

1 **YUROK TRIBAL COUNCIL**
2 **ACTION MEETING**
3 **THURSDAY, JUNE 10, 2021**
4 <https://www.gotomeet.me/yuroktribe>

5
6 **ROLL CALL:** 10:02am

7
8 **PRESENT:** Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick
9 District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Lori
10 Hodge, East District; Toby Vanlandingham, Weitchpec District; Lana
11 McCovey, South District; Phillip Williams, North District.

12
13 **ABSENT:** None

14
15 **STAFF:** Don Barnes, Executive Director; Taralyn Ipiña, Council Operations
16 Director; Dawn Baum, General Counsel; Georgiana Gensaw (recorder).

17
18 **QUORUM:** 9 present, 0 absent, quorum present

19
20 **OPENING PRAYER:** Provided by Chairman James.

21
22 **REVIEW AGENDA/ADDITIONS/APPROVAL:**

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

27
28 **REVIEW CALENDAR/ADDITIONS:**

29 June 18-California Truth & Healing Council

30 June 21-Pecwan District Meeting (Don Barnes will be presenting/intro.)

31 July 26-South District Meeting 6pm-7:30pm

32
33 **Office of Tribal Attorney**

34 OTA21-014, Rights of the Hehlkeek' We-Roy Ordinance Work Session

35 Submitted by: Geneva E.B. Thompson

36 **Motion to approve the draft Rights of the Hehlkeek' We-Roy Ordinance for a work session.**
37 **Item pulled.**

38
39 **COUNCIL CHECK IN:**

40 Councilmember Provolt: 1) An Orick District Meeting was held on Thursday, June 3 2021.

41 Thank you to all members who took time to attend this meeting and provided comment.

42 2) A special Thank you to Tianna Williams for attending the meeting and providing an update
43 on the Condor Program.

June 10, 2021 Council Action Meeting

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

56

57 Councilmember Ray: At my last NCIDC, I was notified we haven't been able to finalize getting

58 the sanitization technicians working yet. We submitted the request for this positions and they

59 have been approved, NCIDC is just waiting for the Tribe to call them (Brenda) so we can get

60 these positions in place. It pays \$20 an hour, and we have at least one tribal member

61 interested. The money is ear marked for the Yurok Tribe. If we don't spend it, it gets sent back. I

62 had my district meeting, we discussed disc golf, the emergency center building, and we

63 discussed tribal wide projects. Lots of good ideas came out of that.

64

65 Councilmember Natt: I want to back up what Ryan was saying, we really need those sanitization

66 positions. We could really use more people working. Don if you could look into that, especially

67 for Weitchpec offices.

68

69 Councilmember Hodge: Good morning, I would like to remind everyone to fill out your ARP

70 application. The sooner you do your paperwork, the sooner you get your check. Thank you very

71 much.

72

73 Councilmember Williams: I want to let the membership know that I have been working on a

74 Craft Fair up here (Crescent City) to occur on July 3. I'm trying to help the membership recoup

75 some of the money they lost due to COVID.

76

77 Councilmember McCovey: Pass.

78

79 Councilmember Vanlandingham: Pass.

80

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

82

83 Chairman James: We will continue to have a dialogue about what we can best do with the

84 remaining ARP funds. We want to hear from our staff, Corporations, YEDC, Housing, and

85 Councilmembers have their projects. We know we are going to have a bad fire season, and that

86 we are in a drought, so we are working with staff to prepare for that. Our staff is working
87 around the clock to get APR checks out to help the membership.

88
89 **NEW EMPLOYEES:** Fire Department: Nick Hillman, Jasper Hostler, and Michael Offield.
90 Education Department: Bridget Finnegan.

91
92 **EXECUTIVE SESSION:** Possible legislation (Vice), FISH21-041, COHO ESA Listing (Barry McCovey,
93 Jr./Fisheries Director); P21-041, Potential Land Purchase (Planning); KCSD Update (Ray);
94 Resighini Road (Hodge).

95
96 **Motion made by Councilmember Natt/Councilmember Ray to suspend the rules and add**
97 **EDU21-23, Use of Tribal Office for Summer School. Motion carries by consensus.**

98
99 **TRIBAL MEMBER COMMENT:**

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

106
107 Jolene Gensaw: I want to discuss matters with ICWA. I am going through having my kids being
108 adopted out to non-tribal member homes. I am clean and sober now. ICWA is not helping me.
109 They are not supporting me.

110
111 Note: A directive was given to Executive Director to follow up with staff and the tribal member.

112
113 **CONSENT ITEMS:**

114 **Finance**
115 Steve Edmiston presents
116 FIN21-003, Audit Engagement Letter for FY2019 audit
117 Submitted by: Steven Edmiston

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

122
123 **AGENDA ITEMS:**

124
125 **Education**
126 Jim McQuillen presents
127 EDU21-019, Student Support Contracts with School Districts
128 Submitted by: Jim McQuillen

129 **Motion made by Councilmember Williams/Councilmember Ray to approve school district**
130 **contracts for the NECEP grant. (Del Norte Unified School District, Eureka City Schools,**
131 **Klamath Trinity Joint Unified School District, Northern Humboldt Union High School District)**
132 **Motion carries by consensus.**

133
134 EDU21-020, Two Feathers Contract for Support Services
135 Submitted by: Jim McQuillen

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

139
140 Victoria Carlson presents
141 EDU21-021, Yurok Language Applications for Devices
142 Submitted by: Jim McQuillen

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

147
148 EDU21-023, Use of Tribal Office
149 Submitted by Jim McQuillen

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

153
154 **Fire**
155 Chief Mendes presents
156 FIRE21-002, Letter of Support for Chief Mendes
157 Submitted by: Rod Mendes

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

163
164 **Fisheries**
165 Barry McCovey Jr. presents
166 FISH21-040, Support Letter for Nor-Rel-Muk Tribe
167 Submitted by: Barry McCovey Jr.

168 **Motion made by Vice Chairman Myers/Councilmember Ray to approve and Chairman to sign**
169 **the attached letter of support to the Trinity Alps School District regarding the transfer of Cox**

170 **Bar Elementary School to the Nor-Rel-Muk Tribe Wintu Nation. See attached support letter**
171 **for further details. Motion carries by consensus.**

172
173 **Health & Human Services**

174 Alita Redner presents
175 YHHS21-013, Tribal Assistance Software Upgrade
176 Submitted by: Missy Mendoza

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

184
185 YHHS21-018, FY22 Title IV B Subpart II
186 Submitted by: Alita Redner

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

189
190 YHHS21-022, Heating Assistance Funding Acceptance
191 Submitted by: Jeannette Bain

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

195
196 YHHS21-023, Title IV E Year 3
197 Submitted by: Alita Redner

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

202
203 **BREAK 11:25am - 11:35am**

204
205 **AGENDA ITEMS:**
206 **Human Resources**

207 HR21-009, Job Description Modification
208 Submitted by: Rose Sylvia

209 **Motion made by Councilmember Provolt/Councilmember Hodge to approve job description**
210 **modification for G.I.T. Technician; change pay grade to 7. Motion carries by consensus.**

211

212 **Office of Tribal Attorney**
213 OTA21-063, Retro Approval of Drought Testimony
214 Submitted by: D. Baum Acting General Counsel

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

218
219 **Tribal Police**
220 YTP21-002, TruNarc Scientific Portable Instrument
221 Submitted by: Macy Bommelyn

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

227 *12:30pm Councilmember McCovey leaves meeting due to illness*

228
229 **LUNCH: 12:03pm-1:15pm**

230
231 **TRIBAL MEMBER COMMENT:**

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

237
238 **AGENDA ITEMS:**

239 **Public Health**
240 PH21-004, COVID-19 Prevention & Control Plan
241 Submitted by: Hollie Strahm

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

249
250 **Council**
251 CA21-089, Council Social Media Policy
252 Submitted by: Sherri Provolt, Councilmember

253 **Motion made by Councilmember Natt/Councilmember Williams to direct Executive Director**
254 **or Council Operations to set a work session to develop a social media policy applicable to**
255 **Council. To schedule work session within 60 days. Work session to be held in person or**
256 **virtually. Roll call; Vice Chairman Myers-yes, Councilmember Hodge-yes, Councilmember Ray-**
257 **yes, Councilmember Vanlandingham-no, Councilmember Provolt-yes, Councilmember Natt-**
258 **yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-1, abs-0, np-1.**
259 **Motion carries.**

260
261 CA21-091, Cost of Living Adjustment
262 Submitted by: Chairman James

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

268
269 **TRIBAL MEMBER COMMENT:**
270 Linda Ogburn Gillette: Corporations do it differently, and I understand that Council wants to
271 make it fair across the board for employees. At my place of work, it gets rolled together- a COLA
272 and merit 3-4% - and if you are at the cap on the pay scale, then you get a 2 %.

273
274 CA21-092, National Congress of American Indians Travel
275 Submitted by: Council

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

279
280 CA21-093, Yurok Annual Membership Meeting
281 Submitted by: Councilmember McCovey

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

284
285 CA21-096, Thompson Family Donation Retro
286 Submitted by: Chairman James & Councilmember Ray

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

291
292 CA21-098, Indian Health Service Self-Governance Advisory Committee
293 Submitted by: Councilmember McCovey/Councilmember Vanlandingham

294 **Motion made by Councilmember Williams/Councilmember Hodge to approve nomination of**
295 **Councilmember Lana McCovey as delegate and Councilmember Phillip Williams as alternate**
296 **to Indian Health Services Tribal Self-Governance Advisory Committee (TSGAC). Motion carries**
297 **by consensus.**

298
299 CA21-099, May19-20, 2021 Council Meeting Minutes
300 Submitted by: Georgiana Gensaw, Council Operations

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

308
309 CA21-100, Letter of Support (Newland)
310 Submitted by: Councilmember McCovey

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

315
316 **Public Works**

317 PW21-001, Advanced Security
318 Submitted by: Dean Baker

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

326
327 **Wildlife**

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

330 **Motion made by Councilmember Hodge/Councilmember Williams to approve the Yurok Tribe**
331 **Wildlife Department to submit an application to the US Fish and Wildlife Service Tribal**
332 **Wildlife Grant opportunity in support of Humboldt Marten conservation research, and to**
333 **approve the attached Resolution #21-62 and any necessary Chairman signatures. Motion**
334 **carries by consensus.**

335

336 WILD21-016, Bat Grant Submission
337 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.

342
343 OTA21-66, Renew Emergency Amendment to Public Hearing Ordinance
344 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.

350
351 **BREAK:** 3:12pm -3:30pm

352
353 **EXECUTIVE SESSION:** 3:35pm – 5:14pm
354 Legislation Update (Vice Chair Myers), FISH21-041, COHO ESA Listing (Barry McCovey,
355 Jr./Fisheries Director), P21-041, Potential Land Purchase (Planning), Klamath Community
356 Services District Update (Ray), Resighini Road (Hodge).

357
358 Items out of Executive Session:
359 FISH21-041, Yurok Harvest of Coho under ESA
360 Submitted by: Dave Hillemeier

Motion made by Councilmember Hodge/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.

366
367 P21-041, Del Norte County Auction
368 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.

375
376 **AGENDA ITEMS:**
377 CA21-122, Pecwan District Planning Session RE: Fire Prevention

378 Submitted by Councilmember Natt

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

382
383 P21-40, VW Settlement Fund
384 Submitted by Gino O'Rourke

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

389
390

391 **TRIBAL MEMBER COMMENT:**


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

405
406 **CLOSING PRAYER:** Provided by Councilmember Williams

407
408 **ADJOURN:** 5:29pm

409
410 **MEETING MINUTES APPROVED ON:**

July 15, 2021

411
412 
413 _____
414 **Sherri K. Provolt, Secretary**

7/21/2021

Date