

1 **YUROK TRIBAL COUNCIL**
2 **ACTION MEETING**
3 **THURSDAY, MAY 6, 2021**
4 <https://www.gotomeet.me/yuroktribe>

5
6 **ROLL CALL:** 10:00am

7
8 **PRESENT:** Joe James, Frankie Myers, Sherri Provolt, Mindy Natt, Ryan Ray, Lori
9 Hodge, Toby Vanlandingham, Lana McCovey, Phillip Williams

10
11 **ABSENT:** None

12
13 **STAFF:** Don Barnes, Earl Jackson, Taralyn Ipiña, Georgiana Gensaw (recorder),
14 Dawn Baum

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16 **QUORUM:** 9 present, 0 absent, quorum present

17
18 **OPENING PRAYER:** Provided by Councilmember Williams.

19
20 **REVIEW AGENDA/ADDITIONS/APPROVAL:**

21 **Motion made by Councilmember Williams/Councilmember Ray to accept the agenda with the**
22 **following additions: OTA21-057, PH21-003, EP21-017. Motion carries by consensus.**

23
24 **REVIEW CALENDAR/ADDITIONS:**

25 May 7, Council work session
26 Council Meeting change, May 18 consolidated to May 19
27 May 18-22, Spring Fling
28 May 28, Councilmember McCovey eye doctor appointment
29 June 1, UIHS Special Board Meeting
30 June 1, Special Council Action Meeting (budgets approval)
31 June 7, Alliance CDFI meeting at 10am
32 June 25-Yurok Agriculture Corporation meeting at 3:30pm

33
34 **COUNCIL CHECK-IN:**

35 Councilmember Provolt: Pass

36
37 Councilmember Natt: Pass

38
39 Councilmember Ray: Pass

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41 Councilmember Hodge: Good morning membership, staff and Council. I will pass today.

42
43 Councilmember Williams: I will pass also.

May 6, 2021 Council Action meeting

44 Councilmember McCovey: In getting ready for the American Rescue Plan and was reading over
45 the law last night for areas that will be beneficial for the Yurok Tribe. One thing I want to point
46 out was that yesterday we had a presentation on language. I want to encourage people to
47 really read the Bill because there is a specific section in the Bill that is for COVID response for
48 preservation and maintenance of native language. I just want to encourage everyone to be on
49 the lookout for the funding that we really need.

50
51 Councilmember Vanlandingham: I will pass.

52
53 Vice Chairman Myers: Pass

54
55 Chairman James: This morning, we had a call with California Chief of Staff regarding working
56 with all of our leaders. It was just an introduction, we are looking forward to a more in-depth
57 meeting later on.

58
59 **TRIBAL MEMBER COMMENT:**

60 Teresa Hendrix-Wright: Yesterday, my son stopped by my property (gives address). He sent me
61 a picture of a notice posted by Yurok Environmental Department to remove all illegal dumping
62 and show proof of proper disposal. My father had a life estate, he passed away last year, last
63 June. Back in September 17, 2020, Councilmember Sherri Provolt emailed Louise McCovey, she
64 included me on the email, to see if I could work with them to clean the property. On October
65 30, Louisa said that the Tribe should be able to help depending on dumpsters and staff
66 availability. Koiya Tuttle was also included on the email. I let him know I live in Nevada and that
67 the storage bins had been broken into. After seeing the property yesterday, my son said it looks
68 people are dumping other trash there. Is the Tribe willing to help me? Do I need to file a police
69 report for illegal dumping? I grew up there in the 80's with my grandma. My son was there and
70 he said someone drove by and said you better not let the cops catch you there. He did not feel
71 safe there. I do not feel safe there. I asking the tribe for assistance.

72
73 **EXECUTIVE SESSION:**

74 Executive Office

75 ExDir21-04, Cost of Living Adjustment

76
77 Office of Tribal Attorney

78 OTA21-049, Notice to Preserve Interest

79 OTA21-052, Interior fund allocation comments

80 OTA21-053, Property purchase

81 OTA21-057, Comments to Environmental Protection Agency

82 Personal and Land Issue (Provolt)

83
84 **CONSENT ITEMS:**

85 Environmental

86 YTE21-013, Keepers of the Earth Fund

87 Submitted By: Louisa McCovey

88 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to allow the YTEP**
89 **Food sovereignty Division to apply to the keepers of the earth fund cultural survival grant, for**
90 **a total of \$5,000 for one year, full indirect is allowed and no match is required. Motion carries**
91 **by consensus.**

92
93 YTEP21-014, National Institute of Food & Agriculture
94 Submitted By: Louisa McCovey

95 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to allow the YTEP**
96 **Food Sovereignty Division to apply to the national institute of Food & Agriculture, Service-**
97 **Learning grant for total of \$224,967 over the course of two years, full indirect is allowable and**
98 **no match is required. Motion carries by consensus.**

99
100 YTEP21-015, Community Food Project
101 Submitted By: Louisa McCovey

102 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to allow the YTEP**
103 **Food Sovereignty Division to apply to the national institute of Food & Agriculture, community**
104 **food project grant for a total of \$399,992 over four years, with full indirect allowable and the**
105 **1:1 match requirement being met by YTEP through a combination of \$250,000 from state**
106 **funding (Elevate Youth). Motion carries by consensus.**

107
108 YTEP21-016, State Coastal Conservancy
109 Submitted By: Louisa McCovey, YTEP Director

110 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to allow the YTEP**
111 **Food Sovereignty Division to apply to the State of California coastal conservancy forest health**
112 **and wildlife resiliency grant, for a total of \$552,750 over 3.5 years, with full indirect expenses**
113 **allowed and no match required. Motion carries by consensus**

114
115 **Tribal Employee Rights Office**
116 TERO21-001, Budget modifications
117 Submitted By: TERO Department

118 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to use TERO fees to**
119 **modify the FY21 Budget to cover expenses for new building IT installation, day labor**
120 **expenses, and other project cost. Motion carries by consensus.**

121
122 **Tribal Court**
123 TC21-009, FY 2021 Office of Victims of Crime Tribal Set Aside
124 Submitted by: Angi Cavaliere

125 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve the**
126 **submission of FY 2021 Office for victims of Crime (OVC) Tribal victim set-aside formula grant**
127 **application and authorize the chairperson to sign all related documentation. Motion carries**
128 **by consensus.**

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Office of Tribal Attorney

OTA21-054, Families First Prevention Act State Plan
Submitted By: Tamara Honrado

Motion made by Councilmember Vanlandingham/Councilmember Hodge retro-approval of Chairman’s signature on families first prevention act state plan comments to California department of social services. Motion carries by consensus.

OTA21-056, Stipulation with PG&E (retro)
Submitted By: Dawn Baum

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retroactively approve stipulation filed in the PG&E bankruptcy case to allow PG&E to pay our claim. Motion carries by consensus.

Planning

P21-031, Community Based Child Abuse Prevention Grant
Submitted By: Henry Solares

Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve the planning and YHHS Departments to apply for CBCAP grant and for the chairperson to sign all documents necessary to submit the application. CBCAP is offered by the administration for children and families. Total funding requested would be \$205,705 and the application is due May 20th. Funding would be used to prevent child abuse and keep Yurok tribal youth safe with their families. No cost share is required, and indirect costs are covered. Motion carries by consensus.

Wildlife

WILD21-010, State of the Birds Grant
Submitted By: Tiana Williams-Claussen

Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve submission of a project proposal and application for the 2021 U.S. Fish and Wildlife Service State of the Birds funding opportunity. Motion carries by consensus.

Council

CA21-075, AB 923 Letter of Support (Retro)
Submitted By: Tribal Council

Motion made by Councilmember Vanlandingham/Councilmember Hodge to retro approve of AB 923 support letter. Motion carries by consensus.

167 **AGENDA ITEMS:**

168 **Education**

169 EDU21-014, Head start's new grant year

170 Submitted By: Jim McQuillen

171 **Motion made by Councilmember Ray/Councilmember Vanlandingham to approve next year's**
172 **Head Start funding application, which will begin May 31, 2022. Current Head start fiscal year**
173 **ends 5/30/2021. Motion carries by consensus.**

174

175 **Emergency Services**

176 OES21-001, Cal OES Notification of Subrecipient Allocation

177 Submitted By: Amos Pole, YOES Assistant Director

178 **Motion made by Councilmember Vanlandingham/Councilmember Williams will to approve**
179 **and accept grant fund in the amount of \$145,899.00 from Cal OES to Yurok OES, Via the FY-**
180 **2020 Community power resiliency allocation to the Tribes program. Motion carries by**
181 **consensus.**

182

183 **Fisheries**

184 FISH21-028, National Fish & Wildlife Foundation Grant

185 Submitted By: Barry McCovey Jr.

186 **Motion made by Councilmember Provolt/Councilmember Vanlandingham to authorize Yurok**
187 **Fisheries Department to accept grant funding from the National Fish and Wildlife Foundation**
188 **in the amount of \$79,255 to conduct project enhancing Cho Salmon Habitat in McGarvey**
189 **Creek, and for council approval of supporting Resolution #21-43 Limited Waiver of Sovereign**
190 **Immunity in favor of the National Fish and Wildlife Foundation. See attachments for specific**
191 **details. Roll Call: Councilmember Vanlandingham-yes, Councilmember Ray-yes,**
192 **Councilmember Hodge-yes, Councilmember Natt-np, Councilmember Provolt-yes,**
193 **Councilmember Williams-yes, Councilmember McCovey-yes, Vice Chair Myers-yes. Yes-7, No-**
194 **0, Abs-0, np-1. Motion carries.**

195

196 FISH21-029, Budget modifications of Project 707j & 707n

197 Submitted By: Barry McCovey Jr.

198 **Motion made by Councilmember Provolt/Councilmember Hodge to authorize the Fisheries**
199 **Department to modify project codes 707j and 707n as described in the attached memo and**
200 **budget modification spreadsheet (attached). Motion carries by consensus.**

201

202 FISH21-031, Pacific Salmon Recovery Funds Grant

203 Submitted By: Barry McCovey Jr.

204 **Motion made by Councilmember Ray/Councilmember McCovey to authorize Chairman's**
205 **signature on the attached grant agreement for Pacific Salmon Recovery Funds in the amount**
206 **of \$80,000 for work to be completed in 2021 and 2022. Motion carries by consensus.**

207
208 FISH21-032, Nor-Rel Muk Tribe
209 Submitted By: Barry McCovey Jr.

Motion made by Councilmember McCovey/Councilmember Provolt to approve Master Service Agreement between the Nor-Rel Muk Tribe and the Yurok Tribe to conduct restoration activities in the Weaverville area, and to approve Resolution # 21-51 Limited Waiver of Sovereign Immunity in favor of Nor-El-Muk 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-np, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abs-0, np-1. Motion carries

218
219 FISH21-033, National Fish & Wildlife
220 Submitted By: Barry McCovey Jr.

Motion made by Councilmember McCovey/Councilmember Vanlandingham to approve and sign on the "Bring Back the Natives" grant agreement between the National Fish and Wildlife foundation and the Yurok Tribe including attached resolution (21-50) regarding ~~partial~~ limited waiver of sovereign immunity. This is to support the South Fork Trinity-Heliwood phase II project. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-np, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abs-0, np-1. Motion carries

229
230 FISH21-034, Flow West Contract Extension
231 Submitted By: Barry McCovey Jr.

Motion made by Councilmember McCovey/Councilmember Provolt to approve and sign on the attached contract amendment between Flow West and the Yurok Tribe. This action will extend the existing contract that is intended to assist the fisheries department with database design. Motion carries by consensus.

236
237 **Human Resources**
238 HR21-08, Community Development Division Organization Chart
239 Submitted by Rose Sylvia

Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve the attached Community Development Division was approved on 2/25/2021. Action is to approve Department organizational charts for Planning, Public Works (minus Fleet Manager) and Transportation. To remove Land Management as a department and place in Planning. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-np, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abs-0, np-1. Motion carries.

247

248 **LUNCH: 12:07pm-1:06pm**

249

250 **Motion made by Councilmember Vanlandingham /Vice Chair Myers to suspend the rules and**
251 **add Emergency Items: FISH21-30 and YHHS21-14. Motion carries by consensus.**

252

253 **TRIBAL MEMBER COMMENT:** None provided.

254

255 **AGENDA ITEMS:**

256 **Council**

257 CA21-067, Healing Hands

258 Submitted By: Councilmember Hodge

259 Guest: Valerie O'Rourke

260 **Motion made by Councilmember Hodge/Vice Chairman Myers to allocate \$10,00 from budget**
261 **#50 G/L 6040 Out of Area Services for East District Tribal members who are elders or disabled**
262 **to receive treatment from Healing Hands. Motion carries by consensus.**

263

264 **Planning**

265 P21-021, Klamath Beach

266 Submitted by: Grant Klopmeier

267 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve Federal**
268 **Lands Access Program (FLAP) Grant Application and Match from Project 407.0000 in the**
269 **amount of \$275,280.00 to be used, if toll tax credits are not received. Project is to surface**
270 **overlay on 2.36 miles of Klamath Beach Road from Alder Camp Road to end of road in**
271 **conjunction with Del Norte County's funded culvert replacements project. Motion carries by**
272 **consensus.**

273

274 **COUNCIL**

275 CA21-069, Aawok Buckskin sign

276 Submitted by: Councilmember Williams

277 To allocate funding for the purchase of a sign for Aawok Marjorie Buckskin building.

278 **Directive to Don Barnes, Executive Director to report back to Council within 60 (sixty) days**
279 **with plans and a budgets for new signs for all of buildings that need a new sign.**

280

281 CA21-070, Garden Donation

282 Submitted by: Councilmember McCovey

283 **Motion made by Councilmember McCovey/Councilmember Provolt to approve donation of**
284 **\$250 from Community donations, \$250 from Chairman's travel line item, \$250 from**
285 **Councilmember McCovey's travel line item, \$250 from Councilmember Vanlandingham travel**
286 **line item and \$250 from Councilmember Williams travel line items for a total of \$1250.00 to**
287 **the Peace and Garden Project. Motion carries by consensus.**

288

289 CA21-076, District Member Emergency Services

May 6, 2021 Council Action meeting

290 Submitted By: Tribal Council

291 **Motion made by Councilmember Hodge/Councilmember Williams to retroactively approve**
292 **Council Member Natt’s district emergency service donation (Chair Budget). Motion carries by**
293 **consensus.**

294
295 CA21-077, Donation for Tribal Elder
296 Submitted By: Councilmember Natt

297 **Motion made by Councilmember Williams/Councilmember Provolt to approve a donation in**
298 **the amount of \$250 from Councilmember Natt’s Travel line item for Tribal member Elder and**
299 **\$250 from Chairman’s travel line item for a total of \$500.00. Motion carries by consensus.**

300
301 CA21-078, Donation for Tribal Elder #2
302 Submitted by: Council Operations

303 **Motion made by Councilmember Vanlandingham/Councilmember Hodge to approve a**
304 **donation in the amount of \$250 from GL 6250 for a Tribal member elder and \$100 from**
305 **Weitchpec District’s travel line item for a total of \$350.00. Motion carries by consensus.**

306
307 B21-001, Benefits Plan
308 Submitted by: Elizabeth Turner

309 **Motion made by Councilmember Williams/Councilmember Vanlandingham to approve the**
310 **Yurok Tribe Health Plan as presented with specific decision points and to authorize Chairman**
311 **James to sign all relevant contracts. Roll Call: Vice Chair Myers-yes, Councilmember Ray-np,**
312 **Councilmember Provolt-no, Councilmember Williams-yes, Councilmember Hodge-no,**
313 **Councilmember Vanlandingham-yes, Councilmember Natt-np, Councilmember McCovey-no,**
314 **Chairman James-yes. Yes-4, No-3, Abs-0, np-2. Motion carries.**

315
316 **Public Health**

317 Hollie Strahm presents
318 PH21-003, COVID Contract Tracing Software Purchase
319 Submitted by Hollie Strahm

320 **Motion made by Councilmember McCovey/Councilmember Provolt to approve the purchase**
321 **of Salesforce's Contact Tracing Software for Public Health Department for use in COVID-19**
322 **investigations. Authorize Chairman to sign all necessary documents. Motion carries by**
323 **consensus.**

324
325 Emergency Items:

326 **Health & Human Services**
327 YHHS21-14, Bringing Families Home Resolution
328 Submitted by: Alita Redner

329 **Motion made by Councilmember Williams/Councilmember Provolt to approve Resolution**
330 **#21-25 for Limited Waiver of Sovereign Immunity of the Yurok Tribe for finalizing an**
331 **agreement with Humboldt County Department of Health & Human Services. Roll Call:**

332 Councilmember Natt-np, Councilmember Williams- yes, Councilmember McCovey-yes,
333 Councilmember Provolt-yes, Councilmember Hodge-yes, Councilmember Ray-np, Vice Chair
334 Myers-yes. Yes- 5, No-0, Abs-0, np-2. Motion carries.

335
336 **Fisheries**

337 FISH21-030, Hewlett Foundation
338 Submitted By: Barry McCovey Jr.

339 **Motion made by Councilmember Provolt/Councilmember Williams to authorize the Fisheries**
340 **Department to submit proposal to the Hewlett Foundation for \$150,000/year, for two years**
341 **(\$300,000 total). These funds will be used to increase the Fisheries Department capacity to**
342 **assist with the restoration of the Klamath Basin fishery resource (see attached memo for**
343 **details). Motion carries by consensus.**

344
345 **BREAK: 2:35pm-2:45pm**

346
347 **EXECUTIVE SESSION: 2:45pm-5:00pm**
348 Items out of Executive Session:

349
350 ExDir21-004, Cost of living Adjustment
351 Submitted by: Don Barnes

352 **Discussion/Action RE: Council to provide direction to Executive Office on application of COLA**
353 **(Cost-of-Living Adjustment) for Fiscal year '22 budgets. Discussion only, no action.**

354
355 OTA21-049, Notice to Preserve Interest
356 Submitted By: Geneva E.B. Thompson

357 **Motion made by Councilmember Ray/Councilmember Hodge to retroactively authorize**
358 **chairperson to sign notice of intent to preserve on APN 532-096-010 and APN 534-096-014.**
359 **Motion carries by consensus.**

360
361 OTA21-052, Interior fund allocation comments
362 Submitted By: Dawn Baum

363 **Motion made by Councilmember Hodge/Councilmember Natt to retroactively approve and**
364 **authorize Chairman to sign and submit written comments to the Department of Interior on**
365 **the allocation for funds from the American Rescue Plan. Motion carries by consensus.**

366
367 OTA21-053, Property purchase
368 Submitted By: Geneva E.B. Thompson

369 **Motion made by Councilmember Hodge/Vice Chair Myers to authorize Chairman to sign the**
370 **land purchase agreement for APN531-075-002 and APN 531-072-017 and to adopt Resolution**
371 **#21-46 for the purchase of APN 531-075-002 and APN 531-072-017. Funds to come from BIA**
372 **ARP #2831. Motion carries by consensus.**

373

374 OTA21-055, Rights of the Heyhl-keek 'We-Roy Ordinance
375 Submitted by Geneva Thompson

Motion made by Vice Chairman Myers/Councilmember Williams to approve the draft Rights of the Heyhl-keek-'We-roy Ordinance for public comment. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.

381
382 OTA21-057, Comments to Environmental Protection Agency
383 Submitted by Geneva EB Thompson

Motion made by Councilmember Hodge/Vice Chair Myers to authorize Chairperson to sign the Yurok Tribe's specific comments and the broader coalition comments regarding the Environmental Protection Agency's final risk management rules for the five persistent, bioaccumulative, and toxic chemicals, subject to the Office of the Tribal Attorney edits and review. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-np, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.

392
393 YTEP21-017, Hazardous Septic Issue
394 Submitted by Louisa McCovey

YTEP is requesting the identification of funds and permission to proceed with a potential land acquisition in exchange for services addressing septic issues at a property located in Klamath off Requa Road, APN127-090-009. Discussion only, no action.

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399 **TRIBAL MEMBER COMMENT:** None provided.

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401 **CLOSING PRAYER:** Provided by Vice Chair Myers.

402
403 **ADJOURN:** 5:32pm

404
405 **MEETING MINUTES APPROVED ON:**

May 20, 2021

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407 

05/24/21

408
409 **Sherri K. Provolt, Secretary**

Date