

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

**YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, MARCH 10, 2022
<https://zoom.us/j/92549693537>**

ROLL CALL: 10:00am

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

ABSENT: Frankie Myers, Vice Chairman (excused)

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

QUORUM: 8 present, 1 absent, quorum present.

OPENING PRAYER: Provided by Chairman James.

REVIEW AGENDA /ADDITIONS /APPROVAL:

**Motion by Councilmember Vanlandingham/Councilmember Hodge to accept the agenda with additions CA22-063, CA22-64, CA22-065, YHHS22-024, FISH22-014, P22-010, and OTA22-017.
Motion carries by consensus.**

REVIEW CALENDAR/ADDITIONS:

Fisheries Department

FISH22-013, California State Coastal Conservancy
Submitted by Barry McCovey, Jr.

Consensus to set March 15, 2022 for Council to accept the invitation for a Government to Government consultation and schedule a meeting with the California State Coastal Conservancy regarding the Tribe's involvement in Prairie Creek restoration activities.

Parks and Recreation Department

PAR22-001, Parks and Recreation Planning Session Request
Submitted by Darian Ferris

Consensus to set March 31, 2022 to discuss recreation plans and logistics, and receive input and directives on specific items of question.

44 **Tribal Court**

45 TC22-007, Data Advocacy Presentation Request

46 Submitted by Lori Nesbitt

47 **Consensus to schedule April 6, 2022 for a planning session with Dr. Blythe George to present**
48 **her Data Advocacy Build Strong Systems, Stronger Communities Report to Tribal Council.**

49

50 **COUNCIL CHECK IN:**

51 Council Member Williams: Pass

52

53 Council Member Provolt: I'll just remind membership that I have an Orick district meeting this
54 Saturday. It will be held at the Westhaven Fire Hall, and I'm hoping to work with our public
55 health nurse to get some COVID testing out to vulnerable populations. Thank you.

56

57 Councilmember Natt: Pass

58

59 Councilmember Ray: Pass

60

61 Councilmember Hodge: Good morning Council, Staff and Membership. I would just wanted to
62 say my district meeting is coming up on the March 21st. I didn't set a specific agenda yet, but if
63 you have any issues that you would like me to bring forward, I can get the appropriate people
64 to attend our meeting and you could ask questions. Also our Prey-go-neesh Board, the 8A
65 construction is still looking for an additional board members. So if you are interested, please
66 get ahold of me or get ahold of Pamela Ames or Vice Chairman Myers. Also I've been recently
67 appointed to the Yurok Telecommunications Corporation Board and the Yurok Agricultural
68 Corporation Board. I look forward to learning more about those two corporations and working
69 hard to move them forward. Thank you.

70

71 Councilmember Williams: Pass.

72

73 Councilmember McCovey: Hello everyone. I had my district meeting and we had a presentation
74 from YEDC and Housing regarding a good year that YEDC had and how the Arcata housing
75 project is still accepting applications. Per council's request, I was in contact with United Indian
76 Health Services, CEO, and we're in the process of setting a date for them to come and report to
77 Council. Thank you.

78

79 Councilmember Vanlandingham: Pass.

80

81 Vice Chairman Myers: Not present.

82

83 Chairman James: A couple of highlights. The Yurok Tribe was recently awarded some funding
84 to help with the drought situation and that funding should be coming out soon for close to \$13
85 million so we can install a new water system. We are looking at long long-term infrastructure
86 on the reservation and also working hard for our people off the reservation. Also, I will highlight

87 that Council will traveled to Sacramento next week to advocate for all our projects. We will
88 meet with top level staff, directors and managers to discuss how Yurok Tribe is working to
89 improve the lives of our tribal citizens through the services that the government provides. We
90 will continue to advocate and work hard on your behalf and for the Yurok people. Thank you.

91

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

93

94 **INTRODUCTION OF NEW EMPLOYEES:** Carlos Moreno (Information Technology), Chris
95 Villarruel (Forestry).

96

97 **EXECUTIVE SESSION:** OTA22-008 Yurok Agricultural Corporation Agreement, OTA22-013
98 Contract for Judicial Services, P22-020 Property Purchase Agreement, Legal (baseball field).

99

100 **CONSENT ITEMS:** None provided.

101

102 **AGENDA ITEMS:**

103 **Administration Division**

104 Krystal Patapoff-Pruitt presents for agenda item

105 *Enrollment & Elections Department*

106 EE22-002, Blood Degree Correction

107 Submitted by Krystal Patapoff-Pruitt

108

109 **Motion by Councilmember Provolt/Councilmember Williams for approval of the**
110 **recommendation of the Enrollment Committee in a meeting held on March 1, 2022 to**
111 **approve the blood degrees listed on Resolution #22-020 with edits who meet membership**
112 **requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion**
113 **carries by consensus.**

113

114 **TRIBAL MEMBER COMMENT:**

115 Annelia Hillman: I just wanted to state and remind folks that blood quantum is a tool of racial
116 discrimination for our people. We need to start thinking about some other way to define Yurok
117 and how we enroll our people. We can think about some other ways, outside the box, such as
118 dedicating hours to actually practicing being Yurok and people spending time in our ancestral
119 territory those types of things. Yurok people can contribute to the tribe instead of this other
120 narrative of what does the tribe do for me type of mindset. So, thinking about different way.
121 We can approach our blood degree and allow our children to be able to be enrolled because we
122 can't keep the blood lines going without interbreeding. So, we've got to think about these
123 things and what we're doing. There's a lot of children, Yurok children, who are descendants that
124 can't get on the roll. They live here, live like Yurok people, and deserve to be on that roll. That's
125 all I've got to say today. Wok-hlew'

126

127 EE22-003, Enrollment of New Members

128 Submitted by Krystal Patapoff-Pruitt

129 **Motion by Councilmember Natt/Councilmember Williams for approval of the**
130 **recommendation of the Enrollment Committee in a meeting held on March 1, 2022 to**
131 **approve to enroll applicants listed on Resolution #22-021 with edits who meet membership**
132 **requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion**
133 **carries by consensus.**

134
135 EE22-004, Denial of Applicants
136 Submitted by Krystel Patapoff-Pruitt

137 **Motion by Councilmember Natt/Councilmember Hodge for approval of the recommendation**
138 **of the Enrollment Committee in a meeting held on December 7, 2021 and March 1, 2022 to**
139 **deny enrollment of applicants DY-1011 through DY-1023 who do not meet membership**
140 **requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion**
141 **carries by consensus.**

142
143 EE22-005, Relinquishment
144 Submitted by Krystel Patapoff-Pruitt

145 **Motion by Councilmember Natt/Councilmember Hodge for approval of the recommendation**
146 **of the Enrollment Committee in a meeting held on March 1, 2022 to relinquish the Tribal**
147 **Member listed on Resolution #22-022 with edits pursuant to the membership requirements**
148 **of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by**
149 **consensus.**

150
151 **Planning & Community Development Division**

152 *Facilities Department*
153 FAC22-001, Security Monitoring 3rd Street
154 Submitted by Dean Baker

155 **Motion by Councilmember Vanlandingham/Councilmember McCovey to sign Advanced**
156 **Security Monitoring Agreement and Limited Waiver of Sovereign Immunity in favor of**
157 **Advanced Security for services at the Eureka 930 3rd Street Building, and approve Resolution**
158 **#22-019 with edits. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes,**
159 **Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes,**
160 **Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7,**
161 **no-0, abstaining-0, not present-1. Motion carries.**

162
163 FAC22-002, Security Monitoring Klamath Justice Center
164 Submitted by Dean Baker

165 **Motion by Councilmember Vanlandingham/Councilmember McCovey to sign Advanced**
166 **Security Monitoring Agreement and Limited Waiver of Sovereign Immunity in favor of**
167 **Advanced Security for services at the Klamath Justice Center, and approve Resolution #22-024**
168 **with edits. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-**
169 **yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-**

170 **yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0,**
171 **not present-1. Motion carries.**

172
173 **Health & Human Services/Neurology “Oohl Division**

174 *Springwind Marshall, Tamara Honrado present*

175 *Health & Human Services Department*

176 YHHS22-004, Low Income Energy Assistance

177 Submitted by Springwind Marshall

178 **Motion by Councilmember Vanlandingham/Councilmember Natt to approve the acceptance**
179 **of \$56,485.00 from Administration of Children & Families (ACF) of which \$51,485 will be used**
180 **for heating assistance and \$5,000 will be used towards emergency heating assistance for our**
181 **Low-Income Home Energy Assistance Program (LIHEAP) FY22 and authorize fiscal to set up a**
182 **project code. Motion carries by consensus.**

183
184 YHHS22-012, Minor/non-Minor Attorney Services

185 Submitted by Valerie Ryles

186 **Motion by Councilmember Vanlandingham/Councilmember Williams to approve YHHS22-12**
187 **(Contract Amendment) for all changes described in the contract amendment as part of the**
188 **Title IV-E Program’s Implementation process and to approve the Chairman to sign all contract**
189 **and agreements developed from this contract. Motion carries by consensus.**

190
191 YHHS22-014, Low Income Home Energy Assistance Project Code

192 Submitted by Springwind Marshall

193 **Motion by Councilmember Vanlandingham/Councilmember Natt to approve the acceptance**
194 **of \$5,789.00 additional funding from the Administration of Children and Families that was**
195 **awarded to our Low-Income Home Energy Assistance Program Project Code #8264 and**
196 **approve updated budget modification. Motion carries by consensus.**

197
198 YHHS22-019, James Irving Foundation Nominations

199 Submitted by Tamara Honrado

200 **Motion by Councilmember Vanlandingham/Councilmember Williams to nominate Delia**
201 **Sharpe, Executive Director of California Tribal Families Coalition and Jessica Carter, Board**
202 **Secretary for Kee-cha-E-Nar for this prestigious award. Authorize Chairman’s signature on**
203 **associated documents if needed and with edits. Motion carries by consensus.**

204
205 YHHS22-024, Behavioral Health

206 Submitted by Alita Redner

207 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve Yurok Health**
208 **and Human Services to submit an application for the Behavioral Health Infrastructure**
209 **Planning Grant for FY 2022 offered by the Department of Health Care Services and to waive**
210 **indirect. Motion carries by consensus.**

211

212 **Natural Resources Division**

213 *Fisheries Department*

214 FISH22-011, Fisheries Oregon Gulch Permit Application

215 Submitted by Barry McCovey, Jr.

216 **Motion by Councilmember Vanlandingham/Councilmember Williams to request Chairman's**
217 **signature on the Fisheries Department's permit application submission regarding restoration**
218 **activities on the Tribe's Oregon Gulch property. Motion carries by consensus.**

219

220 FISH22-012, Fisheries Invasive Species Removal Permits

221 Submitted by Barry McCovey, Jr.

222 **Motion by Councilmember Vanlandingham/Councilmember Ray to request Chairman's**
223 **signature on the Fisheries Department's permit application regarding the use of pesticide for**
224 **the removal of invasive exotic vegetation associated with off reservation Klamath Dam**
225 **Removal restoration activities, pending OTA review. Fisheries to bring back implementation**
226 **plan for restoration activities. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes,**
227 **Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-no,**
228 **Councilmember Williams-yes, Councilmember Natt-yes, Councilmember McCovey-yes. Yes-6,**
229 **no-1, abstaining-0, not present-1. Motion carries.**

230

231 FISH22-014, Fisheries Submit Offer on Field House.

232 Submitted by Barry McCovey, Jr.

233 **Motion by Councilmember Vanlandingham/Councilmember Hodge to authorize Fisheries to**
234 **submit an offer to purchase a property in Hornbrook, CA with a value not to exceed**
235 **\$450,000.00. The down payment will be approximately 20% of the total price and will come**
236 **from Project 7054. This property will be utilized for dam removal activities. Roll call; Vice**
237 **Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember**
238 **Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-yes,**
239 **Councilmember Natt-yes, Councilmember McCovey-yes. Yes-7, no-0, abstaining-0, not**
240 **present-1. Motion carries.**

241

242 **Wildlife Program**

243 WILD22-003, Section 6 Funding contract

244 Submitted by Tiana Williams-Claussen

245 **Motion by Councilmember Hodge/Councilmember Williams to approve the attached**
246 **California Department of Fish & Wildlife Traditional Section 6 Funding Contract in support of**
247 **Humboldt Marten population distribution, associated Resolution #22-016 in support of a**
248 **Limited Waiver of Sovereign Immunity, all associated documents and all necessary Chairman**
249 **signatures pending OTA final approval. Roll call; Vice Chair Myers-np, Councilmember Hodge-**
250 **yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-**
251 **yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes.**
252 **Yes-7, no-0, abstaining-0, not present-1. Motion carries.**

253

254 WILD22-008, Purchase of Wildlife Vehicles
255 Submitted by Tiana Williams-Claussen

256 **Motion by Councilmember Vanlandingham/Councilmember Hodge to approve the purchase**
257 **of six vehicles for the Wildlife Department for natural resource management, not to exceed a**
258 **total amount of \$297, 850 to be funded by Projects 6693 (\$262,150), 6659 (\$15,700) and 6664**
259 **and 177 (\$20,000). Motion carries by consensus.**

260
261 WILD22-009, Bat Acoustic Analysis Contract
262 Submitted by Tiana Williams-Claussen

263 **Motion by Councilmember Provolt/Councilmember McCovey to approve the attached**
264 **contract with Bat Conservation International as a sole-source contract to conduct analyses of**
265 **bat acoustical data collected from Yurok Tribal lands, and all necessary Chairman’s signatures.**
266 **Motion carries by consensus.**

267
268 **Council**

269 CA22-064, Card Game Donation
270 Submitted by Taralyn Ipiña

271 **Motion by Councilmember Hodge/Councilmember Provolt to approve donation in a total of**
272 **\$1,150 for Card Games. Funds from Travel Line Item: Orick (\$250), East (\$250), Chairman**
273 **(\$250), Requa (\$150), and \$250 from Community Donations line item. Motion carries by**
274 **consensus.**

275
276 CA22-063, Community Donation Request
277 Submitted by Councilmember Ray

278 **Motion by Councilmember Ray/Councilmember Provolt to approve a community donation in**
279 **the amount \$150 for Community Donation - Application#22-003CM/Tribal Member #10306.**
280 **Motion carries by consensus. Roll call; Vice Chair Myers-np, Councilmember Hodge-yes,**
281 **Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes,**
282 **Councilmember Natt-yes, Councilmember Williams-abstain (conflict), Councilmember**
283 **McCovey-yes. Yes-6, no-0, abstaining-1, not present-1. Motion carries.**

284
285 **Office of Tribal Attorney**

286 OTA22-017, Opposition to EPA Voluntary Remand
287 Submitted by Melodie Meyer

288 **Motion by Councilmember Provolt/Councilmember Hodge to retroactively approve the Yurok**
289 **Tribe’s decision to direct Earthjustice attorneys to draft and file opposition to EPA’s motion to**
290 **voluntary remand their rule on DecaBDE toxins and to request consultation with the EPA on a**
291 **government-to-government level in litigation against the EPA. Motion carries by consensus.**

292
293 **TRIBAL MEMBER COMMENT:** None provided.
294

295 **LUNCH:** 12:25pm - 1:32pm

296

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

298

299 **AGENDA ITEMS:**

300 **Office of Tribal Attorney**

301 OTA22-012, 30 x 30 Comment Letter

302 Submitted by Maggie Poffenbarger

303 **Motion by Councilmember Provolt/Councilmember Natt to retroactively approve Chairman’s**
304 **signature on Yurok Tribe’s request for consultation letter and comments to the California**
305 **Natural Resources Agency (CNRA) regarding the latest 30x30 document. Motion carries by**
306 **consensus.**

307

308 OTA22-016, California Public Utilities Commission Microgrid Proceeding

309 Submitted by Melodie Meyer

310 **Motion by Councilmember Natt/Councilmember McCovey to direct OTA to file a motion for**
311 **party status (or equivalent) in California Public Utilities Commission Proceeding #A2106022**
312 **and to submit and file all other documents and fillings necessary to advance the interest of**
313 **the Yurok Tribe in consultation with the Yurok Tribal Council. Motion carries by consensus.**

314

315 **Public Health**

316 Hollie Strahm presents for agenda item

317 PH22-001, Electronic Case Report

318 Submitted by Hollie Strahm

319 **Motion by Councilmember Provolt/Councilmember Natt to have Chairman James approve**
320 **and sign all relevant documents and letter of support related to the application for Electronic**
321 **Case Report grant application for Nation Indian Health Board (NIHB). Grant allows full**
322 **indirect with no match. Motion carries by consensus.**

323

324 **Tribal Court**

325 Lori Nesbitt presents for agenda item

326 TC22-001, Court Innovation Contract

327 Submitted by Lori Nesbitt

328 **Motion by Councilmember McCovey/Councilmember Provolt to approve authorization for**
329 **Chairman to sign the contract for Center for Court Innovation to help provide technical**
330 **assistance, reduce barriers to treatment and increasing access to Medications for Opioid Use**
331 **Disorder (MOUD), and increase awareness and understanding of the opioid epidemic.**
332 **Motion carries by consensus.**

333

334 **Yurok Indian Housing Authority**

335 Nicole Sager presents for agenda item

336 YIHA22-004, Monthly Report

337 Submitted by Nicole Sager

338 **Motion by Councilmember Hodge/Councilmember Provolt to approve the monthly report for**
339 **the Yurok Indian Housing Authority submitted by Nicole Sager, YIHA Executive Director.**
340 **Motion carries by consensus.**

341

342 **Yurok Tribe Construction Corporation**

343 YTCC22-001, Employee 2021 Tax Exemption Letter

344 Submitted by Wes Scribner

345 **Motion by Councilmember Hodge/Councilmember Williams to authorize Chairperson to sign**
346 **the letter qualifying work performed by the Yurok Tribe Construction Corporation during**
347 **2021 as fishing rights related activities. Motion carries by consensus.**

348

349 **Council**

350 CA22-058, AB 2176

351 Submitted by Tribal Council

352 **Motion by Councilmember Provolt/Councilmember Ray to approve letter of support for AB**
353 **2167, expanding the timeframe for Native American families to register a birth of a child. Roll**
354 **call; Vice Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-yes,**
355 **Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes,**
356 **Councilmember Williams-yes, Councilmember McCovey-yes. Yes-7, No-0, Abstaining-0, Not**
357 **Present-1. Motion carries.**

358

359 CA22-065, Masten Political Donation

360 Submitted by Council

361 **Motion by Councilmember Hodge/Councilmember Natt to approve donation of \$2,000 from**
362 **Budget #50 for tribal member Susan Masten's political campaign for 5th District Del Norte**
363 **County Board of Supervisors. Motion carries by consensus.**

364

365 CA22-059, Self-Governance Director

366 Submitted by Chairman James

367 **Motion by Councilmember McCovey/Councilmember Hodge pursuant to Chairman James's**
368 **constitutional authority, Chairman James appoints Kori Cordero to the Self Governance**
369 **Director with the advice and consent of the Tribal Council. Roll call; Vice Chair Myers-np,**
370 **Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes,**
371 **Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes,**
372 **Councilmember McCovey-yes. Yes-7, No-0, Abstaining-0, Not Present-1. Motion carries.**

373

374 CA22-060, Madrone Political Contribution

375 Submitted by Taralyn Ipiña

376 **Motion by Councilmember Vanlandingham/ Councilmember Hodge to authorize political**
377 **contribution in the amount of \$1,000 to support re-election of Humboldt County 5th District**
378 **Supervisor Steve Madrone. Motion carries by consensus.**

379 **BREAK:** 2:22pm - 2:32pm

380

381 **EXECUTIVE SESSION:** 2:32pm-4:01pm

382 P22-020 Property Purchase Agreement

383 OTA22-008 Yurok Agricultural Corporation Agreement

384 OTA22-013 Contract for Judicial Services,

385 Legal Issue at Baseball Field (Ray)

386 Business license at Stone Lagoon (Hodge),

387 Confidential mail (McCovey)

388

389 3:20pm Councilmember Ray leaves meeting for appointment.

390

391 **Action out of Executive Session:**

392 OTA22-008, Investment Agreement with Yurok Agricultural Corporation

393 Submitted by Maggie Poffenbarger

394 **Discussion of attached confidential investment agreement with Yurok Agricultural**
395 **Corporation (YAC). Item tabled.**

396

397 OTA22-013, Contract for Judicial Services

398 Submitted by Maggie Poffenbarger

399 **Motion by Councilmember Vanlandingham/Councilmember Williams pursuant to Chairman**
400 **James's constitutional authority, Chairman James appoints Abby Abinanti to the Chief Judge,**
401 **with the advice and the consent of the Council. Furthermore the Council approves the**
402 **attached contract and authorize Chairman to sign and Secretary to attest, with edits. Motion**
403 **carries by consensus.**

404

405 P22-010, Property Purchase Agreement

406 Submitted by Michael Gerace

407 **Motion by Councilmember Provolt/Councilmember Hodge to approve property purchase**
408 **agreement and associated Resolution #22-006 Waiver of Sovereign Immunity in favor of the**
409 **Seller, and Authorize Chairman to sign and Secretary to attest, and to approve immediate**
410 **allocation of \$5,000 from Operational Reserve to be used as a down payment. Roll call: Vice**
411 **Chair Myers-np, Councilmember Hodge-yes, Councilmember Ray-np, Councilmember**
412 **Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember**
413 **Williams-yes, Councilmember McCovey-yes. Yes-5, No-1, Abstaining-0, Not Present-2.**
414 **Motion carries.**

415

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

417

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

419

420 **ADJOURN:** 4:09pm

421

March 10, 2022, Council Action meeting


422 MEETING MINUTES APPROVED ON:

423

424

425

426



Sherri K. Provolt, Secretary

May 5, 2022

05/09/2022

Date