Councilmembers. Thank you Councilmember Vanlandingham for sharing information for the Corporation Meeting. I know the Tribe does put out that information, but with the algorithm it does not always show up in my pages. So, if you could share it that’s good.

69  EXECUTIVE SESSION:

70  CA23-282, Self-Help Program-Executive Session

71  CA23-277, HR Findings (Provolt)

72  OTA23-061

73  Fish23-088

74  Personnel (Chair)

75  Personnel (Crawford)

76  Legal (Vice)

77  CONSENT ITEMS:

79  Planning & Community Development Division

80  Planning Department

81  P23-061, CalEPA Water Supply Systems Grant Application

82  Submitted by Kori Ellien
Motion made by Councilmember Ray/Vice Chairman Myers to retroactively approve the submittal of a grant application to the California Environmental Protection Agency for salary support in the amount of $296,435 to hire water operators. Motion carries by consensus.

AGENDA ITEMS:

Health & Human Services Division

Education Department

EDU23-041, UC Davis Native Advisory Committee
Submitted by Jim McQuillen

Motion made by Councilmember Natt/Councilmember Williams to review & approve Jim McQuillen to serve on the University Native Advisory Committee. Motion carries by consensus.

TRIBAL MEMBER COMMENT:

Lori Hodge: I know this is very important and having our remains returned. I agree we need to be at the table.

Client Services

YHHS23-050, LIHEAP FY23 Additional Funding
Submitted by Springwind Marshall

Motion made by Councilmember Natt/Vice Chairman Myers to approve the acceptance of the additional $250.00 for the Low-Income Home Energy Assistance Program (LIHEAP) Fiscal Year ’23 Funds, Project Code #8301, from the Administration of Children & Families, and approve updated budget modification. Motion carries by consensus.

Tribal Court

TC23-023, Resolution #23-113
Submitted by Angi Cavaliere

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Resolution #23-113 Acceptance of the Board of State & Community Corrections Missing & Murdered Indigenous People Grant & authorize Chairman to sign & Secretary to attest. Motion carries by consensus.

Emergency Services Division

Fire Department

FIRE23-011, Alder Camp Agreement
Submitted by Kim Mamaradlo

Motion to approve Alder Camp “CONSERVATION CAMP PROGRAM – LETTER OF UNDERSTANDING” to assist Yurok Fire with fuels-reduction projects and Elder Firewood processing and waive the 1% TERO Fee. Motion carries by consensus.

Natural Resources Division

Fisheries Department

FISH23-087, Master Services Agreement with CalTrout
Submitted by Barry McCovey, Jr.
Motion made by Councilmember Vanlandingham/Councilmember Williams to enter into the attached Master Services Agreement with California Trout to fund CalTrout’s efforts on our collaborative Farmers Ditch Scott River Restoration Project and for the Chairman to sign. Motion carries by consensus.

Yurok Indian Housing Authority
YIHA23-023, Monthly Reports
Submitted by Nicole Sager

Motion made by Councilmember Natt/Vice Chairman Myers to request approval of the YIHA monthly for October as submitted by Nicole Sager, Executive Director of YIHA. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
Elizabeth Davis: How is information disseminated to the Tribal membership? I know you said that someone came to you and mentioned this couple who was trying to do a business. It seems that it’s a small circle of people. How was the Steelhead purchased? If a grant does allow alcohol to be sold? Do you do any community input? Do you do community surveys? One more comment, the rental at the elder village, when an individual was allowed to move in. He was a first-time renter, and he was told he would be offered first-time renter/ownership class.

CA23-279, Housing Project at Bluff Creek
Submitted by Vice Chairman Myers

Discussion with YEDC and YIHA regarding the potential of a housing project at Bluff Creek Resort. Discussion only.

Lori Hodge: I have always been interested in this spot (Bluff Creek), the best thing we need to do is to clean it up. It would look nice. So much is going on, I think tiny homes to go on at Steelhead Lodge would be a better fit with that RV park.

Mary McQuillen: I am looking at the State of California’s grant page and I don’t see where it says that you can have a restaurant or sell alcohol. I would hate to see alcohol served at this site where housing will be built.

Elizabeth Davis: I think Council members should take it to their district meetings and gather input from their constituents.

Amanda Ammon: Tiny homes at Bluff Creek. Why put veterans out there where there are no services, where it’s hard to find a job or to get to the VA Clinic in Eureka. It would be better to develop housing where it’s easy for them to get services.

Cristal McKinnon: Clean up Bluff Creek, it’s an eye sore, no curb appeal, broken down cars, and the camp host is not the most professional person. I have been waiting for a community donation and have not heard if this can be provided. I am concerned that Social Services breach my confidential personnel information, one employee talking about me to another person in the office.

BREAK: 11:34am-11:46am
Administration Division

Human Resources Department

HR23-018, Job Description Revision-Public Water Systems
Submitted by Daraxa Mattice

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve revisions to the Chief Water Operations position and to approve the Water Operator II position. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
Mary McQuillen: How are you going to pay this difference between a 5 and 6?

HR23-019, Job Description Revision-GIT Technician
Submitted by Daraxa Mattice

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to approve revisions to the G.I.T Technician job description for the Information Technology Department. Motion carries by consensus.

HR23-020, Job Description Revision-General Counsel
Submitted by Daraxa Mattice

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve revisions to the Office of Tribal Attorney’s General Counsel job description. Motion carries by consensus.

CA23-280, Job Description for Executive Director of Wellness Center
Submitted by Councilmember Provolt

Motion made by Councilmember Williams/Councilmember Vanlandingham to have staff develop a new job description for an Executive Director for the new Wellness Village. Motion carries by consensus.

LUNCH: 12:21pm-1:20pm

TRIBAL MEMBER COMMENT: None provided.

AGENDA ITEMS

Office of Tribal Attorney

OTA23-062, Tribal Partnership Program
Submitted by Melodie Meyer

Motion made by Councilmember Vanlandingham/Councilmember Williams to authorize Chairman to sign the Yurok Tribe’s letter to the United States Army Corp of Engineers regarding the Tribe’s position on the Tribal Partnership Program & the Blue Creek Project, with edits. Motion carries by consensus.

OTA23-063, Data Sovereignty
Submitted by Annie Perry
Motion made by Vice Chairman Myers/Councilmember Williams to approve Stanford Law graduate Bailey Ulbricht’s request for Tribal Council permission to publish her article on Indigenous Data Sovereignty in a law journal. Item tabled.

Public Relations

PR23-003, Dam Removal Update from KRRC
Submitted by Matt Mais

The Klamath River Renewal Corporation would like to provide the Yurok Tribal Council an in-person update on the progress of the Klamath Dam removal project. Discussion only, no action.

TRIBAL MEMBER COMMENT:
Lottie Ammon: Sediment, not only that but the fires and the runoff from the fires. And I know when we had fires and then the big rain that came, there was about 2 inches of sediment on the rocks. What is the projection of sediment down near the mouth? Remember when we had all those fisher people down there trying to open the mouth of the river. What are we going to do with the mouth clogs up?

Council

CA23-271, Self-Governance Conference Travel
Submitted by Councilmember McCovey

Motion by Councilmember McCovey/Councilmember Vanlandingham to approve travel to the 2024 Self Governance Conference in Chandler AZ, April 15-18, 2024, for interested Council Members. Motion carries by consensus.

CA23-283, ICDBG Grant Application 2024
Submitted by Councilmember Natt

Directive to staff to begin the process of selecting a project(s) for the next ICDBG Grant Application. Request to focus on the Pecwan area.

CA23-284, September 26-28, 2023, Council Meeting Minutes
Submitted by Secretary Provolt

Motion by Councilmember Williams/Vice Chairman Myers to approve Council Meeting Minutes of September 26 (Finance), September 27, (Planning), & September 28, (Action). Minutes distributed in a separate packet. Motion carries by consensus.

Motion made by Williams/Vanlandingham to suspend the rules and add to Executive Session: FISH23-88, FISH23-89, FISH23-90, OTA23-61 and YTEL23-04. Motion carries by consensus.

BREAK: 2:45pm-2:55pm

EXECUTIVE SESSION: 2:55pm -5:56pm
CA23-282, Self-Help Program
CA23-277, Status Update for CA23-231
OTA23-061, Business Licensing and Construction
FISH23-088, Fisheries Dam Removal Update
October 25, 2023, Council Planning/Action Meeting

FISH23-89, LiDAR Project
FISH23-90, Agreement with Chico State
YTEL, Telecom Reservation Projects
Personnel (Crawford)
Personnel (Chair)

Action out of Executive Session:

CA23-282, Self-Help Program
Submitted by Councilmember Natt

Motion for Discussion/Action to discuss moving Self Help Program from YIHA back to the Planning Department. Discussion only.

CA23-277, Status Update for CA23-231
Submitted by Councilmember Provolt
Request update from OTA and Executive staff regarding attached Council Action Item Ca23-231 previously discussed in Executive Session.

Discussion and update provided to Council. Directive to staff to develop a policy re: Outside Employment and Activities for the Personnel Policies as discussed in Executive Session.

OTA23-061, Private Business Licensing and Construction
Submitted by Christine Williams

Motion to have a work session in Executive Session on private business licensing and construction regulations on reservation. Discussion only.

FISH23-088, Fisheries Dam Removal Update
Submitted by Barry McCovey, Jr.

Motion by Councilmember Williams/Councilmember Vanlandingham to approve Fisheries Department to proceed strategically with Dam Removal Projects as outlined in the 2023-24 forecasting document as presented to Council. Motion carries by consensus. Note: Council advised staff to continue to work with funders to invoice with a 30-to-45-day turnaround.

FISH23-089, Fisheries Upper Basin LiDAR project
Submitted by Barry McCovey, Jr.

Motion by Councilmember Williams/ Vice Chairman Myers to authorize the Fisheries Department and Condor Aviation to conduct a LiDAR data collection project in the upper Klamath Basin to be funded by the US Fish and Wildlife Services Bipartisan Infrastructure Funding. Full indirect allowable, no match requirement, funds transferred through BIA annual funding agreement. Motion carries by consensus.

FISH23-090, Fisheries Agreement with Chico State Enterprises
Submitted by Barry McCovey, Jr.

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to authorize Fisheries Department to enter into an agreement with Chico State Enterprises for Sacramento River

YTTEL23-04, Telecom Reservation Projects
Submitted by Kori Cordero

**Motion made by Councilmember Vanlandingham/Councilmember Williams to 1) accept waiver re: Conflict of Interest; 2) approve conditional authorization letter and authorize Chairman to sign; and 3) authorize Chairman to sign subsequent corresponding agreement with OTA edits. Motion carries by consensus.**

**Motion made by Councilmember Ray/Councilmember Provolt to suspend the rules and add CA23-285, Community Donation (McKinnon/O’Rourke). Motion carries by consensus.**

CA23-285, Community Donation
Submitted by Chairman James

**Motion made by Councilmember Ray/Councilmember Provolt to approve a community donation in the amount of $50 for each Tribal Member in the attached applications. Also, to include Vice Chairman Community Line Item $75 for each Tribal Member $150 total, Weitchpec District Community Line Item $75 for each Tribal Member $150 total, East District Community Line Item $150 each Tribal Member $300 total, Requa District Travel Line Item $250 for each Tribal Member $500 total, Pecwan District Travel Line Item $100 for each Tribal Member $200 total, and Chairman’s Community Line Item $100 for each Tribal Member $200 total. A grand total of $800 for each Tribal Member (McKinnon, O’Rourke). Motion carries by consensus.**

The following items tabled:

CA23-272, Appointment of Tribal Council Secretary
Submitted by Taralyn Ipina, COO

**Motion made by pursuant to constitutional authority of the Chairperson, Chairman James appoints ———— as Yurok Tribal Council Secretary with the advice and consent of the Tribal Council. Item tabled.**

CA23-273, District Committee & Board Members
Submitted Taralyn Ipina, COO

**Motion made by pursuant to constitutional authority of the Chairperson, Chairman James appoints Requa, Weitchpec, and North District Committee and Board Members with the advice and consent of the Tribal Council. Item tabled.**

CA23-274, Liaison & Delegate list for 2024
Submitted by Taralyn Ipina, COO

**Motion made by——— to approve the Council Delegate and Liaison List for 2024. Item tabled.**
CA23-275, Vice Chairman Travel November 2023
Submitted by Vice Chairman Myers

Motion made by to approve travel for Vice Chairman Myers to attend California Tribal
Business Alliance Retreat in Santa Barbara, CA on November 16-18, 2023. Item pulled.

CA23-276, YEDC Board Appointment
Submitted by Councilmember Provolt

Motion made by pursuant to constitutional authority of the Chairperson, Chairman James
appoints Councilmember (______) to the YEDC Board of Directors with the advice and
consent of the Yurok Tribal Council. Item tabled.

CA23-278, YEDC Board Appointment-Chairperson
Submitted by Councilmember Provolt

Motion made by pursuant to constitutional authority of the Chairperson, Chairman James
appoints Councilmember (______) as the Chairperson of the YEDC Board of Directors with
the advice and consent of the Yurok Tribal Council. Item tabled.

PLANNING & COMMUNITY DEVELOPMENT UPDATE: None provided.

LITIGATION UPDATE: Executive Session.

TRIBAL MEMBER COMMENT:
Jackie Winter: If someone owes money to a tribal entity does the Tribe garnish their wages?
This person owes $5,000 for rent, her mother paid the $5,000. Housing went to Court and got
the settlement of $14,000. It is the Tribal Council policy to garnish wages to in charge of one of
my main businesses?

Anita Bussell: There is a huge thing going on about the Tribes not unified? When I hear that one
Councilmember is making snide about other Tribes. When someone from out of the area comes
in the area and we fawn all over them. They want to come here with those big wind mines. Our
relatives on the east coast have said those wind turbines have done terrible things to their
ocean. If we stand together. Those giant windmills. We need to look to the future. We have
enough of the boat people to go and take our seaweed. Our Klamath used to be a legend like
the Columbia that goes way into the ocean. I came down here late, because I was visiting the
flagger to find out about the optic line coming through here. I lived through the Jesse Short, I
have stood up to Hupa people who make remarks about Yuroks. We need to be unified.

Note: Councilmember McCovey left Council meeting at 5:59pm.

CLOSING PRAYER: Provided by Councilmember Ray.

ADJOURN: 6:23pm

MEETING MINUTES APPROVED ON: November 28, 2023