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**YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, FEBRUARY 25, 2021
ONLINE**

<https://www.gotomeeting.me/yuroktribe>

ROLL CALL: 10:00am

PRESENT: Joe James, Frankie Myers, Sherri Provolt, Mindy Natt, Ryan Ray, Lori Hodge, Toby Vanlandingham,

ABSENT: Lana McCovey (excused), Phillip Williams (excused)

STAFF: Don Barnes Executive Director, Earl Jackson Deputy Executive Director, Dawn Baum Office of Tribal Attorney, Taralyn Ipiña Council Operations Director, Georgiana Gensaw (recorder)

QUORUM: 7 present, 2 absent, quorum present.

OPENING PRAYER: Provided by Vice Chairman Myers.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Natt/Councilmember Provolt to accept the agenda with additions; OTA21-029 Appeal, OTA21-030 Letter to CPCU, CA21-040 CFMC Waiver, HR21-05 Emergency Sick Leave, and ExDir21-001 CRIHB/IHS letter. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

FISH21-010, Redwood Creek Estuary
Submitted by Dave Hillemeier

Authorize 1) scheduling a planning meeting with a representative(s) from the Redwood Creek Estuary Stakeholder group to discuss the restoration of the Redwood Creek estuary and 2) sending a letter of support to Humboldt County Board of Supervisors regarding support to receive restoration funding from the Army Corps of Engineers. Set for March 10, 2021 Planning Meeting session.

Trinidad Land Trust is requesting to meet with Yurok. Chairman will work with CM Provolt.
February 26, 2021-Prey-go-neesh Meeting-9am online
March 5, 2021-Construction meeting-8:30am online

COUNCIL CHECK IN

Councilmember Provolt: Pass

Councilmember Natt: Pass

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44
45 Councilmember Ray: I attended the fish meeting last night, a lot of questions, a lot of public
46 safety questions. A lot of unanswered questions. When that item comes to Council for approval
47 I would like to see the membership be heard and have public safety at this meeting.

48
49 Councilmember Hodge: Pass

50
51 Councilmember Williams: Np

52
53 Councilmember McCovey: Np

54
55 Councilmember Vanlandingham: I attended the fishery meeting last night as well, a lot of that
56 meeting wasn't productive. I think Executive and Public Safety should be there. A lot of what
57 was being said had more to do with public safety than it did with Fisheries. We need to hold an
58 evening Council meeting. A lot of the feedback was about enforcement, I see a lot of
59 conversations happening there, that should be happening here. I was disappointed in not
60 seeing public safety there.

61
62 Vice Chair Myers: Pass

63
64 Chairman James: Pass

65
66 **TRIBAL MEMBER COMMENT:** None provided.

67
68 **EXECUTIVE SESSION:** OTA21-029, Appeal, Fish meeting debrief (Hodge), TC20-023 Associate
69 Judge Contract.

70
71 **CONSENT ITEMS:**

72 P21-018, USDA Emergency Community Water Assistance
73 Submitted by Sophia Lay

74 **Motion made by Councilmember Natt/Vice Chair Myers to approve the Planning Department**
75 **to submit a grant application to the USDA Emergency Community Water Assistance Grant**
76 **Program and to authorize the Chairman to sign all necessary grant documents. (This grant will**
77 **seek funds to perform emergency repairs on the Klamath Glen Water System). Motion carries**
78 **by consensus.**

79
80 WILD21-003, Change in Principle investigator
81 Submitted by Tiana Williams-Claussen

82 **Motion made by Councilmember Natt/Vice Chair Myers to approve the submission of the**
83 **attached letter requesting a change in principle investigator for grant #90NR306, and all**
84 **necessary Chairman's signatures. Motion carries by consensus.**

85
86 OTA21-024, Klamath Tribes-Yurok joint letter

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87 OTA 21-024, Letters of Support
88 Submitted by Amy Cordalis

Motion made by Councilmember Natt/Vice Chair Myers to retroactive approval and authorization for Chairman to sign a joint letter from the Klamath Tribes and the Yurok Tribe to the Biden Administration regarding recommendations for the Klamath Basin. Motion carries by consensus.

93
94 **AGENDA ITEMS:**

95 **Fisheries**

96 Dave Hillemeier presents
97 FISH21-012, Letters of Support
98 Submitted by Dave Hillemeier

Motion made by Councilmember Natt/Councilmember Hodge to authorize sending the attached letter with the Chairman's signature to Matt Baun of the US Fish and Wildlife Service regarding our support for continued efforts by the USGS and Scott River Watershed Council for work on the juvenile Coho ecology project. Motion carries by consensus.

103
104 **Human Resources**

105 Rose Sylvia presents
106 HR21-03, Organization Divisions
107 Submitted by Rose Sylvia

Motion made by Councilmember Ray/Vice Chair Myers to approve Health & Human Services Division and Community Development Division. Motion carries by consensus.

110
111 Rose Sylvia, Louisa McCovey presents
112 HR21-04, Job Descriptions-YTEP
113 Submitted by Rose Sylvia

Motion made by Councilmember Ray/Councilmember Natt to approve Food Village Coordinator job description for Yurok Tribe Environment Program. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-np, Councilmember McCovey-np. Yes-4, no-2, abs-0, np-2. Motion carries.

119
120 HR21-05, Emergency Sick Leave Addendum
121 Submitted by Rose Sylvia

Motion made by Councilmember Ray/Councilmember Natt to approve extension of addendum to PP No.12 Leave of Absence-Emergency Paid Sick Leave to December 31, 2021. Motion carries by consensus.

125 **Office of Tribal Attorney**
126 OTA21-012, Tribal Council Ethics Review Ordinance
127 Submitted by Geneva Thompson

128 **Council Consensus to table. A work session has been scheduled.**

129
130 OTA21-022, Public Hearing Ordinance
131 Submitted by Maggie Poffenbarger

132 **Motion made by Councilmember Vanlandingham/Councilmember Natt to approve attached**
133 **amendment to Public Hearing Ordinance as emergency legislation to allow online and**
134 **telephonic public comment session and authorize Chairperson to sign and secretary to attest.**
135 **Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes,**
136 **Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes,**
137 **Councilmember Williams-np, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion**
138 **carries.**

139
140 **TRIBAL MEMBER COMMENT:**

141 Jewel Frank: I am finding it as a huge challenge for people in my district, they don't have
142 internet. Also, the times, most people work and they cannot join online meetings in the middle
143 of the day.

144
145 OTA21-023, Renew Emergency Public Health Criminal Ordinance
146 Submitted by Dawn Baum

147 **Motion made by Councilmember Hodge/Councilmember Natt to renew the Emergency Public**
148 **Health Criminal Law Ordinance for an additional sixty days. Roll call; Vice Chair Myers-yes,**
149 **Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes,**
150 **Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-np,**
151 **Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.**

152
153 **Council**

154 CA21-037, February 10 & 11, 2021 minutes
155 Submitted by Council Operations

156 **Motion made by Councilmember Hodge/Councilmember Natt to approve with edits and**
157 **corrections Council Meeting minutes of February 10, 11 & 16, 2021. Motion carries by**
158 **consensus.**

159
160 11:12am Councilmember McCovey arrives

161
162 CA21-038, Former Public Safety Office space
163 Submitted by Councilmember Ray

164 **Motion made by Councilmember Ray/Councilmember Vanlandingham to have the TERO**
165 **Department take over the former Public Safety Office space. Motion carries by consensus.**

167
168 **BREAK: 11:22-11:35**

169
170 **EXECUTIVE SESSION: 11:35-12:35**

171
172 **LUNCH: 12:35-1:00**

173 Back in Council Session @ 1:00pm
174

175 **TRIBAL MEMBER COMMENT:**

176 Margo Robbins: I would like to thank the Council for their part in shutting down the LNG
177 pipeline. The company has been denied critical permits to move forward with their project.
178 However, the Delta tunnel is still a threat to the Klamath River, if they put in the tunnel they will
179 take more water from the Trinity which will effect the Klamath River. SB 332 will negligence for
180 landowners and they are wanting letters of support for that legislation. If the Tribe wants to do
181 a letter regarding this matter, it would be appreciated.

182
183 Items out of Executive Session:

184 **Office of Tribal Attorney**

185 TA21-029 Appeal Limited Judgement in KID v OWRD

186 Submitted by Geneva Thompson

187 **Motion made by Councilmember Hodge/Councilmember Ray to authorize the Office of Tribal**
188 **Attorney to file a notice of appeal and to represent the Tribe in an appeal of the limited**
189 **judgement in KID v. OWRD case. Motion carries by consensus.**

190
191 **Tribal Court**

192 Jessica Carter presents

193 TC20-023, Associate Judge Contract extension

194 Submitted by Jessica Carter

195 **Motion made by Councilmember Natt/Councilmember McCovey pursuant to the**
196 **Constitution, Chairman appoints Williams Bowers to the Associate Judge with Advice and**
197 **Consent of Council and authorize associate judge contract. Motion carries by consensus.**

198
199 **Tribal Member Comment:**

200 Cheyenne Sanders: What are the terms of this contract?

201
202 **Executive Office**

203 ExDir21-001 UIHS/CRHIB letter

204 Submitted by Don Barnes

205 **Motion made by Councilmember Hodge/Vice Chairman Myers to authorize Chairman James**
206 **to sign attached California Indian Rural Health Board government to government consultation**
207 **letter. Motion carries by consensus.**

208
209 **Emergency Items**

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210 **Motion made by Councilmember Natt/Vice Chairman Myers to suspend to add OTA21-028**
211 **and OTA21-030. Motion carries by consensus.**

212
213 OTA21-030 CPUC letters
214 Submitted by Amy Cordalis

215 **Motion made by Vice Chair Myers/Councilmember Natt to approve filing in the California**
216 **PUC a letter in support of PacifiCorp’s Advice Letter No. 638-E to transfer Parcel B lands**
217 **pursuant to the KHSA. Motion carries by consensus.**

218
219 **EXECUTIVE SESSION: 1:40-2:45**

220
221 Item out of Executive Session:

222
223 OTA21-028, Pecwan Bridge Water Quality Case
224 Submitted by Geneva Thompson

225 **Motion made by Councilmember Provolt/Councilmember Ray to authorize the Office of Tribal**
226 **Attorney to pursue enforcement for violations of Yurok water quality standards, to authorize**
227 **YTEP to take appropriate measures for immediate mitigation against further discharge from**
228 **the Project, and allocate \$5,000 from Project 50 GL 6040 to cover YTEP’s costs for mitigation**
229 **and contain environmental release. YTEP will reimburse funds to Project 50, if funds become**
230 **available. Additionally, authorize Executive Director to carryout directives as discussed in**
231 **executive session. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember**
232 **Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember**
233 **Natt-yes, Councilmember Williams-np, Councilmember McCovey-yes. Yes-7, no-0, abs-0, np-**
234 **1. Motion carries.**

235
236 **TRIBAL MEMBER COMMENT:** None provided.

237
238 **CLOSING PRAYER:** Provided by Councilmember Natt.

239
240 **ADJOURN:** 2:53pm

241
242 **MEETING MINUTES APPROVED ON:**

March 11, 2021

243
244 
245 _____
246 **Sherri K. Provolt, Secretary**

_____ **03/16/21** _____
Date