YUROK TRIBAL COUNCIL
ACTION MEETING
TUESDAY, JANUARY 21, 2021
https://www.gotomeet.me/yuroktribe

ROLL CALL: 10:04am

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

ABSENT: None

STAFF: Earl Jackson, Taralyn Ipiña, Maggie Poffenbarger, Georgiana Gensaw (recorder)

QUORUM: 9 present, 0 absent, quorum present

OPENING PRAYER: Provided by Councilmember Ray

ADDITIONS TO AGENDA:
Motion made by Councilmember Ray/Councilmember Williams to accept the agenda with additions; CA21-007, CA21-008, and IT21-003. Motion carries by consensus.

CALENDAR:
January 27-CM Hodge out for the day (appointment).

COUNCIL CHECK IN:
Councilmember Vanlandingham: Pass
Councilmember McCovey: Pass
Councilmember Williams: Pass

Councilmember Hodge: Klamath Trinity Joint Unified School District families and parents please watch your mail; we are sending out Local Control Accountability Plan (LCAP) surveys. We want to get as much input from parents and students. We will be holding zoom meetings in February. There are door prizes and other prizes for doing and turning in the survey. The School District is looking for an Administrative Assistant for the new school Superintendent, Jennifer Glueck. If you interested in administrative work or know someone who is please refer to the school district office.
Councilmember Ray: I am holding my district meeting Saturday, January 30 and will be assisting Education Department by gathering input for their education grant and seeing what the needs are of our students and we can help.

Councilmember Natt: Pass

Councilmember Provolt: Good morning, I want to thank our staff, they do a lot of work on behalf of Council and community. I want to thank our public information (relations) Matt Mais and his team as they do a lot of work to share the news with the community of all our projects. I just got my newsletter, it’s a great way to share all of the projects the Tribe is working on. The newsletter, Facebook and website all the ways of media. I think it’s really key for keeping our constituents informed. Wok-hlew’

Vice Chair Myers: It’s been an exciting last few month as far as water discussion and dam removal. I just forwarded Council the summary of our last KHSA meeting being signatories. We are cautiously optimistic; everything seems to be moving along quite nicely. We are in the permitting stages now. We have filed our Amended License Transfer Agreement (ALTA) and we are happy with the process, we have met with all the commissioners. They cannot comment until they see our application. With the Biden presidency, the Primary runner for this administration we are going to see some positive appointment. I want to give an update on our corporations, we are working on adding those meeting dates to the calendar. Once again, I think that Biden Administration are going to helpful.

Chairman James: I wanted to let our membership know that we are going to make another run in 2021 regarding infrastructure job and opportunities. I want to encourage our members to engage, because President Biden is going to release a stimulus funds to support infrastructure. We are still working on many things. I want to continue to advocate for the input from our members regarding land, housing, jobs, buildings, in our district, on our Reservation and within our Ancestral territory. We are doing good work, thanks to our staff and Council.

EXECUTIVE SESSION: Personnel (Ray), Personnel (Chairman), OT21-003, CA21-008

TRIBAL MEMBER COMMENT:
Nicole Provolt: Good morning, Nicole Provolt, Orick district. I wanted to take the opportunity to let Council know how much I appreciate the ability to participate in Council Meetings via the Go to meeting platform. I know we are utilizing it because of COVID, but for me personally even though I am live locally it’s not conducive for me to attend in person because I have a two year old son. He’s often rumbustious and I can mute the computer and I can zone in when it’s something I want to pay attention to it and give my feedback. I hope soon, in the not too distant future, we can meet in person soon; but I do appreciate this virtual platform. Thank you.

CONSENT AGENDA:
Wildlife
WILD21-001 Section 6 Grant
Motion made by Councilmember Ray/Councilmember Hodge to approve submission of an application to the California Department of Fish and Wildlife Section 6 Endangered Species Conservation and Recovery Grant Program in support of Humboldt marten recovery and any necessary Chairman signatures. Motion carries by consensus.

Council
CA21-005 January 6 & 7 2021 Minutes
Submitted by Georgiana Gensaw, Council Operations

Motion made by Councilmember Ray/Councilmember Hodge to approve with edits and corrections Council Meeting minutes for January 6 & 7, 2021. Motion carries by consensus.

AGENDA ITEMS:
Fisheries
Dave Hillemeier present for agenda item
FISH21-02, Search and Rescue MOU with Trinity County
Submitted by Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Provolt to authorize signature by the Chairman on the attached Memorandum of Understanding with Trinity County regarding the use of Tribal equipment for search and rescue operations. See attached memo, OTA work request, and past action item for more information. 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-yes. Yes-8, No-0, Abs-0, Np-0. Motion carries.

FISH21-03, Acquisition of leases for GSA vehicles
Submitted by Dave Hillemeier

Motion made by Councilmember Vanlandingham/Councilmember McCovey to authorize the Fisheries Department to acquire at least three GSA vehicles (two full size trucks and one SUV with 4x4 capabilities) for the 2021 construction season. See attached memo for more information. Motion carries by consensus.

FISH21-05, Redwood Creek
Submitted by Dave Hillemeier

Motion made by Councilmember Provolt/Councilmember Williams to authorize the Fisheries Department to enter into a contract with California Trout, and to work with a stakeholder group working on the Redwood Creek estuary project to provide technical services and seek additional funding to work on the Redwood Creek Estuary restoration project. Motion carries by consensus.

FISH21-06, Grant applications
Submitted by Dave Hillemeier
Motion made by Councilmember Williams/Councilmember Vanlandingham to authorize the Design and Construction Program to submit several proposals as described in the attached memo during the next year (see attached memo, and associated documents describing funding opportunities for more information). Motion carries by consensus.

Human Resources
Rose Sylvia present for agenda item
HR21-01 Job Descriptions
Submitted by Rose Sylvia

Motion made by Councilmember Williams/Councilmember Provolt to approve job descriptions for Victim Services Shelter Manager, YCSS Program Manager, and Coordinator Interpretation Center. Motion carries by consensus.

Office of Tribal Attorney
Maggie Poffenbarger presents for agenda item
OTA21-001 Amended Yurok Public Utility Ordinance
Submitted by Maggie Poffenbarger

Motion made by Councilmember Natt/Councilmember Ray to review public comments and approve attached proposed final Yurok Public Utility Ordinance with edits and authorize Chair to sign and Council Secretary to attest. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes. Yes-6, No-2, Abs-0, Np-0. Motion carries.

TRIBAL MEMBER COMMENT:
Elizabeth Davis: I feel the public hearing process is unfair during COVID, not everyone has internet during this time. Are you guys going to have another public comment when the pandemic is over, so people can make their comments then?

OTA21-002 Amended Land Assignment Ordinance
Submitted by Maggie Poffenbarger

Motion made by Councilmember McCovey/Councilmember Natt to review public comments and approve attached proposed final ordinance and authorize Chair to sign and Council Secretary to attest. Motion withdrawn. Discussion only, no action.

OTA21-003 Comment letter on General Welfare Exclusion
Submitted by Maggie Poffenbarger

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve comment letter or IRS General Welfare exclusion program. Motion carries by consensus.

OTA21-004 Public Health Ordinance
Submitted by Dawn Baum, Deputy General Counsel
Motion made by Vice Chairman Myers/Councilmember Ray to approve final Public Health Ordinance. 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-yes. Yes-8, No-0, Abs-0, Np-0. Motion carries

OTA20-006 Appointment of Public Health Officer
Submitted by Kori Cordero

Motion made by Councilmember McCovey/Vice Chairman Myers to approve Chairman’s appointment of Hollie Strahm as the Yurok Tribe’s Public Health Officer via Resolution 21-005. Motion carries by consensus.

LUNCH: 12:10-1:02

TRIBAL MEMBER COMMENT: None provided.

AGENDA ITEMS:
Planning
Brandi Natt and Patty Ulmer-Gensaw present for agenda items
P21-001 North Coast Tribal Transportation
Submitted by Patty Ulmer-Gensaw

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Resolution 20-001 and authorized signatures for Transportation Manager as Yurok Tribe representative to the North Coast Tribal Transportation Commission (NCTTC) with the Transportation Planner to be the alternate delegate. Motion carries by consensus.

P21-002 Yurok Tribe & Humboldt County MOA
Submitted by Grant Klopmeyer

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve MOA between Humboldt County and the Yurok Tribe for improvements to Bald Hills Road and Lower Cappell Road. Motion carries by consensus.

P21-002-A Yurok Tribe & Humboldt County MOA-Resolution
Submitted by Grant Klopmeyer

Motion made by Councilmember Vanlandingham/Councilmember Provolt to ratify Resolution 20-137, Limited Waiver of Sovereign Immunity in favor of Humboldt County for the Memorandum of Agreement regarding and the improvements to Bald Hills Road and Lower Cappell Road. 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-yes. Yes-8, No-0, Abs-0, Np-0. Motion carries.

P21-004 Patrick’s Point Trail Maintenance
Submitted by Patty Ulmer

Motion made by Councilmember Ray /Councilmember Vanlandingham to approve the Resolution 20-136 for Suemeeg (Patrick’s Park) Maintenance Service Agreement with California State Parks. Motion carries by consensus.

**Tribal Court**

Jessica Carter, Lori Nesbitt present for agenda item

TC21-003 Wild Souls Ranch

Submitted by Jessica Cedillo

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the contract in the amount of $30,000.00 with the Wild Souls Ranch for therapeutic equine youth services. Motion carries by consensus.

Motion made by Councilmember Williams/Councilmember Provolt to approve the contract in the amount of $30,000.00 with the Wild Souls Ranch for therapeutic equine youth services. Motion carries by consensus.

Motion made by Councilmember Williams/Councilmember Provolt to suspend the rules and add TC21-001. Motion carries by consensus.

TC21-001, SAMHSA Youth and Family TREE

Submitted by Jessica Cedillo

Motion made by Councilmember Williams/Councilmember Provolt to approve the submission of the SAMHSA Youth and Family Tree Grant Application in order to enhance and expand comprehensive treatment, early intervention, and recovery support services for youth and their families with substance use disorders (SUD) and mental disorders and authorize for the Chairman to sign all necessary documents. Motion carries by consensus.

**Tribal Heritage Preservation Officer**

Rosie Clayburn present for agenda item

THPO21-001 Suemeeg Park

Submitted by Rosie Clayburn

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to authorize Chairman to sign a letter to the State Park requesting a formal name change of “Patrick’s Point” to Suemeeg. Motion carries by consensus.

THPO21-002 Chah-pek’w’ Project

Submitted by Rosie Clayburn

Motion made by Councilmember Provolt/Councilmember Vanlandingham to approve Resolution 21-002 authorizing the Cultural Resource Department to enter into an agreement with the State Park for updating the National Register of Historic Places nomination of Chah-pek’w’ Village. Motion carries by consensus.

THPO21-003 Stone Lagoon Visitor Center

Submitted by Rosie Clayburn
Motion made by Councilmember Provolt/Councilmember Hodge to approve the Stone Lagoon Visitor Center to be within the Cultural Resources Department and Organizational Structure. Motion carries by consensus.

Yurok Indian Housing Authority
Nicole Sager, Rachel Dowd present for agenda items
YIHA21-01 Monthly Report
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Provolt approval of the Yurok Indian Housing Authority’s Executive Director Monthly Report as submitted by Nicole Sager. Motion carries by consensus.

YIHA21-02 Duplication of Benefits Policy
Submitted by Nicole Sager

Motion made by Councilmember Hodge /Councilmember Ray to approve the Duplication of Benefits Policy as approved by the Yurok Indian Housing Authority Board of Commissioners on January 12, 2021. Motion carries by consensus.

YIHA21-03 Land Use Agreement
Submitted by Nicole Sager

Motion made by Councilmember Williams/Councilmember Vanlandingham to approve the Land Use Agreement between the Yurok Indian Housing Authority and the Yurok Tribe to ensure at least 30% of parcels owned by the Yurok Indian Housing Authority are used for low income tribal housing. Motion carries by consensus.

YIHA21-04 Amended Tax Credit Eligibility and Occupancy Policy
Submitted by Nicole Sager

Motion made by Councilmember Hodge /Councilmember Williams to approve the Eligibility and Occupancy Policy for Tax Credit Properties for the Yurok Indian Housing Authority with requested edits related to companion animals and length of time for abandoned units. Motion carries by consensus.

YIHA21-05 Grant Application
Submitted by Nicole Sager

Motion made by Councilmember Ray/Councilmember Hodge to approve the Yurok Indian Housing Authority to submit a grant application to CA Housing and Community Development to the CDBG CARES CV2 and 3 Tribal Set Aside by Resolution 21-004 and for the Chairman to sign all related documents and the Council Secretary to Attest. Motion carries by consensus.

BREAK 2:22pm-2:35pm

Council
CA20-237 A. Cordalis Contract
Submitted by Chairman James

Motion made by Councilmember /Councilmember Motion to authorize Chairman to sign Amy Cordalis attorney contract. Item tabled.

IT21-003, Funding for Contractor
Submitted by Jessica Engle

Motion made by Councilmember Ray/Councilmember Vanlandingham to use of $150,000 from Operational Reserve x126 for sole source contract with Amerind. Funding to be reimbursed to account if funds are made available. Motion carries by consensus.

CA21-007, HEART donation
Submitted by Vice Chairman

Motion made by Councilmember McCovey/Councilmember Hodge to approve HEART Rescue Team donation in the amount of $7,100. Funding to come from the following:
$250-6391 Community Donation,
$1,600 Chairman’s travel line item project 50 g/l 6170 unit 10,
$1,500 Vice Chair’s travel line item project 50 g/l 6170 unit 15,
$750 North District travel line item project 50 g/l 6170 unit 20,
$500 South District Travel line item project 50 g/l 6170 unit 25,
$250 Requa District travel line item project 50 g/l 6170 unit 30,
$1,000 East District travel line item project 50 g/l 6170 unit 35,
$500 Pecwan District travel line item project 50 g/l 6170 unit 40,
$500 Weitchpec District travel line item project 50 g/l 6170 unit 45, and
$500 Orick District travel line item project 50 g/l 6170 unit 50. Motion carries by consensus.

BREAK 3:31pm-3:36pm

EXECUTIVE SESSION: 3:36pm-5:53pm
KCSD update, Personnel, Property, and Strawberry Rock.

Motion made by Councilmember Vanlandingham/Councilmember Hodge to suspend the rules and add OTA21-008 Access to Yurok Village Site. Item to be discussed in Executive Session. Motion carries by consensus.

OTA21-008, Access to Yurok Village Site
Submitted by Geneva Thompson

Motion made by Councilmember Vanlandingham/Councilmember Hodge to authorize Chairperson to call Resighini’s Chairperson to work out a solution to Resighini’s actions blocking access to a Yurok Village and, in the event a solution cannot be reached to authorize Chief O’Rourke to issue a citation for violations of Yurok law. Further, authorize Council to request a government to government meeting with the Army Corp. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember
January 21, 2021 Council Action meeting

Vanlandingham-yes, Councilmember Provolt-abs, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-abs. Yes-6, No-0, Abs-2, Np-0. Motion carries.

Councilmember Provolt-conflict of interest
Councilmember McCovey-conflict of interest

CA21-004 Potential Property Purchase
Submitted by Vice Chair Myers & Councilmember Vanlandingham-CONFIDENTIAL
Action/Discussion regarding potential property purchase in the Weitchpec area.

Directive to acting Executive Director to work with staff to enter negotiations with landowner as discussed in executive session (1/21/2021).

CA21-008, Strawberry Rock
Submitted by Taralyn Ipiña

Motion made by Councilmember Vanlandingham/Councilmember Williams to not support Trinidad Land Trust acquiring the Yurok Sacred Site in what is now called Strawberry Rock and authorize Chairman to sign a letter stating the Tribes opposition. Roll call; Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-yes, Councilmember Vanlandingham-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Provolt-abs, Vice Chair Myers-yes, Yes-7, No-0, Abs-1, Np-0. Motion carries.

Councilmember Provolt-conflict of interest

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Chairman James.

ADJOURN: 6:04pm

MEETING MINUTES APPROVED ON: February 11, 2021

Sherri K. Provolt, Secretary

Date 02/18/2021