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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Councilmember Ray: Pass

Vice Chairperson Myers: Pass

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

REVIEW AGENDA /ADDITIONS /APPROVAL:

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

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

TRIBAL MEMBER COMMENT:

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

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

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

EXECUTIVE SESSION:

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

CONSENT ITEMS:

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

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

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Ner-Gery ‘Oohl/Health & Human Services
YHHS21-075, Retiring Title IV-E Tribal Access ORI
Submitted by Tamara Honrado

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

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

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

AGENDA ITEMS:

Ner-gery ‘Oohl/Health & Human Services
YHHS21-066, California Tribal Families Coalition Contract
Submitted by Valerie Ryles

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

Tribal Court
TC21-023, To’Kee Skuy’ Soo Ney-wo-chek’
Submitted by Angi Cavaliere

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

Fire
FIRE22-001, Yurok Tribe and Cultural Fire Management Council MOU
Submitted by Rod Mendes

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

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

Fisheries

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FISH22-001, Sea Grant Application with Oregon State
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.

Councilmember McCovey arrives 10:20am.

Planning & Community Development
P21-083, Clean California Local Grant Program
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.

Break: 10:45am - 11:00am

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

Council consensus to table until next round.

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

Ner-gery ‘Oohl/Health & Human Services
YHHS21-071, Legal Services Contract
Submitted by Tamara Honrado

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.

Office of Tribal Attorney
Submitted by Maggie Poffenbarger
OTA22-001, Land Use Permit for Klamath Community Services District

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

Executive Office
ExDir22-001, Emergency Sick Leave Policy
Submitted by Don Barnes and Rose Sylvia

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

LUNCH: 11:55am - 1:00pm

TRIBAL MEMBER COMMENT: None provided.

EXECUTIVE SESSION: 1:03pm - 3:15pm

Action out of Executive Session:
Council
CA22-009, Potential Land Purchase
Submitted by Chairman James
Requested Motion: Executive Session on potential land purchase in ancestral territory

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

Human Resources
HR21-024, COO Job Description Draft
Submitted by Rose Sylvia

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

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

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

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

Yurok Economic Development Corporation
YEDC21-024, Board Vacancy
Submitted by Sara Barbour

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

YEDC21-024a, Board Vacancy
Submitted by Sara Barbour

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

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Vice Chairperson Myers.

ADJORN: 3:35pm

MEETING MINUTES APPROVED ON: February 15, 2022

Sherri K. Provolt, Secretary

Date