ROLL CALL: 10:02am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District, Lana McCovey, South District (11:10am)

ABSENT: None.

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

QUORUM: 9 present, 0 absent, quorum present.

OPENING PRAYER: Provided by Vice Chairman Myers.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve the agenda with additions of OTA23-056, OTA23-058, OTA23-059, OTA23-060, THPO23-013, CA23-264, and OSG23-12. Motion carries by consensus.

CALENDAR: No new calendar items provided.

COUNCIL CHECK IN:

Councilmember McCovey – Not Present
Councilmember Williams – Pass
Council Member Provolt – Pass
Councilmember Vanlandingham – Pass
Councilmember Ray – Pass
Councilmember Crawford – Pass

Vice Chairman Myers – I have been working on Offshore Winds meetings/events. We currently have 38 free tickets to visit a site in southern California. November 13th is the next meeting.

Chairman James – Vice Chairman Myers if you would please provide Council with the location and dates of the Offshore Winds Conference you are working on, that would be great. I have nothing new to add. Thank you.
TRIBAL MEMBER COMMENT:
Ruthie Maloney:

- In regards to the marine protected areas and the work that John Corbett and I have continued to do since about 13 years ago. The Press release that came out regarding the resolution or a statement from three different tribes. I would like to know if the council supports being part of the negotiations. I put the MOU in with Tim Hayden in the Natural Resources Department to help develop the marine department and I am just checking to see if that where that might have been.

- There are a lot of questions being raised regarding the marine boundaries, the 700 miles from Trinidad to the Oregon border. And I just wonder what your position is on it?

EXECUTIVE SESSION:

OTA23-056 – CORE Hub NDA
OTA23-059 – Opioid Litigation
CA23-264 – Business Property for Telecommunications
Personnel (Williams)
Personnel (Crawford)
Legal (Provolt)
OTA Litigation Update

CONSENT ITEMS:
Office of Tribal Attorney
OTA23-057, Letter to California Department of Technology
Submitted by Alex Mesher

Motion made by Councilmember Ray/Councilmember Natt to retroactively approve letter to California Department of Technology regarding construction of the state Middle Mile Broadband Network on the Yurok Reservation. Motion carries by consensus.

AGENDA ITEMS:

Tribal Heritage Preservation Officer & Culture Department
THPO23-009, Stantec Contract
Submitted by Rosie Clayburn

Motion made by Vice Chairman Myers/Councilmember Natt to deny a contract with Stantec Consulting for Culture Resources work for PG&E and Res #23-82, a Limited Waiver of Sovereign Immunity in favor of Stantec. To not Authorize Chairman to sign all relevant documents and secretary to attest. Motion carries by consensus.

Executive Office
Office of Self Governance
OSG23-010, Affiliated Tribes of Northwest Indians Resolution Renewal
Submitted by Megan Siaosi

Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve the revisions to the Affiliated Tribes of Northwest Indians (ATNI) Resolutions to renew membership for the Fiscal Year 2023-2024 and appoint a new Councilmember Williams as
Delegate and Councilmember McCovey as alternate and add all of Council to the Resolution.
Motion carries by consensus.

OSG23-011, Indian Health Services Fiscal Years 2022 & 2023
Submitted by Megan Siaosi

Motion made by Councilmember Natt/Councilmember Vanlandingham to approve Indian Health Services Letter of Support for a Small Ambulatory Program Grant application and authorize Chairman as the signatory. Roll call: Vice Chairman Myers-no, Councilmember Crawford-abs, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-no, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np, Chairman James-yes. Yes-4, No-3, Abstaining-1, Not present 1. Motion carries

Council

CA23-250, RES 2023 Attendance & Travel
Submitted by Taralyn Ipina

Motion made by Councilmember Vanlandingham/Councilmember Natt to approve attendance and Travel to RES 2024, March 11-14 in Las Vegas, NV for interested Councilmembers and staff. Motion carries by consensus.

CA23-251, CNA Training & Recruitment
Submitted by Councilmember Williams

Motion made by Councilmember Natt/Councilmember Williams to direct TERO Department to start the process to recruit Tribal Members for a career in nursing. Look into creating a CNA course on the Reservation. Motion carries by consensus.

CA23-256, Health Resources & Services Administration Tribal Advisory Committee
Submitted by Councilmember McCovey

Motion made by Councilmember Natt/Councilmember Vanlandingham to nominate Councilmember McCovey to serve a Delegate on the Health Resources & Services Administration Tribal Advisory Committee and authorize Chairman James to sign nomination. Motion carries by consensus.

CA23-258, August 23, 2023, Council Meeting minutes
Submitted by Councilmember Provolt


BREAK: 10:44am-11:00am

AGENDA ITEMS:
Emergency Services Division

Fire Department

FIRE23-010, Six Rivers Lightning Complex Fires Update
Submitted by Rod Mendes

Inter-agency incident Management Team Eastern Team Gold to do a 30 minute in person update with Q&A to Council on the Six Rivers Lightning Complex Fires. Set for Thursday, September 28 at WTO. Discussion only, no action.

11:10 Councilmember McCovey joins Council Meeting

THPO23-013, Nature Based Solutions Tribal Grant
Submitted by Rosie Clayburn

Motion made by Councilmember Natt/Councilmember Provolt to approve the submission of attached grant application to the Nature Based Solutions Tribal Grant Program and authorize Chairman and Secretary to attest to all relevant grant documents and Resolution #23-116. Motion carries by consensus.

OSG23-12, Letter of Support for Native CDFI Network
Submitted by Megan Siaosi

Motion made by Councilmember Natt/Councilmember Ray to approve submitting a letter of support for Native CDFI Network (NCN) grant application for the EPA-R-HQ-CCIA-23 Clean Communities Investment Accelerator (CCIA) program. Motion carries by consensus.

OTA23-058 2023, Treatment as State Application
Submitted by Melodie Meyer

Motion made by Councilmember Crawford/Councilmember Natt to submit the Yurok Tribe’s treatment as State Application under the Federal Clean Water Act to the Environmental Protection and to approve Resolution #23-114. Motion carries by consensus.

OTA23-060, YTEL Corporation Certificate of Good Standing
Submitted by Christine Williams

Motion made by Councilmember Natt/Councilmember Provolt to retroactively approve the annual report from Y-Tel Corporation, issue a Certificate of Good Standing and waive filling fees as outlined in attached memo. Motion carries by consensus.

EXECUTIVE SESSION:  11:00am-1:30pm

OTA23-056 – CORE Hub NDA
OTA23-059 – Opioid Litigation
CA23-264 – Business Property for Telecommunications
Personnel (Williams)
Personnel (Crawford)
Legal (Provolt)
OTA Litigation Update
LUNCH: 12:55pm-1:10pm
1:06 Councilmember Vanlandingham left the meeting.

Action out of Executive Session:

AGENDA ITEMS:
OTA23-056, CORE HUB Nondisclosure Agreement
Submitted by Alex Mesher

Motion made by Vice Chairman Myers/Councilmember Provolt to authorize staff to meet with CORE Hub and propose attached nondisclosure agreement with OTA edits. Motion carries by consensus.

OTA23-059, Opioid Litigation-McKinsey Settlement
Submitted by Annie Perry

Motion made by Councilmember Provolt/Councilmember Natt to approve participation in opioid settlement with McKinsey and to sign a Tribal participation form including Resolution #23-117 for a Limited Waiver of Sovereign Immunity for arbitration of settlement. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not present-1. Motion carries.

CA23-064, Business Property for Telecommunications

Directive to proceed with updated negotiations regarding a business property within the Orick District as discussed in Executive Session.

Motion by Councilmember Natt/ Vice Chairman Myers to suspend the rules and add P23-052 and P23-060 to the meeting. Motion carries by consensus.

P23-052, Resolution 23-101 Indian Community Development
Submitted by Michael Gerace

Motion made by Councilmember Natt/Councilmember Provolt to approve the attached Resolution #23-101 required for the Fiscal Year 2023 Indian Community Development Block Grant proposal requesting $2,000,000.00 for the Yurok Food Village. Motion carries by consensus.

P23-060, Resolution 23-115 Funding Commitment for Tribal Nature-Based Grant
Submitted by Michael Gerace

Motion made by Vice Chairman Myers/Councilmember Provolt to approve and sign Resolution #23-115 committing up to $500,000 in cash and in grant funds ($100,000/year) as the tribe’s contribution toward the $10,000,000 the Tribal Nature-Based Solutions Grant from the CA Natural Resources Agency. Motion carries by consensus.
TRIBAL MEMBER COMMENT:

Elizabeth Davis:
- East District. I just want to talk a little bit about the ordinances and enforcement of them. Right now, the law says no fishing, but this is not being enforced. Today is an example of an ordinance not followed. Pizza was brought in from the pizza factory, and I'm pretty sure there's something in place to buy from native vendors. We have our own store over here. Lunch wasn't purchased from that vendor which belongs to the tribe. There are also other Native vendors within the area here.
- My question is, whose job is it to enforce these ordinances that are being produced and stacked up?
- It bothers me as a tribal member that some people are still fishing. I would like to go fishing too. There's no enforcement of it. You folks knew and were contemplating closing the river at least a month before that action was taken. You should have planned for enforcement of it.
- Because it's not being enforced and it's not fair, it's not fair to me. It's not fair for you, or you, that others can break the rule and not have consequences. I would just like to urge Council to think about that and how we're going to enforce the ordinances that they keep passing. Thank you.

Charlene Colegrove:
- Yes, I got a lot of things bothering me today, so I'm not going to address them all, but one thing that really bothers me is the murder that happened recently. I don't know exactly who shot this boy, they had a service yesterday.
- Besides that, I still have my housing project needs. Maybe Mr. Ray can help me with that. I updated last year on the waiting list. Where am I? Do I have to update again?
- Right now, I need to borrow a ladder from somebody to get up on top of my roof to put plastic on before the rain. So, I need help to check on that. And I have a few other things that are on my mind, but I'll let everything else ride for right now. You guys have a good evening. Thank you, Chairman.

CLOSING PRAYER: Provided by Councilmember Williams.

ADJOURN: 1:45pm

MEETING MINUTES APPROVED ON: October 25, 2023

Sherri K. Provolt, Secretary

10/26/2023