

**YUROK TRIBAL COUNCIL
ACTION MEETING
Thursday, JANUARY 13, 2022
<https://www.gotomeet.com/yuroktribe>**

ROLL CALL: 10:00am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairperson; Sherri Provolt, Orick District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Lori Hodge, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District.

ABSENT: Lana McCovey, South District (arrives 10:20am – technical issues).

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

QUORUM: 8 present, 1 absent, quorum present.

OPENING PRAYER: Provided by Chairman James.

REVIEW CALENDAR/ADDITIONS: None.

REVIEW AGENDA /ADDITIONS /APPROVAL:

ExDir22-001, COVID Emergency Sick Leave Policy

CA22-009, Potential Land Purchase

OTA22-001, Klamath Community Services District Land Use Permit

Motion by Vice Chairperson Myers/Councilmember Ray to accept the agenda with additions including ExDir22-001, CA22-009, Potential Land Purchase, and OTA, Klamath Community Services District Land Use Permit. Motion carries by consensus.

INTRODUCTION OF NEW EMPLOYEES: None.

COUNCIL CHECK IN:

Councilmember Provolt: Pass

Councilmember Natt: Pass

Councilmember Vanlandingham: Pass

Councilmember Williams: Pass

Councilmember Hodge: Pass

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44
45 Councilmember Ray: Pass

46
47 Vice Chairperson Myers: Pass

48
49 Chairman James: Just a little update. I will need to jump of today’s meeting for about fifteen to
50 twenty minutes for a call. I got a message late last night from PaWee Riveria, who is the White
51 House Tribal Advisor. I’ll be getting on this call between 10:30am and 11:30am about the
52 importance of the Infrastructure Bill. They are reaching out to us as we did support the Biden’s
53 Infrastructure Bill. Our staff has been doing a lot of work on the ground. They just want to hear
54 our needs, our wants, implementation solutions, and the impact it provides for Yurok. I do have
55 to log off soon and Vice Chairman will chair the meeting for fifteen to twenty minutes.

56
57 **REVIEW AGENDA /ADDITIONS /APPROVAL:**

58 **Motion by Councilmember Vanlandingham/Councilmember Williams to suspend rules and**
59 **add YHHS21-071. Motion carries by consensus to suspend the rules.**

60
61 **Council consensus to add YHHS21-071 as an emergency item to the Council agenda.**

62
63 **TRIBAL MEMBER COMMENT:**

64 Jolene Hansen – Gensaw: I have an open CPS case in Del Norte County. I’ve been fighting with
65 them for three years now. One of the ladies there got moved to the Yurok Tribal Social Services.

66
67 Executive Director Don Barnes stops comment period to discuss privately with Tribal member
68 due to confidentiality.

69
70 Nicole Provolt: Good morning Council. I just wanted to let you know that this is Nicole Provolt
71 and I’m calling in today. So I maybe showing up as a caller. I wasn’t sure how to notify you. I’m
72 notifying you right now. Thank you.

73
74 **EXECUTIVE SESSION:**

75 Personnel (HR21-004 – Councilmember Provolt)
76 Land acquisition (CA22-009 – Chairman James)
77 Personnel (YEDC21-024 – Chairman James)

78
79 **CONSENT ITEMS:**

80 **Education**

81 EDU22-001, Tribal Comments on New Vaccination & Mask Rules
82 Submitted by Jim McQuillen

83 **Motion by Councilmember Provolt/Councilmember Natt to authorize the Chairman to sign,**
84 **retroactively, the comments developed with OTA on the vaccination and mask requirements**
85 **for all head start staff. Motion carries by consensus.**

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87 **Ner-Gery 'Oohl/Health & Human Services**
88 YHHS21-075, Retiring Title IV-E Tribal Access ORI
89 Submitted by Tamara Honrado

90 **Motion by Councilmember Provolt/Councilmember Natt to request retroactive approval of**
91 **Chairman's signature letter to United States Department of Justice retiring Tribal Access ORI.**
92 **Motion carries by consensus.**

93
94 YHHS21-077, End of Year BIA funding request
95 Submitted by Tamara Honrado

96 **Motion by Councilmember Provolt/Councilmember Natt to request retroactive approval of**
97 **Chairman's signature on the funding request and any associated documents. Motion carries**
98 **by consensus.**

99
100 **AGENDA ITEMS:**

101 **Ner-gery 'Oohl/Health & Human Services**
102 YHHS21-066, California Tribal Families Coalition Contract
103 Submitted by Valerie Ryles

104 **Motion by Councilmember Vanlandingham/Councilmember Williams to approve YHHS21-**
105 **066-California Tribal Families Coalition (CTFC) Contract (January to June 2022) as part of the**
106 **Title IV-E Program Plan to renegotiate the State Agreement, revision of Tribal Policy &**
107 **Procedures and necessary forms, and approve the Chairman to sign all contracts and**
108 **agreements developed from this contract. Motion carries by consensus.**

109
110 **Tribal Court**
111 TC21-023, To'Kee Skuy' Soo Ney-wo-chek'
112 Submitted by Angi Cavaliere

113 **Motion by Vice Chairperson Myers/Councilmember Provolt to approve the contract with Dr.**
114 **Jessica Elm for data collection and analysis in conjunction with the To'Kee Skuy' Soo Ney-wo-**
115 **chek' MMIW Program and authorize Chairman to sign. Motion carries by consensus.**

116
117 **Fire**
118 FIRE22-001, Yurok Tribe and Cultural Fire Management Council MOU
119 Submitted by Rod Mendes

120 **Motion by Vice Chairperson Myers/Councilmember Hodge to approve the MOU between the**
121 **Yurok Tribe and Culture Forest Management Council (CFMC) for a period of three (3) years**
122 **starting January 1, 2025. Designating the Yurok Fire Department as lead contact for the Yurok**
123 **Tribe in all matters related to CFMC and Culture Fire with edits. Motion carries by consensus.**

124
125 Chairman James steps out for White House call 10:30am, Vice Chairperson Myers chairing the
126 meeting.

127
128 **Fisheries**

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129 FISH22-001, Sea Grant Application with Oregon State
130 Submitted by Barry McCovey, Jr.

Motion by Councilmember Hodge/Councilmember Williams to authorize the Fisheries Department to partner with Oregon State University on a grant submission to the Oregon Sea Grant initiative to support Tribal participation during and following dam removal and to authorize Chairman's signature on the attached support letter. Motion carries by consensus.

135
136 Councilmember McCovey arrives 10:20am.

137
138 **Planning & Community Development**

139 P21-083, Clean California Local Grant Program
140 Submitted by Henry Solares

Motion by Councilmember Natt/Councilmember Hodge to authorize the Planning Department to submit a grant to the Clean California Local Grant Program and authorize Chairman to sign all necessary documents, including Resolution #21-135. The application is due February 1, 2022 and will include a request for \$5 million dollars to beautify the Klamath River/Highway 169 corridors with edits. Motion carries by consensus.

146
147 Break: 10:45am - 11:00am

148
149 **Council**

150 CA22-001, Pek-tah Church Sign
151 Submitted by Councilmember Vanlandingham
152 Requested motion to approve community donation of \$250 from Budget 50 and GL 6392 and
153 donation of \$_____ to replace the Pek-tah Church sign (note: sign was destroyed during the
154 CalTrans Pek-Tah wall project.

155 **Council consensus to table until next round.**

156
157 Chairman James returns to the meeting at 11:05am.

158
159 **Ner-gery 'Oohl/Health & Human Services**

160 Submitted by Tamara Honrado
161 YHHS21-071, Legal Services Contract

Motion by Vice Chairperson Myers/Councilmember Natt to approve legal services contract and Resolution #21-140 with a Limited Waiver of Sovereign Immunity in favor of Foreman and Associates for dispute resolution in Yurok Tribal Court and authorize Chairperson to sign all associated documents with edits. Funding to come from Budget 50 GL 6060. Motion carries by consensus.

167
168 **Office of Tribal Attorney**

169 Submitted by Maggie Poffenbarger
170 OTA22-001, Land Use Permit for Klamath Community Services District

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171 **Motion by Vice Chairperson Myers/Councilmember Ray to review and approve Land Use**
172 **Permit for Klamath Community Service District water tank, and Resolution #22-004, a Limited**
173 **Waiver of Sovereign Immunity in favor of the District, and authorize Chairman to sign and**
174 **Secretary to attest with edits. Motion carries by consensus.**

175
176 **Executive Office**

177 ExDir22-001, Emergency Sick Leave Policy
178 Submitted by Don Barnes and Rose Sylvia

179 **Motion by Councilmember Vanlandingham/Vice Chairperson Myers to approve modification**
180 **to Personnel Policy, Chapter 10, Sections 6.1 and 6.2 “Emergency Sick Leave Policy” with**
181 **edits, and final review by OTA. Effective January 1, 2022 to December 31, 2022. Motion**
182 **carries by consensus.**

183
184 **LUNCH:** 11:55am - 1:00pm

185
186 **TRIBAL MEMBER COMMENT:** None provided.

187
188 **EXECUTIVE SESSION:** 1:03pm - 3:15pm

189
190 **Action out of Executive Session:**

191 **Council**

192 CA22-009, Potential Land Purchase
193 Submitted by Chairman James
194 Requested Motion: Executive Session on potential land purchase in ancestral territory

195 **Motion by Vice Chairperson Myers/Councilmember Provolt to issue directive to staff to**
196 **negotiate purchase price for property in ancestral territory as discussed in Executive Session.**
197 **Motion carries by consensus.**

198
199 **Human Resources**

200 HR21-024, COO Job Description Draft
201 Submitted by Rose Sylvia

202 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve the job**
203 **description for Chief Operations Officer with edits. Roll Call: Vice Chairperson Myers-yes,**
204 **Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes,**
205 **Councilmember Provolt-no, Councilmember Natt-no, Councilmember Williams-yes,**
206 **Councilmember McCovey-yes. Yes-6, No-2, Abs-0, Not present-0. Motion carries.**

207
208 **Council**

209 CA21-004, Eureka Office-3rd Street
210 Submitted by Councilmember McCovey

211 **Motion by Vice Chairperson Myers/Councilmember Williams to designate staff to have**
212 **current tenants of the upstairs offices at the Eureka – Third Street office be served a thirty**

213 (30) day notice of eviction. To designate staff to finalize plans for upstairs renovation
214 (including IT Services, etc.) and to present a scope-of-work and budget as previously agreed
215 by Council action. Final directive for staff to bring back a full plan, including information
216 about the eviction process to Council by April 2022. Motion carries by consensus.

217
218 **Yurok Economic Development Corporation**

219 YEDC21-024, Board Vacancy

220 Submitted by Sara Barbour

221 **Motion by Councilmember Vanlandingham/Vice Chairperson Myers to approve appointment**
222 **pursuant to Yurok Tribe constitutional authority, Chairman James appoints Linda Cooley, to**
223 **the Yurok Economic Development Corporation with the advice and consent of the Yurok**
224 **Tribal Council. Roll Call: Vice Chairperson Myers-yes, Councilmember Hodge-yes,**
225 **Councilmember Ray-no, Councilmember Vanlandingham-yes, Councilmember Provolt-**
226 **abstain, Councilmember Natt-no, Councilmember Williams-no, Councilmember McCovey-no.**
227 **Yes-3, No-4, Abs-1, Not present-0. Motion denied.**

228
229 YEDC21-024a, Board Vacancy

230 Submitted by Sara Barbour

231 **Motion by Vice Chairperson Myers/Councilmember McCovey to approve appointment**
232 **pursuant to Yurok Tribe constitutional authority, Chairman James appoints Michael Smith, to**
233 **the Yurok Economic Development Corporation with the advice and consent of the Yurok**
234 **Tribal Council. Roll Call: Vice Chairperson Myers-yes, Councilmember Hodge-yes,**
235 **Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Natt-yes,**
236 **Councilmember Provolt-abstain, Councilmember Williams-yes, Councilmember McCovey-yes.**
237 **Yes-6, No-1, Abs-1, Not present-0. Motion approved.**

238
239 **TRIBAL MEMBER COMMENT:** None provided.

240
241 **CLOSING PRAYER:** Provided by Vice Chairperson Myers.

242
243 **ADJOURN:** 3:35pm

244
245 **MEETING MINUTES APPROVED ON:**

February 15, 2022

246
247 
248 _____
249 **Sherri K. Provolt, Secretary**

02/2202022

Date