

**YUOK TRIBAL COUNCIL  
ACTION MEETING  
THURSDAY, SEPTEMBER 28, 2023  
WEITCHPEC TRIBAL OFFICE**

**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 13<sup>th</sup> 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.

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**TRIBAL MEMBER COMMENT:**

**Ruthie Maloney:**

- In regards to 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**

91 **Delegate and Councilmember McCovey as alternate and add all of Council to the Resolution.**  
92 **Motion carries by consensus.**

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94 OSG23-011, Indian Health Services Fiscal Years 2022 & 2023  
95 Submitted by Megan Siasosi

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

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103 **Council**  
104 CA23-250, RES 2023 Attendance & Travel  
105 Submitted by Taralyn Ipina

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

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

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

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

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

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

125 **Motion made by Councilmember Natt/Councilmember Provolt to approve Council Meeting**  
126 **Minutes for August 23, 2023, Council Finance, Planning, Action combined Meeting. Roll call:**  
127 **Vice Chairman Myers-abs, Councilmember Crawford-yes, Councilmember Ray-abs,**  
128 **Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes,**  
129 **Councilmember Williams-yes, Councilmember McCovey-np. Yes-5, no-0, abstaining-2, not**  
130 **present-1. Motion carries.**

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132 **BREAK: 10:44am-11:00am**

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134 **AGENDA ITEMS:**

135 **Emergency Services Division**  
136 *Fire Department*  
137 FIRE23-010, Six Rivers Lightning Complex Fires Update  
138 Submitted by Rod Mendes

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

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143 11:10 Councilmember McCovey joins Council Meeting

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

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

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152 OSG23-12, Letter of Support for Native CDFI Network  
153 Submitted by Megan Siasosi

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

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

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

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

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

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170 **EXECUTIVE SESSION: 11:00am-1:30pm**  
171 OTA23-056 – CORE Hub NDA  
172 OTA23-059 – Opioid Litigation  
173 CA23-264 – Business Property for Telecommunications  
174 Personnel (Williams)  
175 Personnel (Crawford)  
176 Legal (Provolt)  
177 OTA Litigation Update

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180 **LUNCH:** 12:55pm-1:10pm  
181 1:06 Councilmember Vanlandingham left the meeting.

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183 Action out of Executive Session:

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185 **AGENDA ITEMS:**  
186 OTA23-056, CORE HUB Nondisclosure Agreement  
187 Submitted by Alex Mesher

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

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

194 **Motion made by Councilmember Provolt/Councilmember Natt to approve participation in**  
195 **opioid settlement with McKinsey and to sign a Tribal participation form including Resolution**  
196 **#23-117 for a Limited Waiver of Sovereign Immunity for arbitration of settlement. Roll call:**  
197 **Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes,**  
198 **Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes,**  
199 **Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not**  
200 **present-1. Motion carries.**

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202 CA23-064, Business Property for Telecommunications

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

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

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

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

215  
216 P23-060, Resolution 23-115 Funding Commitment for Tribal Nature-Based Grant  
217 Submitted by Michael Gerace

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

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224 **TRIBAL MEMBER COMMENT:**

225 Elizabeth Davis:

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

242

243 Charlene Colegrove:

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

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254 **CLOSING PRAYER:** Provided by Councilmember Williams.

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256 **ADJOURN:** 1:45pm

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258 **MEETING MINUTES APPROVED ON:**

**October 25, 2023**

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**Sherri K. Provolt, Secretary**

10/26/2023

**Date**