

**Karuk Tribe – Council Meeting
July 19, 2018 – Meeting Minutes**

Meeting called to order at 10:10am by Chairman Attebery.

Present:

Russell “Buster” Attebery, Chairman
Robert Super, Vice-Chairman
Kristen King, Member at Large
Charron “Sonny” Davis, Member at Large
Joseph “Jody” Waddell, Member at Large

Absent:

Renee Stauffer, Member at Large
Arch Super, Member at Large
Michael Thom, Secretary/Treasurer
Alvis “Bud” Johnson, Member at Large

Robert Super read the Mission Statement and Sonny Davis completed a prayer for the audience.

Agenda:

Robert Super moved and Sonny Davis seconded to approve the agenda with changes, 4 haa, 0 puuhara, 0 pupitihara.

Consent Calendar:

Robert Super moved and Jody Waddell seconded to approve the consent calendar, 4 haa, 0 puuhara, 0 pupitihara.

Minutes of June 28, 2018:

Robert Super moved and Kristen King seconded to approve the meeting minutes, 4 haa, 0 puuhara, 0 pupitihara.

Old Business:

Language:

Puuhara (No)

Yav Pa Koomsash paam (we are going to do good today).

Guests:

1) Tamara Alexander, Tribal Member:

Tamara is present to address the Tribal Council. She was asked to read a letter on behalf of Maymi Preston Donahue regarding the recent ceremonial leave policy. She read the letter as submitted. They asked as well to have language included as ceremony and have it acknowledged under the policy.

They asked about paid time off and why the decision was made. They would also like to know why it was made effective during ceremonial season.

Tamara noted that the Council may email Maymi a response to her questions. Buster noted that the Council will take the time to reconsider their action and report back to the staff.

2) Darrel Aubrey, Internship Program:

Darrel is present to discuss a few items. He would like to modernize Tribal ID's and consideration of the Tribe creating passports. He would also like to have all ordinances available to Tribal Members. He noted that currently there is a Real ID Act; in 2005 States were to modernize ID's. That time has been extended to 2018 for California Drivers Licenses. He was hoping to have the Tribes own Tribal ID's in compliance with the Act. The cost could be extensive, but maybe the Tribe could charge the Tribal Member for the enhanced Tribal ID's. Kristen asked what the costs or needs would entail. Darrel noted that it would be new technology and equipment and training. There are initial costs. Darrel asked the Enrollment Office to look into this but they want to wait but he is concerned about the Act deadline.

He went on to request that Ordinances should be available online so the Members can review material online and have one standardized location to receive information. Buster asked about the 2018 deadline and if this will affect the Tribes ID's cards. It was noted that they will not be outdated, but not usable for outside of the United States travel. Buster will send Darrel's information to the NCAI so this could be evaluated.

Shirley asked if changes in the ID will affect the casino. Darrel noted that this should only affect flights and passports. Buster reported that the Tribe will follow up on this matter.

3) Phil Albers, Jr., Tribal Member:

Phil is present to discuss the recent policy change for the ceremonial leave. He is present to thank the Council for being a Tribal Council and making the sacrifices that they do. He understands the decision making and how hard it is. He thanked the Council for their commitment from their own personal lives and from their families.

He is not present to complain and state that they owe him something. He appreciates the Council's work and Administration. He is concerned about the ceremonial leave policy and the decision to change it.

He shared that he is concerned that the policy being restricted is a hindrance. The removal of the hardship of payment during ceremonial time is unfortunate and may hinder the families and the communities of those that participate in ceremonies. He asked that the Tribal Members and ceremonial leaders be allowed to make statements about this change or address the Council on this matter.

As far as the Tribe goes, this Tribe is the leader with language revitalization and cultural activities and support both administratively and communal. The Tribe has set precedence all through the State by allowing administrative leave for people who take ceremonies, and the recent change is confusing.

Phil went on to note that there is evidence that mental wellness comes from your culture and not so much your genes. For the Karuk people this is important and has a close connection to Karuk people, showing that culture is important. He noted that the hardest part is back-dating of the effective date to the ceremonial leave policy. Most people were in ceremonies when the effective date was enacted.

As the Council is committed to Council items and the ceremonial leaders are committed to their ceremonies, perhaps including the ceremonial leaders in the policy change could have been done.

Robert asked about discussing with Phil about different funding to put together projects to assist the Karuk Tribe with the cost. The culture to the Tribe is very valuable but it could possibly change it based on funding.

Buster agreed that cultural healing that is facing the Tribe and its communities, is the only way and often is the only way to help the youth.

Shirley asked about the policy because it doesn't affect RRC. Phil explained the policy to Shirley. And she commented that some may not attend but take leave, and the Tribe would have no way of tracking that.

4) Jennifer Goodwin, Tribal Member:

She is present to voice her own opinion on the ceremonial leave policy. It was a great perk to take time off work with supervisor approval. Jody noted that the staff may still take leave using vacation, sick, or LWOP. Jennifer then noted that her annual leave is for doctor's appointments and sick leave doesn't seem appropriate. The Council explained that sick leave is for wellness as well. She explained that she is supposed to be at ceremonies and is expected to be at ceremonies and she will take a funding hardship, because she believes in it. The Membership should know where this decision came from and explain it. She asked that the Tribe respond to her or provide communication on the change.

5) Tina King, Tribal Member:

Tina is present to address the Tribal Council. She thanked the Council for their time. She came across some information regarding the policy change for ceremonial leave. She is concerned about the message this sends to the youth and organizations that they work with. A key fact of how the Tribe became a federally recognized Tribe was due to ceremonies. She received the email notification and it was very disheartening and she was at work to serve the Membership. Those that attend ceremonies do work very hard for the Karuk people. The retro-active date was very disappointing as well. This previous policy builds confidence in the youth and they know what they are and the organization that supports their own culture was instrumental. Without it, it will hinder the youth and she felt this to be another form of genocide.

She also commented that there is a consultation policy that the Tribe has and she wanted to know if this comes into effect. She would like to understand what the reasoning was and there are steps that have to be followed in the consultation policy which includes reaching out to others for information. She would like to know who the religious persons were that were involved to assist in this type of decision making.

She commented that the Tribal Council is responsible for allowing the Membership to practice their religion and assemble peacefully, and she asked that the Council adhere to this constitutional requirement.

Director Reports:

1) Lester Alford, TANF Director:

Lester is present to review his report. He has one action item that he sent to the TANF Committee. ACF is having their annual meeting on August 22-24, 2018. He is requesting that he and the TANF representatives attend but if they are unavailable then he would like to send Anthony Ballard.

Jody Waddell moved and Sonny Davis seconded to approve out of state travel for Lester Alford and 2 others to WA, 4 haa, 0 puuhara, 0 pupitihara.

He then reviewed his report including data on work participation hours, NEW budgets, LIHEAP services, General Assistance, and CSD. He noted that he is working on MOU's with Departments in the Tribe and in Orleans he has provided 84 lunches to children, which is double from Yreka and Happy Camp.

Robert asked if there was a limit to the caseload. He explained that, for example, he previously needed to see 20 clients per month; he asked if Lester has this same requirement to his case workers. Lester explained that the Tribe is not penalized but he will have to provide an explanation on how services are being provided. He advises not to drop below 40 work participation hours.

Robert Super moved and Kristen King seconded to approve the TANF report, 4 haa, 0 puuhara, 0 pupitihara.

2) Leaf Hillman, DNR:

Leaf is not present, report provided.

Robert Super moved and Kristen King seconded to approve DNR's report, 4 haa, 0 puuhara, 0 pupitihara.

3) Misty Rickwalt, Department of Transportation:

Misty is present to seek approval of match to be used for Happy Camp Street Scapes project. Karen asked if it is cash or in-kind. Misty noted that they will assist in landscaping and sidewalks, etc.

Robert Super moved and Kristen King seconded to approve the letter of match to the Caltrans operation 2020-2023, 4 haa, 0 puuhara, 0 pupitihara.

She then presented a request to submit a letter regarding extending the Tribal Transportation land bill. If passed there will be more time provided for good faith negotiation with Tribes for infrastructure funding.

Robert Super moved and Kristen King seconded to approve support letter for Self-Governance bill, 4 haa, 0 puuhara, 0 pupitihara.

She then presented the active transportation project in Orleans for the connectivity project. This is an extensive process and there were meetings held in collaboration with the community, private land owners, community partners, and design groups. Previously they thought that Caltrans was going to be the lead on this project, and that has fallen through. The Tribes Transportation Department will now be the lead on the application. In this process they discovered that they will need more assistance. They have come up with several viable solutions and she reviewed them 1) submit the proposal with the Tribes engineer, 2) submit it low with an inaccurate right of way, 3) defer cycle to 5 and allow Caltrans to work on this and finally 4) have the Tribe submit in cycle 5 as the lead. Josh has been a part of this discussion and they want to provide the options to the Council for them to choose what to do. Scott asked how many landowners there are besides the Tribe. Scott asked if anyone considered how many persons would do a quick claim. Caltrans can do this and the question is the right of way, it's the fact that putting paved trails requires an expansion of a non-existent right of away, and then relinquish the easement to Caltrans for maintenance. Penny (Caltrans representative) then noted that many of the landowners would provide this, but sometimes that doesn't quite work out. Scott noted that having an agreement

with the landowners could be done but would be need to be in place. They are hoping for approval contingent on what is determined within the next couple weeks for the proposal which is due July 31, 2018. In the next few weeks there will be additional information provided to the Tribal Council.

The Yreka Clinic parking facility has been completed. It is her first project as the Director of Transportation. The audience commented on how nice it looks.

The bus stop for Orleans is still being worked on.

Robert Super moved and Jody Waddell seconded to approve Misty's report, 4 haa, 0 puuhara, 0 pupitihara.

4) Josh Saxon, ED:

Josh is present to review his report with the Tribal Council, Staff and Community Members. The Tribal reunion went well and the staff did a great job. The casino construction is still ongoing; Sharps Road will not be completed by Fair time. The main issue is the Yreka Creek crossing with the City of Yreka. Scott noted that Mike is going to work with the City and the Fair to provide parking assistance.

The Family Services Center punch list was yesterday. The paving is ongoing and the grand opening has been pushed to August 7, 2018.

SB1 provided a lot of transportation funding and this is great for work toward infrastructure projects, but this now creates a hardship for Caltrans that they cannot provide additional assistance.

Organizational capacity and assignments is still ongoing.

There are reports attached to Josh's as well including the Construction Manager, IT Director, HR, etc. Buster has a question about tele-conferencing and video. Eric is trying to get some training to get that going and it needs to be coordinated for staff to get this completed.

Kristen asked about the dumpster in Somes Bar that was taken away. Earl will work on this as well. Jody asked about USFS staff-to-staff has happened. Josh noted that he emailed Patty about the meeting but that isn't going to happen until late fire season.

Shirley asked about putting the Sharp's Road back up. Most of the people that are coming to the casino are ending up in Fort Jones, Oberlin or Montague. Josh will discuss this with Mike or Brenda about the signage.

Buster reported that his meeting with the USFS took place and that the rafters again went through the ceremonial site. Buster and Josh will get together to call the next person in the chain of command for continuing to issue permits and having rafters go through a ceremony.

Robert Super moved and Jody Waddell seconded to approve the ED report, 4 haa, 0 puuhara, 0 pupitihara.

5) Sara Spence, KTHA ED:

Not present, no report provided.

6) Karen Derry, KCDC:

Karen is present to review her report. Karen noted that the cameras at Amkuuf were down and there was an attempted break-in.

Amkuuf II is having a delay in site prep. The contractor would like to move the sign for the casino and Mike and he will talk about this further.

The Computer Centers are operating very well and including additional classes and users per month. A workforce Development training was provided for Frank and he is doing a really good job.

She apologized about her last statements regarding Dion; she spoke on contacting Dion regarding Head Start but she doesn't have further information. Josh noted that the follow up is that it is undetermined about the Head Start services in Orleans. Karen will call and follow up on this.

There are two applications for the Happy Camp Head Start position and the Yreka position will be vacant as well.

The KCDC Financial reports are two months behind, so the KCDC board agreed to have a complete financial report at the end of the month and then that will be submitted with her report moving forward.

Robert asked how the meeting in Susanville went. Karen noted that it went very well and they will be meeting with that Board in Yreka very soon. Susanville would like the Karuk Tribe to be a manufacturer but there will be additional meetings and information provided so that they can evaluate that further.

Robert Super moved and Sonny Davis seconded to approve Karen's report, 4 haa, 0 puuhara, 0 pupitihara.

7) Dion Wood, TERO Director:

Report provided, not present, on travel.

Robert Super moved and Sonny Davis seconded to approve Dion's report, 4 haa, 0 puuhara, 0 pupitihara.

8) Laura Mayton, CFO:

Laura is present to review her report. She has been working on the Indirect Cost proposal and has most of the information included for submission. She believes she will keep it at 50%.

She asked that the Council approve the indirect rate at 50% submission, and once it is completed she will submit it this weekend.

Robert Super moved and Jody Waddell seconded to approve the 2019 Indirect Cost Proposal, 4 haa, 0 puuhara, 0 pupitihara.

The Tax Market project has finally closed and due to the length of time it took there are additional fees. The Tribe is not going to get as much money as previously anticipated but she will be working to provide a breakdown on a possible shortfall on the Happy Camp Wellness Center and Family Services Center.

She has drawn down the entire \$35 million dollar loan and there is \$300,000 that is due back to the Tribe, but there are pending change orders. There are some outstanding bills due. Ralph Starrit is still owed, Wells Fargo attorney fees and KTHA laborer fees. She would like to utilize that funding to pay the outstanding invoices.

Robert Super moved and Sonny Davis seconded to approve paying the three identified outstanding invoices, 4 haa, 0 puuhara, 0 pupitihara.

A new employee started in finance and Laura feels that she will do great. She noted that for 15 years she didn't do reports and drawdowns because they were a function of someone else's position, it is a hardship at this time, but the finance staff is picking up a lot of duties. Buster noted that the Tribe is growing and Directors and Managers need to monitor this. Stress builds and it ends up costing more in the long run.

Robert Super moved and Kristen King seconded to approve Laura's report, 4 haa, 0 puuhara, 0 pupitihara.

9) April Attebury, Judicial Systems:

April is present to review her report. She noted that during her strategic plan was to provide more information to the Membership regarding services and resources to the Membership. She would like to have a bulk mailing.

Robert Super moved and Kristen King seconded to approve allowing Enrollment to work on bulk mailing with April Attebury, 4 haa, 0 puuhara, 0 pupitihara.

She will be putting information in the Newsletter as well. Buster asked about the Enrichment Program and let them know that the program is very valuable to the community; it is from Herman Walters.

She noted that Leslie Harrison is the new employee in Court and she is pulling people together to provide training. She has coordinated this very well and she announced that any type of support from the Council that can be provided is greatly appreciated. She would like the Council to participate as well.

She thanked everyone for their work to get her funding application out the door and she appreciates the work that is done and especially Emma Lee. That funding is very valuable because that is what is used to provide assistance for victim's services, including transportation to shelters and clothing.

Robert Super moved and Kristen King seconded to approve April's report, 4 haa, 0 puuhara, 0 pupitihara.

10) Scott Quinn, Director of Land Management:

Scott is present to review his report. He has one action item. He first sought approval of his action item; an agreement for the Yellow House Property in Yreka.

Robert Super moved and Jody Waddell seconded to approve agreement 18-A-130, 4 haa, 0 puuhara, 0 pupitihara.

He took the time to point out, that working with Ryan on the bid for the Yreka Managers house was received. There was no one present at the pre-bid, but they found a contractor to come onsite

to provide assistance. He completed the bidding process a few years ago which was \$35,000. Now that it was out to bid again, he is unsure of what it will come back now. He commented that sometimes there is opportunity (with discretionary funding), to go with a good deal when one is received.

They have been holding a lot of discussions on the RV Park. It was purchased and it was a business, but there is no dedicated staff or identifying how to properly manage the RV Park. They make \$2,000-\$4,000 per month. Staff is dedicating time to manage them and it would be nice for them to be on their own and he would like to have a discussion on a plan to identify how to manage these items.

He went on to discuss the other items he is working on. He is working on a Leasing Act and he will continue to work toward this, and he is seeking input from Fatima on some items.

Robert Super moved and Sonny Davis seconded to approve Scott's report, 4 haa, 0 puuhara, 0 pupitihara.

Phone Votes:

1. Request approval of resolution 18-R-078 with HRSA. Passed
2. Request approval of resolution 18-R-080 limited waiver of sovereign immunity for Hillside Road project, Tax Market. Passed.

Closed Session:

Informational: Tribal Member #0064 read Articles II, IV, and VI of the Tribes constitution.

Informational: Tribal Member #2817 made statements regarding ceremonial leave and offered different solutions.

Kristen King moved and Jody Waddell seconded to approve resolution 18-R-040, 4 haa, 0 puuhara, 0 pupitihara.

Consensus: for the Tribes ED, CFO, and KTHA ED to work on Tribal Member options. They shall report back with possible solutions.

Robert Super moved and Kristen King seconded to approve resolution 18-R-067, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Kristen King seconded to approve the resolution 18-R-083, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Kristen King seconded to approve the inter-department MOU communication protocols for RRC, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Jody Waddell seconded to extend legal internship to December 31, 2018, 4 haa, 0 puuhara, 0 pupitihara.

Informational: Suggestions to have a third party conduct an IT assessment.

Robert Super moved and Jody Waddell seconded to approve summer youth outreach worker, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Kristen King seconded to approve out of state travel for Vickie Preston and Oliva Williams, July 24-27, 2018, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Kristen King seconded to allow Tribal Member #3101 to demolish trailer and KTHA will donate a dumpster, 4 haa, 0 puuhara, 0 pupitihara.

Kristen King moved and Robert Super seconded to approve the revised employment proposal with employee #3651, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Sonny Davis seconded to rescind ceremony leave policy change, 4 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Jody Waddell seconded to approve a laptop and cell phone for intern DA, 4 haa, 0 puuhara, 0 pupitihara.

Informational: the Chairman will send notice about allowing processing paperwork in a timely manner.

Next Meeting: August 24, 2018 at 10am in Happy Camp.

Robert Super moved and Sonny Davis seconded to adjourn at 4:11pm.

Respectfully Submitted,

Russell “Buster” Attebery, Chairman

Recording Secretary, Barbara Snider