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**YUROK TRIBAL COUNCIL
ACTION MEETING
TUESDAY, JANUARY 25, 2024
WEITCHPEC TRIBAL OFFICE
<https://zoom.us/j/92549693537>**

ROLL CALL: 10:05am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick District; Wes Crawford, East District; Ryan Ray, Requa District; Toby Vanlandingham, Weitchpec District; Phillip Williams, North District; Mindy Natt, Pecwan District

ABSENT: Lana McCovey (excused)

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Maggie Mais, Deputy General Counsel; Michael Maranger, Chief Financial Officer, Georgiana Gensaw (recorder).

QUORUM: 8 present, 1 absent, quorum present

OPENING PRAYER: Provided by Councilmember Williams.

ADDITIONS TO AGENDA:

Motion made by Councilmember Natt/Councilmember Williams to accept the agenda with additions of HR24-26 Finance Department Job Description(s) and T24-003 Grant Co-Applicant with Humboldt County. Motion carries by consensus.

CALENDAR:

January 27-Annual Corporations Meeting
January 29-Ordinances Work Session 10am
February 11-13-MMIP Summit & Day of Action
March 1-Chairman James out of office
March 5-Election Day

COUNCIL CHECK IN:

Councilmember Natt: Pass.

Councilmember Provolt: Pass.

Councilmember Ray: Pass.

44 **Councilmember Crawford:** Pass.

45

46 **Councilmember Williams:** Pass.

47

48 **Councilmember McCovey:** Not present.

49

50 **Councilmember Vanlandingham:** Pass.

51

52 **Vice Chair Myers:** Pass.

53

54 **Chairman James:** Yesterday I attended the Feather Alert panel. It's been one year since the
55 alert has been implemented, AB1314. There are only a handful of states that have any kind of
56 law like this. Taralyn testified from her own personal experience. I am glad I attended.

57

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

59

60 **EXECUTIVE SESSION:** Legal (OTA), Humboldt Bay Harbor District (Executive Office)

61

62 **INTRODUCTION OF NEW TRIBAL EMPLOYEES:** None provided.

63

64 **CONSENT AGENDA ITEMS:**

65 **Office of Tribal Attorney**

66 OTA24-001, Persistent Toxic Chemicals

67 Submitted by Annie Perry

68 **Motion made by Councilmember Natt/Councilmember Vanlandingham to retroactively**
69 **approve Tribe joining letter written by OTA submitted to the Environmental Protection**
70 **Agency regarding a toxic chemical known as decaBDE. OTA review and edits were sent out to**
71 **meet the EPA's deadline for comments. Motion carries by consensus.**

72

73 **Council**

74 CA24-014, January 9, 2024, Council Meeting Minutes

75 Submitted by Councilmember Provolt

76 **Motion made by Councilmember Natt/Councilmember Vanlandingham to approve Council**
77 **Meeting Minutes for January 9, 2024. These minutes have been reviewed and edited by**
78 **Secretary Provolt. Motion carries by consensus.**

79

80 **AGENDA ITEMS:**

81 **Executive Director**

82 ExecDir24-001, Closure of Requa Resort

83 Submitted by Don Barnes

84 **Motion made by Councilmember Williams/Councilmember Natt to authorize the closure of**
85 **Requa Resort and direct OTA to draft a "90-Day Notice to Vacate" for rehabilitation and**

86 renovation of the property, and to distribute Notice to all individuals currently habilitating at
87 Requa Resort. Motion carries by consensus.

88
89 **TRIBAL MEMBER COMMENT:**

90 Lori Hodge:

- 91 • I just want to show my full support for this action.
- 92 • I know it may seem harsh; I think it's great to clean up Requa.
- 93 • It will make it a better place for all Tribal members to enjoy.

94
95 Elizabeth Davis:

- 96 • I just wanted to know if the upgrades include improvements for the fishermen/women -
97 like bathrooms, fish cleaning stations, etc.?

98
99 **Health & Human Services Division**

100 *Client Services*

101 YHHS24-002, 50% Unemployment Verification Survey

102 Submitted by Madison Green, Client Services Director

103 **Motion made by Councilmember Natt/Councilmember Vanlandingham to approve Chairman**
104 **to sign 50% Unemployment Verification form for our Yurok Tribal TANF Program pending**
105 **updated data. Motion carries by consensus.**

106
107 *Tribal Court*

108 TC23-025, Regional Appellate Court Services

109 Submitted by Judge Abby Abinanti

110 **Motion made by Councilmember Williams/Councilmember Vanlandingham to approve**
111 **contract with Northern California Tribal Court Coalition to strengthen the Regional and**
112 **Appellate Court Services and approve Chairman to sign. Motion carries by consensus.**

113
114 TC24-002, Data Sharing Agreement

115 Submitted by Amber Miller, Tribal Court Attorney

116 **Motion made by Councilmember Vanlandingham/Councilmember Natt to approve and sign**
117 **data-sharing agreement with the fund for Guaranteed Income to streamline identification of**
118 **Yurok Tribal members in court systems and/or incarcerated in prisons and jails for the**
119 **purpose of Missing and Murdered Indigenous Person investigations and Tribal Court**
120 **outreach. Motion carries by consensus.**

121
122 **TRIBAL MEMBER COMMENT:**

123 Lori Hodge:

- 124 • East District, I don't get to see the memo and back up documentation. I hope there's an
125 opt-out clause if they feel strongly against it.

126
127 TC25-005, Community Opioid Intervention Prevention Program

128 Submitted by Amber Miller, Tribal Court Attorney

129 **Motion made by Councilmember Vanlandingham/Councilmember Natt to authorize**
130 **submission of the Indian Health Service Fiscal Year 2024 Community Opioid Intervention**
131 **Prevention Grant, approve Resolution 24-003, and approve the Chairperson to assign**
132 **necessary documents and the Secretary to attest. Motion carries by consensus.**

133

134 **Yurok Indian Housing Authority**

135 YIHA24-001, Monthly Report

136 Submitted by Nicole Sager, YIHA Executive Director

137 **Motion made by Councilmember Crawford/Councilmember Natt to approve the Yurok Indian**
138 **Housing Authority (YIHA) January Monthly Report submitted by Nicole Sager, Executive**
139 **Director. Motion carries by consensus.**

140

141 **Council**

142 CA24-008, Travel to Tribal Energy Summit

143 Submitted by Councilmember Natt

144 **Motion made by Councilmember Williams/Councilmember Natt to approve travel to the DOE**
145 **Tribal Clean Energy Summit, Temecula February 27-28,2024 for Councilmember Natt and any**
146 **other interested Councilmembers. Motion carries by consensus.**

147

148 CA24-010, YEDC Board Appointment

149 Submitted by Councilmember Provolt

150 **Motion made by Councilmember Williams/Councilmember Natt pursuant to the Constitution**
151 **authority of the Chairperson, Chairman James appoints Amanda Ammon and Myr Dawson to**
152 **the Yurok Economic Development Board (YEDC) of Directors with the advice and consent of**
153 **Council. Motion carries by consensus.**

154

155 CA24-011, Non-profit Land Trust

156 Submitted by Councilmember Provolt

157 Requested motion: Approve development of a Non-Profit 501c Corporation for a Land Trust to
158 be managed by Ner-er-Ner Villages.

159 **Directive to Office of Tribal Attorney to set a strategic work session regarding development of**
160 **a Non-Profit 501c Corporation for a Land Trust to be managed by Ner-er-Ner Villages.**

161

162 CA24-012, Humboldt County Measure A Support

163 Submitted by Councilmember Provolt

164 **Motion made by Councilmember Vanlandingham/Vice Chairman Myers to oppose Humboldt**
165 **County Measure A – Humboldt County Cannabis Reform Initiative. Roll call: Vice Chairman**
166 **Myers-yes, Councilmember Crawford-abs, Councilmember Ray-yes, Councilmember**
167 **Vanlandingham-yes, Councilmember Provolt-abs, Councilmember Natt-yes, Councilmember**
168 **Williams-yes, Councilmember McCovey-np. Yes-5, no-0, abstain-2, not present-1. Motion**
169 **carries.**

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TRIBAL MEMBER COMMENT:

Lori Hodge:

- I totally support Councilmember Vanlandingham and Vice Chairman Myers view on this Measure A. I know several small pot farmers and it absolutely does not benefit the small pot farms.
- There has been no consultation with the Tribes, there hasn't been consultation with anyone regarding this, that's why no one knows why they are pushing this from the top.
- Also, there's no future path for future consultation, we wouldn't want anyone coming onto the Reservation saying we couldn't do something because of this measure, so why would we want that for our off-Reservation members. I totally oppose this Measure.

Jewel Frank:

- I am against Measure A, it's really a water issue.
- California feeds the world. Our agriculture is among the top 10 in the world.
- When people grow weed with our water, we get nothing. We get zero.
- We are fighting for water for our fish. It's all connected.
- We get left out; we don't get our services. We don't even have any Native people on the Water Board for California. I support no on Measure A.

CA24-013, Natural Resources Committee By-Laws

Submitted by Councilmember Williams

Discuss the process to make changes to the Natural Resources Committee By-Laws.

Directive to send to Natural Resources Committee.

BREAK: 11:25am-11:45am

AGENDA ITEMS:

Community Development Division

Transportation

T24-004, Clean California Resolution 24-004

Submitted by Grant Klopmeier, Planner

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Resolution #24-004 waiving limited sovereign immunity for Clean California grant, Restricted Grant Agreement and Restricted Grant Agreement Amendment 1. Authorize Chairman to sign all documents. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, no-0, abstain-0, not present-1. Motion carries.

Administrative Division

Finance Department

212 FIN23-26, Finance Job Descriptions
213 Submitted by Daraxa Mattice, Human Resources Director

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve job description for the Finance Department, Deputy Finance Director, and revisions to Chief Financial Officer, as well as approval of the associated updated organizational charts and budget modification requests of \$142,043.82 to support newly Deputy Finance Director job description. Motion carries by consensus.

TRIBAL MEMBER COMMENT:

Jewel Frank:

- Why are these emergency agenda items?
- When you do these, it gets members off track?
- Waiving sovereign immunity if we could solve this district by district. Those things could be solved at district meetings. I didn't consent to any waivers of sovereign immunity.

Elizabeth Davis:

- This is more for Don Barnes; I got a couple calls about the water at Notchko and down river. Will someone be at Morek won to assist people to get water?

LUNCH: 12:02pm-12:45pm

AGENDA ITEMS:

12:02 Vice Chairman leaves meeting.

Motion by Councilmember Vanlandingham/Councilmember Williams to suspend the rules and add CA23-321. Motion carries by consensus.

Council

CA23-321, Jet Boat Championship Race

Submitted by Councilmember Williams

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the jet boat race set for May 8, 2024. Roll call: Vice Chairman Myers-*np*, Councilmember Crawford-*no*, Councilmember Ray-*yes*, Councilmember Vanlandingham-*yes*, Councilmember Provolt-*no*, Councilmember Natt-*yes*, Councilmember Williams-*yes*, Councilmember McCovey-*np*. Yes-4, no-2, abstain-0, not present-0. Motion carries.

STATEMENT ON BEHALF OF CULTURE COMMITTEE:

Rosie Clayburn, THPO:

- Committee recommends their continued disapproval of all boat races on the Klamath River because of low flow and protection of our fish in line with the rights of the Klamath River.

- 253 • They had a lot of discussion about the use of jets and how they can blow out small
254 juvenile fish, and
255 • They worry about the many boats on the river especially as we work towards Dam
256 Removal.
257 • They also wanted to point out that they have always disapproved of races on the river
258 since we are supposed to respect our river.
259 • There was also a discussion about the impact to fisherman.
260 • The rights of the Klamath River were a deep conversation.
261 • They also pointed out that there was a difference between everyday Jet Boats and these
262 types of events.

263
264 **TRIBAL MEMBER COMMENT:**

265 Jewel Frank:

- 266 • This February 9th will be three years of the tragic since the triple homicide. I didn't get to
267 say goodbye. Yesterday, we lost another tribal member. Sometimes we forget that we
268 walk around with a heavy heart. Untreated addiction issues are at the heart of the
269 issues here.
270 • I was corrected back in the day. When I acted out as a child, my mom wouldn't think
271 anything of popping me, and I didn't think of it as child abuse. It made me act right.
272 • When it was time to go to court, we were re-victimized, the getaway driver, the mother
273 of the murderer, sat right behind us. I complained to the DA and Victims Right person,
274 no one did anything. I did speak up for my Bear River family, they were signed up Yurok,
275 but when Bear River opened, they switched over to Bear River.
276 • My son came home to ask for help and his own people excluded him.
277 • Three years ago, I lost three family members.
278 • I want to come to my people for help and healing. My son is dead, and I don't want to
279 come here and be mad at Toby for his dumb decisions.
280 • I want to come in here and feel lighter.

281
282 **EXECUTIVE SESSION: 1:13pm-1:47pm**

283 Litigation update (OTA)

284 Legal issue (Vice Chairman Myers)

285
286 No action out of executive session.
287

288 **AGENDA ITEMS:**

289 **Motion made by Councilmember Ray/Williams to suspend the rules and add CA24-016, YTCC**
290 **personnel policies. Motion carries by consensus.**

291
292 **Council**

293 CA24-016, YTCC Personnel Policies

294 Submitted by Councilmember Crawford

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Motion made by Councilmember Natt/Councilmember Vanlandingham to request CEO Wes Scribner to provide Council with Yurok Tribe Construction Company Employee Handbook and Bylaws within 30 days. Motion carries by consensus.

CLOSING PRAYER: Provided by Chairman James.

ADJOURN: 2:00pm

MEETING MINUTES APPROVED ON:

March 6, 2024



03/07/24

Sherri K. Provolt, Secretary

Date