

**YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, MARCH 9, 2023
KLAMATH TRIBAL OFFICE**

ROLL CALL: 10:03am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman (10:10am); 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(10:10am); Lana McCovey, South District

ABSENT: None.

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Melodie Meyer, Office of Tribal Attorney; Michael Maranger, Chief Financial Officer; Georgiana Gensaw, Council Operations Coordinator (recorder).

QUORUM: 9 present, 0 absent, quorum present.

OPENING PRAYER: Provided by Chairman James.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Williams/Councilmember Crawford to approve the agenda with the additions of OTA23-019, YHHS23-15, CA23-72, FIRE23-003 and P23-008. Motion carries by consensus.

REIEW CALENDAR/ADDITIONS: Council reviewed calendar and made updates.

COUNCIL CHECK IN:

Councilmember Williams: Pass.

Councilmember Crawford: I worked in Willow Creek Office on Monday. Staff were already there. It was a really nice feeling to walk in and have happy staff working. We set the example. Our words are medicine. Our actions are being watched. I just wanted to share that.

Councilmember Natt: I did go out and help Tribal Members get gas and propane. We had limited supplies. Hopefully we get more supplies coming in soon. Especially, with the rain coming in. We might get flooded out. We have a tribal member elder who really needs some help. His electrical panel blew out and so there's no way he'll be able to be reconnected. Just trying to help our vulnerable population.

44 **Councilmember McCovey:** Please do what you can to prepare for this storm. I want to thank
45 the Councilmembers who are able to assist tribal members in person. We need to be watching
46 the weather and be prepared. It can could cause some more damage.

47
48 **Councilmember Ray:** I would like to check in on the portable (septic) truck and see where is the
49 appointment to get that fixed. Hopefully, the portable toilets are being ordered and they are on
50 the way. The power will be going out here in the next few weeks. The State of Emergency is for
51 down here too. I had an 80-year-old who didn't have any heat, she was cuddled up on her bed
52 with blankets, because someone stole her generator. Basically, I was told she's SOL. I mean how
53 does that work?

54
55 **Councilmember Vanlandingham:** Pass.

56
57 **Vice Chairman Myers:** I want to extend my gratitude for our staff and Humboldt County who
58 has been search and rescue. Our resolution did extend to our ancestral territory and our service
59 area. The state is sending more resources. Our staff is doing an incredible job above and
60 beyond. And our community members who are not being compensated at all and they are still
61 pitching in and helping.

62
63 **Councilmember Provolt:** Pass.

64
65 **Chairman James:** Don, please have staff be prepared to give Council an update on State of
66 Emergency and assistance being offered to the membership later today.

67
68 **TRIBAL MEMBER COMMENT:**
69 Lottie Ammon: This is in regards to the State of Emergency and our elders. Thank you to Frankie
70 and Toby for reaching out to me. I called PG&E for help with the CPAP machine. Each district
71 needs to find how many members have a CPAP machine and PG&E will provide a generator.
72 The generators given out by the Tribe only run 8 hours on 5 gallons of gas. For this Tribal
73 Member I was able to get the battery pack, through the Tri-County Assisted Living, it would be
74 good to have the tribe work with them or have something like this. CPAP are life and death.
75 When Tommy was in here, he was always elders, elders and elders. Now, there is a family that
76 needs a pole replaced, and homeowners insurance will not cover.

77
78 Celinda Gonzalez: I feel like we could've been more prepared for this. A State of Emergency
79 should have been declared after the first storm, not the later ones. OES could have been more
80 lined up to help people. We all need to be on the same page, we all need to know what's going
81 on. We should have had a plan in place. I have been saying this since 2016. I was telling the
82 OES person at that time and I believe his name was Shawn/Sean. I am really grateful for the
83 staff who worked all weekend, took time away from their families, to help out our community
84 members. I feel like we need to be a little bit more organized and have a better plan.

85
86 **EXECUTIVE SESSION:**
87 Fisheries Update

88 Personnel (Ray)
89 P23-008 Property

90

91 **CONSENT AGENDA ITEMS:**

92 **Yurok Health & Human Services Division**

93 *Client Services*

94 YHHS23-019, LIHEAP FY23 Additional Survey

95 Submitted by Springwind Marshall

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve the acceptance of the additional \$18,067.00 for the Low Income Home Energy Assistance Program (LIHEAP) Fiscal Year 23 funds, Project Code #8302, from the Administration of Children & Families, and approve updated budget modification. Motion carries by consensus.

100

101 *Tribal Court*

102 TC23-007, Office of Violence Against Women

103 Submitted by Angi Cavaliere

Motion made by Councilmember Vanlandingham/Councilmember Williams to retro-approve the application for the Office of Violence against Women Fiscal Year 2023 Legal Assistance for Victims Grant Program Expanding Legal Services Initiative: authorize Chair to sign all appropriate paperwork, and authorize Fiscal to create a new budget when awarded. Motion carries by consensus.

109

110 **Natural Resources Division**

111 *Fisheries Department*

112 FISH23-025, National Fish & Wildlife Foundation

113 Submitted by Barry McCovey, Jr.

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve the Fisheries Department requests authorization to submit a grant application to the National Fish & Wildlife Foundation for a McGarvey Creek Coho project. Motion carries by consensus.

117

118 FISH23-026, US Fish & Wildlife Service Grant

119 Submitted by Barry McCovey, Jr.

Motion made by Councilmember Vanlandingham/Councilmember Williams to authorize the Fisheries Department to submit grant application to the US Fish & Wildlife Service for funding to support Lower Klamath Planning and Fall Chinook Escapement related projects. Motion carries by consensus.

124

125 **Office of Tribal Attorney**

126 OTA23-012, Addendum to Jadewood Contract

127 Submitted by Kori Cordero

Motion made by Councilmember Vanlandingham/Councilmember Williams to retroactively approve the attached contract amendment, with OTA edits. Motion carries by consensus.

130

131 **Council**

132 CA23-069, Council Meeting Minutes-February 2023

133 Submitted by Secretary Provolt

134 **Motion made by Councilmember Vanlandingham/Councilmember Williams to approve**
135 **meeting minutes of February 21st Gaming; February 21st Finance; February 22nd Planning and**
136 **February 23rd Action Meeting with edits. Minutes attached. Motion carries by consensus.**

137

138 **EXECUTIVE SESSION:** 10:45am -11:20am

139 Emergency item discussed regarding Public Health Vaccine Program.

140 Direction provided.

141

142 **AGENDA ITEMS:**

143 **Wildland Fire Department**

144 FIRE23-003, Work Session with Redwood Nation Park

145 Submitted by Rod Mendes

146 **Motion made by Councilmember Williams/Councilmember Vanlandingham to enter into an**
147 **agreement with Redwood National Park for Women in Fire Program and waive indirect for 1**
148 **(one) year and have Chairman sign all relevant document. Motion carries by consensus.**

149

150 FIRE23-004, Culture Fire Management Council 2023 Work Plan

151 Submitted by Rod Mendes

152 **Motion made by Councilmember Natt/Councilmember Crawford to approve the 2023**
153 **Cultural Fire Management Council Annual Work Plan. ~~with the following provisions with~~**
154 **~~edits. 1) All Prescribed fire burn plans will be submitted to Yurok Fire for Concurrence~~**
155 **~~regardless of land status prior to submission to Cal Fire. 2) Yurok Fire will submit all~~**
156 **~~Prescribed Fire Burn Plans for trust Lands to the BIA. 3) Yurok Fire will provide the incident~~**
157 **~~Commander for all Training Exchange (Trex) event. Motion carries by consensus.~~**

158

159 **Executive Office**

160 ExDir23-011, Human Resources Director Job Description

161 Submitted by Don Barnes

162 **Motion made by Councilmember Provolt/Vice Chairman Myers approve Human Resources**
163 **Director Job description with edits (provided by Councilmember Provolt). Motion carries by**
164 **consensus.**

165

166 **Health and Human Service Division**

167 *Education Department*

168 EDU23-010, Language Program FY23-24 Budget

169 Submitted by Victoria Carlson

170 **Motion made by Councilmember Williams/Councilmember Crawford to approve Yurok**
171 **Language Program FY23-24 Budget – Planting Seeds Project. Motion carries by consensus.**

172

173 EDU23-012, Head Star/Early Head Start new FY 23-24 budget

174 Submitted by Jim McQuillen

175 **Motion made by Councilmember Williams/Vice Chairman Myers to approve the new 23-24FY**
176 **application and budget for Head Start/Early Head Start, effective 6/1/23. Motion carries by**
177 **consensus.**

178
179 EDU23-013, Three Career Fairs
180 Submitted by Jim McQuillen

181 **Motion made by Councilmember Williams/Councilmember Provolt for Council to review and**
182 **approve the 3 Career Fairs and direct all Yurok Programs and Departments to participate in**
183 **the career fairs. Motion carries by consensus.**

184
185 EDU23-014, Retention Bonuses for Head Start/Early Head Start Staff
186 Submitted by Jim McQuillen

187 **Motion made by Councilmember McCovey/Councilmember Williams to approve a one-time**
188 **retention bonus of \$750 (plus fringe) for currently employed Head Start/ Early Head Start**
189 **staff. Head Start/Early Head Start will use their remaining ARP funds to issue these bonuses.**
190 **(Note, Head Start Staff continue to be some of our lowest paid staff). Motion carries by**
191 **consensus.**

192
193 *Client Services*
194 YHHS23-013, Increase TANF Case Aide by 21%
195 Submitted by Madison Green

196 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve Yurok**
197 **Tribal TANF Program to increase monthly assistance cash-aide by 35% effective 10/1/2022.**
198 **Roll call: Vice Chairman Myers-yes, Councilmember Crawford-no, Councilmember Ray-no,**
199 **Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Williams-**
200 **no, Councilmember McCovey-no, Councilmember Natt-yes. Yes-3, No-5, abstaining-0, Not**
201 **present-0. Motion denied.**

202
203 **TRIBAL MEMBER COMMENT:**
204 Che'shepe James: I want to mention that the properties on Tulley Creek are low income tax
205 credit and can we do a comparison of those guidelines.

206
207 Amanda Wilson: Requa District, can any of these funds be used for education alone? The funds
208 we have now are quite limited. Maybe that would be a possibility?

209
210 **Statements for the Record:**
211 Councilmember Provolt: We need to look at housing and other services and see if this increase
212 effects other services.

213
214 Councilmember McCovey: All of the information was not presented with the original motion.

215
216 Councilmember Vanlandingham: I was on TANF years ago, just my son and I, and it was tough
217 back then. The amount we pay our families is the same amount today as we provided to them
218 did back then and everything now costs so much more.

219

220 Councilmember Ray: I think there are other programs and services to increase that won't have
221 a negative effect on like Housing and other programs that they qualify for like assistance for
222 school clothes, paying your light bill, and things like that.

223
224 Councilmember Crawford: We have known about this for 5 years, we have been looking at this
225 for such a long time. We need to do our due diligence on the effect of the increase to 35%.

226
227 **Motion made by Councilmember Williams/Councilmember Ray to approve Yurok Tribal TANF**
228 **Program to increase monthly assistance cash-aid by 21% effective 10/1/2022. Roll call: Vice**
229 **Chairman Myers-no, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember**
230 **Vanlandingham-no, Councilmember Provolt-yes, Councilmember Williams-yes,**
231 **Councilmember McCovey-yes, Councilmember Natt-yes. Yes-6, no-2, abstaining-0, not**
232 **present-0. Motion carries.**

233
234 **Statements for the Record:**

235 Vice Chairman Myers: Just for the record, we don't have a report from our consultant. We don't
236 have a report saying that it won't negatively impact other services for our members.

237
238 Councilmember Vanlandingham: This amount is too low, we need to raise it higher.

239
240 **TRIBAL MEMBER COMMENT:**

241 Elizabeth Davis: Can we make TANF payments exempt? So that it wouldn't effect YIHA or
242 housing? Even if it comes from the Tribe and its federal funding?

243
244 **LUNCH:** 12:39pm-1:45pm

245
246 **TRIBAL MEMBER COMMENT:** None provided.

247
248 **AGENDA ITEMS:**

249 **Planning & Community Development Division**

250 *Transportation Department*

251 T23-001, Cooperative Agreement Save the Redwoods League

252 Submitted by Brandi Natt

253 **Motion made by Councilmember Williams/Councilmember McCovey to approve a**
254 **Cooperative Agreement and Resolution #22-134 Limited Waiver of Sovereign Immunity**
255 **between Save the Redwoods League and the Yurok Tribe for the \$20,000 and authorize the**
256 **Chairman to sign all related documents. The work will be performed by the Yurok Trail Crew.**
257 **Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes,**
258 **Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-**
259 **yes, Councilmember McCovey-yes, Councilmember Natt-yes. Yes-8, no-0, abstaining-0, not**
260 **present-0. Motion carries.**

261
262 *Planning Department*

263 P23-016, Approval of Indian Health Services Memorandum of Agreement

264 Submitted by Che'shepe James-Robinson

265 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve and**
266 **authorize Chairman to sign Indian Health Service MOA CA22-j25 and any associated minor**
267 **amendments to project. Indian Health Services to provide water and wastewater assistance**
268 **to six Tribal Households. Motion carries by consensus.**

269
270 **Natural Resources Division**

271 *Fisheries Department*
272 FISH23-021, Fisheries Funding Opportunities
273 Submitted by Barry McCovey, Jr.

274 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham the Fisheries**
275 **Department requests approval to apply for various funding opportunities to support high**
276 **priority restoration projects in FY2023 and FY2024 as detailed in attached documentation.**
277 **Motion carries by consensus.**

278
279 **Council**

280 CA22-312, Increase of Burial Assistance
281 Submitted by Councilmember Williams

282 **To Increase Burial Assistance for Tribal Member to \$7,00.00. Item tabled to next finance**
283 **meeting 3/21/23.**

284
285 **TRIBAL MEMBER COMMENT:**

286 Celinda Gonzales: A lot of Tribal members have used that funding, but the cost of plots have
287 gone up. We also use Pauls Chapel in Arcata a lot. Maybe we could meet with them or have
288 they come to Council meeting.

289
290 CA23-028, Waiver of Tribal Member Past Due Water Bill
291 Submitted by Councilmember Ray

292 **Motion made by Councilmember Ray/Vice Chairman Myers to approve waiver of Tribal**
293 **Member Past Due Water Bill. Motion carries by consensus.**

294 *Michael Maranger, CFO recommendation is to write it off the current bill.*
295

296 CA23-061, Lost Coast Wind Contract Extension
297 Submitted by Vice Chairman Myers

298 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to authorize staff to**
299 **negotiate and execute of Lost Coast Wind Contract for an additional nine months and allocate**
300 **\$26,000 from budget _____. Item tabled to the next Planning meeting.**

301
302 CA23-062, Travel to Washington, DC
303 Submitted by Councilmember Williams

304 **Motion made by Councilmember McCovey/Councilmember Crawford to approve travel to**
305 **Washington DC for “March on Washington” Event, March 27-31st, 2023 for Councilmember**
306 **Williams. Travel will be paid for UIHS. Motion carries by consensus.**

307
308 CA23-063, Funding to Upriver School Year Books

309 Submitted by Vice Chairman Myers

310 **Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve on**
311 **providing funds for River Schools (Weitchpec, Orleans, and Jack Norton) Year Books, in the**
312 **amount of \$700 which will be funded by Vice Chairman Youth Fund - \$200, Weitchpec Travel**
313 **Fund- \$200, Pecwan Community Fund- \$200 and East District Youth Fund- \$100. Check to**
314 **made out to Tanisha Warden. Motion carries by consensus.**

315
316 CA23-064, Comment Letter for EPA Proposed Rule
317 Submitted by Vice Chairman Myers

318 **Motion made by Councilmember Provolt/Councilmember William to approve a letter**
319 **requesting a government to government for EPA's proposed fund that would establish a**
320 **national framework to protect tribal reserved rights in State Water Quality Standards. OTA**
321 **will write the letter. Motion carries by consensus.**

322
323 Chairman James leaves the Council Meeting to meet with Tribal Members

324
325 CA23-072, Donation to Nakieda Nova for travel expenses
326 Submitted by Councilmember Natt

327 **Motion made by Councilmember Ray/Councilmember Natt to approve Community Donation**
328 **to Nakieda Nova from Pecwan District funds and any other District funds able to donate to**
329 **the requested travel expenses. Donation to be funded by Pecwan District Community Funds-**
330 **\$250, North District Travel Funds-\$250, Vice Chairman Community Funds- \$250, TERO- \$250,**
331 **South District Community Fund- \$250, Requa District Travel-\$250, Orick District Travel Fund**
332 **\$250; Weitchpec Travel Funds- \$250 and East District Travel Fund- \$200, equals \$2,200.**
333 **Motion carries by consensus.**

334
335 **TRIBAL MEMBER COMMENT:**

336 Nakieda Nova: I want to attend this Construction Conference in Nevada. It happens once every
337 3 years. I want to start my own flagging company and this would be a good place for me to
338 start. I really appreciate any help Council can give me. I'll come back and tell you about it.

339
340 CA23-065, Alcohol Tax Distribution
341 Submitted by Councilmember Provolt
342 Discussion on the TERO 30% Alcohol Tax distribution and for Council to consider redistributing
343 these funds for other Tribal services i.e. Cultural Resources and Elder Services.

344 **Motion made by Councilmember Provolt/Councilmember Vanlandingham to set a TERO work**
345 **session on March 17, 2023 at 12pm. Motion carries by consensus.**

346
347 CA23-066, Power Pole Repair Assistance
348 Submitted by Councilmember Williams

349 **Discussion/Action to assist Tribal Member with funds to help with power pole repairs from**
350 **storm damage. Total costs = \$1,000. Councilmember Williams is donating \$250 from his travel**
351 **budget. Discussion continued to use Community Funds as follows: Councilmember Williams-**
352 **\$250; Chairman \$250, Councilmember Provolt-\$200; and Emergency Fund - \$300.**

353

354
355 CA23-067, Redwood Coast Energy Authority JPA Board of Delegate
356 Submitted by Vice Chairman Myers

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Vice Chairman Myers as the delegate and Councilmember Provolt to the Redwood Coast Energy Authority Joint Powers Agreement Board. Motion carries by consensus.

360
361 YHHS23-018, 50% Unemployment Verification Survey
362 Submitted by Tasha James

Motion made by Councilmember Williams/Councilmember Ray to approve Chairman to sign 50% Unemployment Verification form for Yurok Tribal TANF Program. Motion carries by consensus.

366
367 OTA23-019, Application for 2023 NAGPRA Consultation/Documentation
368 Submitted by Alex Mesher

Motion made by Councilmember Williams/Councilmember Provolt to authorize submission of a grant application for the 2023 NAGPRA consultation/Documentation Grant for repatriation work with UC Berkeley with OTA and THPO edits. Motion carries by consensus.

372
373 YHHS23-015, Office Lease Agreement Approval
374 Submitted by Shoshoni Gensaw

Motion made by Councilmember Ray/Councilmember Williams to approve office building lease and Resolution #23-32 Limited Waiver of Sovereign Immunity in favor Moser Properties of the Noh-sue-no-wow' Program with OTA edits. One year lease at \$715 per month with a \$715 deposit. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-yes, Councilmember McCovey-yes, Councilmember Natt-yes. Yes-8, no-0, abstaining-0, not present-0. Motion carries.

382
383 **Break:** 2:57pm -3:05pm

384
385 **EXECUTIVE SESSION:** 3:10pm – 3:30pm

386 Fisheries Update
387 No Action out of this Executive Session

388
389 **Wildland Fire Department**

390 FIRE23-003, Work Session with Redwood Nation Park (scheduled at 3:30pm)

391 Submitted by Rod Mendes
392 Guests: Karin Grantham, NPS

Motion made by Councilmember Williams/Councilmember Vanlandingham to enter into an agreement with Redwood National Park for Women in Fire Program and waive indirect for 1 (one) year and have Chairman sign all relevant document. Motion carries by consensus.

396
397 **EXECUTIVE SESSION:** 4:05pm – 5:05pm

398 P23-008 Property

399 Personnel (Ray)
400
401 Action out of Executive Session
402 P23-008, Property Purchase
403 Submitted by Marion Frye

To approve the Planning Department to negotiate property purchase, and to authorize Chairman to sign all necessary purchase documents, including resolution 23-22 granting a limited waiver of sovereign immunity in connection with the purchase agreement, and in favor of the seller, the Estate of Sherry Natt. Item pulled.

408
409 **TRIBAL MEMBER COMMENT:** None provided.
410
411 **CLOSING PRAYER:** Provided by Chairman James.

412
413 **ADJOURN:** 5:08pm

414
415 **MEETING MINUTES APPROVED ON:**

March 22, 2023

416
417 

03/29/2023

418
419 **Sherri K. Provolt, Secretary**

Date