ROLL CALL:  10:02am

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

ABSENT:  None

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

QUORUM:  9 present, 0 absent, quorum present

OPENING PRAYER:  Provided by Chairman James.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Natt/Councilmember Provolt to approve the agenda with additions; OTA21-66 Public Hearing Ordinance, CA21-122 Pecwan District Fire Prevention, P21-040 Volkswagen Settlement, and P21-041 Del Norte County Bid. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

June 18-California Truth & Healing Council
June 21-Pecwan District Meeting (Don Barnes will be presenting/intro.)
July 26-South District Meeting 6pm-7:30pm

Office of Tribal Attorney
OTA21-014, Rights of the Hehlkeek’ We-Roy Ordinance Work Session
Submitted by: Geneva E.B. Thompson

Motion to approve the draft Rights of the Hehlkeek’ We-Roy Ordinance for a work session. Item pulled.

COUNCIL CHECK IN:
Councilmember Provolt:  1) An Orick District Meeting was held on Thursday, June 3 2021. Thank you to all members who took time to attend this meeting and provided comment.
2) A special Thank you to Tianna Williams for attending the meeting and providing an update on the Condor Program.

June 10, 2021 Council Action Meeting
3) Other items discussed included;

- Law Enforcement issues are still of concern for Orick District members and in the Townsite of Orick. (Vandalism, etc.)
- Also concerned of lack of law enforcement on the river – especially at the month where there is some snagging of fish.
- Discussed the need to be prepared for the upcoming drought and fire season.
- Inquiry about the old fish hatchery north of Orick and if the Tribe has considered this endeavor.
- There is a new portable bathroom / handwashing unit at Shoreline – and want to let YEDC / Raymond Bacon know that it is appreciated.
- Lastly, members asked if Corporation meetings (YEDC, YAC, etc.) were open to tribal members to attend.

Councilmember Ray: At my last NCIDC, I was notified we haven’t been able to finalize getting the sanitization technicians working yet. We submitted the request for this positions and they have been approved, NCIDC is just waiting for the Tribe to call them (Brenda) so we can get these positions in place. It pays $20 an hour, and we have at least one tribal member interested. The money is ear marked for the Yurok Tribe. If we don’t spend it, it gets sent back. I had my district meeting, we discussed disc golf, the emergency center building, and we discussed tribal wide projects. Lots of good ideas came out of that.

Councilmember Natt: I want to back up what Ryan was saying, we really need those sanitization positions. We could really use more people working. Don if you could look into that, especially for Weitchpec offices.

Councilmember Hodge: Good morning, I would like to remind everyone to fill out your ARP application. The sooner you do your paperwork, the sooner you get your check. Thank you very much.

Councilmember Williams: I want to let the membership know that I have been working on a Craft Fair up here (Crescent City) to occur on July 3. I’m trying to help the membership recoup some of the money they lost due to COVID.

Councilmember McCovey: Pass.

Councilmember Vanlandingham: Pass.

Vice Chair Myers: Pass for today. I will do my briefing next Council cycle.

Chairman James: We will continue to have a dialogue about what we can best do with the remaining ARP funds. We want to hear from our staff, Corporations, YEDC, Housing, and Councilmembers have their projects. We know we are going to have a bad fire season, and that
we are in a drought, so we are working with staff to prepare for that. Our staff is working around the clock to get APR checks out to help the membership.


EXECUTIVE SESSION: Possible legislation (Vice), FISH21-041, COHO ESA Listing (Barry McCovey, Jr./Fisheries Director); P21-041, Potential Land Purchase (Planning); KCSD Update (Ray); Resighini Road (Hodge).

Motion made by Councilmember Natt/Councilmember Ray to suspend the rules and add EDU21-23, Use of Tribal Office for Summer School. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
Teresa Hendrix Wright: I am here following up my request to clean up my land. I want to thank the YTEP staff in helping me clean up the items that have been dumped on my property. There have been large appliances dumped and there are other large pieces of equipment that neither I nor YTEP have the resources to remove and dispose of properly. Right now YTEP is limited in helping any further due to limited equipment and resources they have. There is waiting list to use the disposal bins. We could better protect our land.

Jolene Gensaw: I want to discuss matters with ICWA. I am going through having my kids being adopted out to non-tribal member homes. I am clean and sober now. ICWA is not helping me. They are not supporting me.

Note: A directive was given to Executive Director to follow up with staff and the tribal member.

CONSENT ITEMS:
Finance
Steve Edmiston presents FIN21-003, Audit Engagement Letter for FY2019 audit Submitted by: Steven Edmiston

Motion made by Councilmember Hodge/Councilmember Vanlandingham to authorize Chairman to sign attached engagement letter with Stauffer & Associates PLLC, Certified Public Accountants, for the annual audit of the Tribe’s financial statements for the fiscal year ended September 30, 2019. Motion carries by consensus.

AGENDA ITEMS:

Education
Jim McQuillen presents EDU21-019, Student Support Contracts with School Districts Submitted by: Jim McQuillen

June 10, 2021 Council Action Meeting
Motion made by Councilmember Williams/Councilmember Ray to approve school district contracts for the NECEP grant. (Del Norte Unified School District, Eureka City Schools, Klamath Trinity Joint Unified School District, Northern Humboldt Union High School District)

Motion carries by consensus.

EDU21-020, Two Feathers Contract for Support Services
Submitted by: Jim McQuillen

Motion made by Councilmember Hodge/Councilmember Provolt to approve the Two Feathers Contract for Student Support Services under the NECEP - ACE Education grant and authorize Chairman to sign. Motion carries by consensus.

Victoria Carlson presents
EDU21-021, Yurok Language Applications for Devices
Submitted by: Jim McQuillen

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the purchase of upgraded Yurok language suite for students and families which will include training on how to develop apps. Apps will be usable on tablets, android and apple devices. Motion carries by consensus.

EDU21-023, Use of Tribal Office
Submitted by Jim McQuillen

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve using the community room for summer school July 12-23 and August 2-13, 8:00am-12:30pm each day. Motion carries by consensus.

Fire
Chief Mendes presents
FIRE21-002, Letter of Support for Chief Mendes
Submitted by: Rod Mendes

Motion made by Council member Provolt/Councilmember Williams to approve letter with edits in support of the appointment of Chief Mendes to the Governors’ Office of Emergency Services, Homeland Security Advisory Committee as the California Tribal Communities Representative and authorize Chairman to sign. See attached HSAC invitation. Motion carries by consensus.

Fisheries
Barry McCovey Jr. presents
FISH21-040, Support Letter for Nor-Rel-Muk Tribe
Submitted by: Barry McCovey Jr.

Motion made by Vice Chairman Myers/Councilmember Ray to approve and Chairman to sign the attached letter of support to the Trinity Alps School District regarding the transfer of Cox
Bar Elementary School to the Nor-Rel-Muk Tribe Wintu Nation. See attached support letter for further details. Motion carries by consensus.

Health & Human Services
Alita Redner presents YHHS21-013, Tribal Assistance Software Upgrade Submitted by: Missy Mendoza

Motion made by Councilmember Ray/Councilmember Provolt to approve the contract for Tribal Assistance System (TAS) software upgrades and module installations, and for Council to approve Resolution #21-47 Limited Waiver of Sovereign Immunity in favor of Eaglesun Systems Products, Inc. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-8, no-0, abs-0, np-0. Motion carries.

YHHS21-018, FY22 Title IV B Subpart II Submitted by: Alita Redner

Motion made by Councilmember Natt/Councilmember Williams to approve budget for FY 22 Title IV B Subpart II - Promoting Safe and Stable Families. Motion carries by consensus.

YHHS21-022, Heating Assistance Funding Acceptance Submitted by: Jeannette Bain

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve the allocation of $65,583.00 of funding from ACF of which $65,583.00 will be directed towards Heating Assistance to start in October. Motion carries by consensus.

YHHS21-023, Title IV E Year 3 Submitted by: Alita Redner

Motion made by Councilmember Hodge/Councilmember Provolt to approve Title IV E Budget for FY 21: 7/1/2020-6/30/2021 contingent upon California Department of Social Services approval of invoicing for entire year on an expedited and time sensitive basis. Motion carries by consensus.

BREAK 11:25am - 11:35am

AGENDA ITEMS:

Human Resources
HR21-009, Job Description Modification Submitted by: Rose Sylvia

Motion made by Councilmember Provolt/Councilmember Hodge to approve job description modification for G.I.T. Technician; change pay grade to 7. Motion carries by consensus.
Office of Tribal Attorney
OTA21-063, Retro Approval of Drought Testimony
Submitted by: D. Baum Acting General Counsel

Motion made by Councilmember Natt/Councilmember Williams to retroactively approve submittal of testimony on drought to the United States House of Representatives, Subcommittee on Water, Oceans, and Wildlife. Motion carries by consensus.

Tribal Police
YTP21-002, TruNarc Scientific Portable Instrument
Submitted by: Macy Bommelyn

Motion made by Council member Williams/ Council member Vanlandingham to approve purchase of TruNarc Scientific Portable Analytical Instrument previously approved in CTAS COPS Grant 2020HEWXC0015, Financial Clearance Memorandum approved total: $63,520.00 Project 277-1. All supporting documents attached. Motion withdrawn. More information requested. No action.

12:30pm Councilmember McCovey leaves meeting due to illness

LUNCH: 12:03pm-1:15pm

TRIBAL MEMBER COMMENT:
Linda Cooley: I wanted to talk about policies that you are going to talk about later today. It’s a personal issue for me regarding the district line. I was told by an elder that I needed to get the information and the facts. I don’t know those facts or information, and I have been trying to get that. Taking away social media is muting us. My Councilmember tagged me in a post that said, “we were crying around about it”.

AGENDA ITEMS:
Public Health
PH21-004, COVID-19 Prevention & Control Plan
Submitted by: Hollie Strahm

Motion made by Councilmember Hodge/Councilmember Williams to approve COVID-19 Plan for worksite operations and the attached Resolution #21-63 and authorize Chairman to sign and Secretary to attest. This guidance includes prevention, control, vaccination, testing efforts, and additional guidance for events and meetings. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, no-0, abs-0, np-1. Motion carries.

Council
CA21-089, Council Social Media Policy
Submitted by: Sherri Provolt, Councilmember
Motion made by Councilmember Natt/Councilmember Williams to direct Executive Director or Council Operations to set a work session to develop a social media policy applicable to Council. To schedule work session within 60 days. Work session to be held in person or virtually. Roll call; Vice Chairman Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-1, abs-0, np-1. Motion carries.

CA21-091, Cost of Living Adjustment
Submitted by: Chairman James

Motion made by Vice Chair Myers/Councilmember Vanlandingham to approve 3% COLA for FY22 for all employees (effective October 1, 2021). Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-1, abs-0, np-1. Motion carries.

TRIBAL MEMBER COMMENT:
Linda Ogburn Gillette: Corporations do it differently, and I understand that Council wants to make it fair across the board for employees. At my place of work, it gets rolled together- a COLA and merit 3-4% - and if you are at the cap on the pay scale, then you get a 2 %.

CA21-092, National Congress of American Indians Travel
Submitted by: Council

Motion made by Councilmember Ray/ Councilmember Vanlandingham to approve travel for any Councilmembers who would like to attend National Congress of American Indians being held in Sacramento, CA October 9-15, 2021. Motion carries by consensus.

CA21-093, Yurok Annual Membership Meeting
Submitted by: Councilmember McCovey

To rescind previous agenda item CA21-73 and approve to set Yurok Tribe Annual Membership meeting for October 2nd or 16th. Item tabled.

CA21-096, Thompson Family Donation Retro
Submitted by: Chairman James & Councilmember Ray

Motion made by Councilmember Provolt/Councilmember Natt to retroactively approve a donation in the amount of $300 from Chairman James’s travel line item and $300 from Councilmember Ray’s travel line item to assist Tribal Members to travel to be with family for surgery, hotel, gas and food. Motion carries by consensus.

CA21-098, Indian Health Service Self-Governance Advisory Committee
Submitted by: Councilmember McCovey/Councilmember Vanlandingham
Motion made by Councilmember Williams/Councilmember Hodge to approve nomination of Councilmember Lana McCovey as delegate and Councilmember Phillip Williams as alternate to Indian Health Services Tribal Self-Governance Advisory Committee (TSGAC). Motion carries by consensus.

CA21-099, May 19-20, 2021 Council Meeting Minutes
Submitted by: Georgiana Gensaw, Council Operations

Motion made by Councilmember Hodge/Councilmember Williams to approve with edits and corrections Council Meeting minutes for May 19-20, 2021 (Council Gaming/RHC, Finance/Planning Meeting minutes attached, Council Action Meeting minutes forthcoming). Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-abstain, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-1, np-1. Motion carries.

CA21-100, Letter of Support (Newland)
Submitted by: Councilmember McCovey

Motion made by Councilmember Provolt/Councilmember Williams to approve a letter of support for Bryan Newland, nominee for Assistant Secretary of the Department of the Interior - Indian Affairs. Directive to Don Barnes and OTA to draft the letter of support. Motion carries by consensus.

Public Works
PW21-001, Advanced Security
Submitted by: Dean Baker

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Chairman to sign a service agreement and accompanying addendum for security monitoring at 3rd Street, Eureka, and approving Resolution #21-50 granting a Limited Waiver of Sovereign Immunity. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, No-0, abs-0, np-1. Motion carries.

Wildlife
WILD21-015, Tribal Wildlife Grant
Submitted by: Tiana Williams-Claussen

Motion made by Councilmember Hodge/Councilmember Williams to approve the Yurok Tribe Wildlife Department to submit an application to the US Fish and Wildlife Service Tribal Wildlife Grant opportunity in support of Humboldt Marten conservation research, and to approve the attached Resolution #21-62 and any necessary Chairman signatures. Motion carries by consensus.
WILD21-016, Bat Grant Submission
Submitted by: Tiana Williams-Claussen

Motion made by Councilmember Provolt/Council member Williams to approve the Yurok Tribe Wildlife Department to submit an application to the US Fish and Wildlife Service White-Nose Syndrome funding opportunity, and approve all necessary signatures by Chairman.

Motion carries by consensus.

OTA21-66, Renew Emergency Amendment to Public Hearing Ordinance
Submitted by Maggie Poffenbarger

Motion made by Councilmember Provolt/Councilmember Hodge to renew Emergency Public Hearing Ordinance and authorize Chairman to sign and Secretary to attest. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, No-0, abs-0, np-1. Motion carries.

BREAK: 3:12pm -3:30pm

EXECUTIVE SESSION: 3:35pm – 5:14pm
Legislation Update (Vice Chair Myers), FISH21-041, COHO ESA Listing (Barry McCovey, Jr./Fisheries Director), P21-041, Potential Land Purchase (Planning), Klamath Community Services District Update (Ray), Resighini Road (Hodge).

Items out of Executive Session:
FISH21-041, Yurok Harvest of Coho under ESA
Submitted by: Dave Hillemeier

Motion made by Councilmember Provolt/Councilmember Williams to approve with edits, and to submit the attached letter to Barry Thom, Regional Administrator for NMFS, requesting consultation regarding our fishery impacts to Coho salmon, and requesting that our impacts be considered as part of the baseline (see attached draft letter and numerous other background documents for more information). Motion carries by consensus.

P21-041, Del Norte County Auction
Submitted by Marion Frye

Motion made by Councilmember Provolt/Councilmember Williams to approve to bid on tax delinquent properties up for auction in Del Norte County. To pay required refundable deposit fee of $5000, plus a nonrefundable $35.00 processing fee. Must be paid by June 14, 2021. Balance due on winning bids of properties within 3-5 business days. Price to be paid as discussed in executive session on June 10, 2021. Funding to come from Project 50 GL 6397. Motion carries by consensus.

AGENDA ITEMS:
CA21-122, Pecwan District Planning Session RE: Fire Prevention

June 10, 2021 Council Action Meeting
Submitted by Councilmember Natt

Schedule Council Planning session for Pecwan District to discuss clearing around tribal elder homes to protect homes from a forest fire. Request for TERO, Transportation, and Fire Departments to attend. Directive to Executive Director to work with Councilmember Natt.

P21-40, VW Settlement Fund
Submitted by Gino O’Rourke

Motion made by Councilmember Hodge/Councilmember Provolt to approve the Yurok Tribe participation in the 4th funding cycle of the VW Settlement Fund, and authorize the Chairperson to sign the Designated Beneficiary’s Participation Notice, Appendix D-6 Form. Motion carries by consensus.

TRIBAL MEMBER COMMENT:
James Dunlap, Requa District: There was a couple of items I wanted to bring to the attention of Council in light of the emergency; I would like to have a moratorium put on spending that money until all Districts can have input, and until Annual Membership meeting. I think it would behoove us to see what is being put on the table. Rather than hearing about the things that had been done after the fact. I would hope Council would do that soon. One of the things that going to cost a lot of money in regard to is ever opening a dispensary and contesting the State. And that legal battle will be very expensive. I would like to see a portion put aside for those tribal members who can make it out to the Ocean to go fishing. The catastrophic fish kill that’s happening right now, our government contract, the Hoopa Yurok Settlement guaranteed us fish. It’s not our responsibility to find where the water comes from, that’s the government’s problem. If that means a pipeline from the Mississippi River to our Head Waters, then that’s what they need to do. We need to hold their feet to the fire. We don’t need to negotiate anything short of having fish.

CLOSING PRAYER: Provided by Councilmember Williams

ADJOURN: 5:29pm

MEETING MINUTES APPROVED ON: July 15, 2021

____________________  ________________
Sherri K. Provolt, Secretary  Date

7/21/2021