

**Karuk Tribe – Council Meeting
November 21, 2019 – Meeting Minutes**

Meeting called to order at 10am by Chairman Attebery.

Present:

Russell “Buster” Attebery, Chairman
Robert Super, Vice-Chairman
Michael Thom, Secretary / Treasurer
Wilverna “Verna” Reece, Member at Large
Arch Super, Member at Large
Charron “Sonny” Davis, Member at Large
Renee Stauffer, Member at Large (late)

Absent:

Kristen King, Member at Large (excused)

Prayer was done by Sonny Davis and the Mission statement was read by Buster Attebery.

Agenda:

Robert Super moved and Sonny Davis seconded to approve the agenda with changes, 5 haa, 0 puuhara, 0 pupitihara.

Consent Calendar:

None

Minutes of October 24, 2019:

Arch Super moved and Verna Reece seconded to approve the minutes of October 24, 2019, 3 haa, 0 puuhara, 2 pupitihara (Michael/Arch).

Old Business:

KCDC is not present so Arch will ask Michael as a Board Member how the solar is progressing. Michael updated the Council that Karen is on travel for solar and she will update the KCDC Board upon her return. She is currently at an Energy Conference in Denver. Arch asked about Robert and him attending the training as well. Arch asked why. Michael noted that there were prior commitments and Robert didn't go. Robert had asked that a member of the KCDC Board attend so they are following the solar project. Michael noted that he didn't find out about it until later and he was already booked.

Arch asked for an update on TFAP.

Renee arrived at 10:06am

Arch asked Lester about the TFAP and where that is. Lester noted that he still has to send Josh a copy and it has been edited. He will email it to the Council as well.

Robert asked if Lester could be in closed session. He will be added.

Language:

Arch reported that everyone is going to hear the Karuk prayer for months because everyone is going to be assisting Buster in completing a prayer for his travels and conferences that he attends.

Guests:

1) Election Committee:

Michelle Spence, Dolores Voyles, and Tina King are present from the Election Committee. Michelle first called up Chairman Attebery. Buster took his oath of office and signed his required documents. Buster ran uncontested in this election.

The Election Committee then called up the recently elected Secretary/Treasurer, Michael Thom to take his oath of office. He first took the opportunity to thank everyone who supported his campaign to be re-elected. Michael took his oath of office.

The Election Committee then called up Renee Stauffer, recently re-elected Member at Large for the Orleans District. Renee took her oath of office.

Tina then announced that there will be a Special Election for the vacant position and it will be held February 4th, 2020. The entire announcement will be mailed to the Membership next week. Candidate packets will be sent out next week and they will be due to be returned in December.

2) Happy Camp Youth Council/Happy Camp High School:

The Youth Council is present to address the Tribal Council. Emily Mitchell, Madeline Davis, and Andrew Duncan, all from HCHS introduced themselves to the Council. They noted that the students are going on a trip to the inauguration and they thanked everyone for the communities support. They are asking to complete a fundraiser to wash or detail tribal cars to earn money needed for their trip. Buster reported that they will consider their request and report back on their decision.

Robert asked how much they would charge and what they are trying to raise. The students are asking to be paid \$50 per vehicle. Maddy reported that each student has to pay \$1,700 per student and there are 15 students attending the trip. Arch reported that TANF is already paying for some of their trip. The Native American students have been paid for but they're looking to seek funding for the Non-Indian youth as well and will raise money as a group to cover costs. Arch asked how soon they need the money for. Maddy reported that the trip is 2021 but there is a monthly fee each month. Tina reported that they are looking to raise \$5,000.

Arch asked if any of the attendees are executive members of the Youth Council but Maddy reported that she is on the Youth Council but not an executive member.

3) Trista Parry, Grant Writer:

Trista is present to seek approval of action items. She first presented resolution 19-R-140 which is a proposal to the TNGF for \$400,000.

Arch Super moved and Renee Stauffer seconded to approve resolution 19-R-140, 6 haa, 0 puuhara, 0 pupitihara.

She then presented resolution 19-R-147 to CRIHB which is training in Dentrix for staff.

Verna Reece moved and Arch Super seconded to approve resolution 19-R-147, 6 haa, 0 puuhara, 0 pupitihara.

She then presented a contract with Black Wolf Construction under contract 20-C-017 for the gym project. It was put out as an RFP and they received three responses. The contract is not to exceed \$15,000.

Buster asked if this is understood that this is a large project. Trista noted that HUD is releasing funding and they will apply for \$1.5 million for this project. Emma Lee noted that under HUD this will provide funding to overhaul the entire gym project. Arch asked what kind of Indian they are and it was noted that they from Wisconsin.

Arch Super moved and Renee Stauffer seconded to approve procurement and authorize contract 20-C-017, 6 haa, 0 puuhara, 0 pupitihara.

Director Reports:

1) Leaf Hillman, DNR Director:

Leaf is present via video conferencing in Orleans. The written report was submitted and he asked if there were any questions from the Tribal Council.

Renee congratulated Susan for her Vice-Chair position. Leaf also received the Jimmy Smith award for environmental stewardship.

Renee acknowledged Bill and his panel that he went to last month for a strategy workshop. He was a keynote panel participant and he represented the Tribe well. She asked that Leaf note that the Council is proud of him. Leaf reported that the Tribes work regarding wildfire and efforts to deal with California crisis in fires, related to Climate Adaptation has really gotten the attention of the media and big media outlets. Leaf noted that Teen Vogue also recently requested to run information in their magazine regarding wildfire crisis. The publication is aimed at a young audience but also, that audience will be grappling with these issues in the next couple years.

Leaf then reported that CalFire is opposed to the Tribe getting a set aside for Tribes in California. Leaf then explained that CalFire continues to refer the Tribes to grant programs but those don't work with the Tribes sovereignty. Senator McGuire is committed to this set aside and he will meet with CalFire in the first week of December and then the second week there will be a joint meeting with all parties. The staffs interpretation of that sequence of meetings leads the staff to believe that Senator McGuire is not pleased with CalFire's consistent resistance. Buster reported that Christina Snider should be contacted to reach out to the Governor's Office. Leaf reported that they are working on getting her engaged in this issue. Buster requested to be involved more and meetings being scheduled to his schedule. Leaf noted that he will keep him included in the meeting dates.

Michael Thom moved and Renee Stauffer seconded to approve Leaf's report, 6 haa, 0 puuhara, 0 pupitihara.

2) Misty Rickwalt, Director of Transportation:

Misty is not present, she provided her report.

Renee Stauffer moved and Sonny Davis seconded to approve Misty's report, 6 haa, 0 puuhara, 0 pupitihara.

3) Lester Alford, TANF Director:

Lester is present to review his report. He first presented procurement and agreement with Ray Morgan Company. It is to replace the TANF copier under agreement 20-A-001

Arch Super moved and Renee Stauffer seconded to approve procurement and authorize Agreement 20-A-001, 6 haa, 0 puuhara, 0 pupitihara.

Buster announced that there was a notice from ACF on the work participation rate. It is for the Karuk Tribe successfully meeting the overall work participation rate for 2018.

Arch Super moved and Renee Stauffer seconded to approve Lester's report, 6 haa, 0 puuhara, 0 pupitihara.

4) April Attebury, Judicial Systems Administrator:

April is present to review her report. She has some action items. She first sought approval of an amendment to a contract for a Judge Pro Tem. It is modification (1) to contract 19-C-015. It is a time extension.

Arch Super moved and Sonny Davis seconded to approve amendment (1) to contract 19-C-015, 6 haa, 0 puuhara, 0 pupitihara.

She sought approval of a contract with CILS who provides legal services to the Victim Services Programs. The contract number is 20-C-015.

Arch Super moved and Renee Stauffer seconded to approve procurement and authorize contract 20-C-015, 6 haa, 0 puuhara, 0 pupitihara.

She presented contract 20-C-016 to add Michelle Krieger to the Pro Tem Judge pool.

Renee Stauffer moved and Michael Thom seconded to approve procurement and authorize contract 20-C-016, 6 haa, 0 puuhara, 0 pupitihara.

She also took a moment to present agreement 20-A-012 for a new office printer from Pacific Office Automation. It is under \$5,000 which doesn't require procurement.

Arch Super moved and Renee Stauffer seconded to approve agreement 20-A-012, 6 haa, 0 puuhara, 0 pupitihara.

Arch asked about a job description that was going to be presented. April noted that she has to work with Josh on it.

Arch thanked April for supporting the Newsletter and submitting program updates as fast as she did. The Newsletter was late and her and her staff getting information to the Membership was important and it is appreciated.

Robert Super moved and Verna Reece seconded to approve April's report, 6 haa, 0 puuhara, 0 pupitihara.

April commented that her youngest daughter was a part of the youth leadership program. She has speech classes and incorporated Dam Removal and Language into her course work. The professor put out the Dam Removal topic and she completed her speech on the subject. She was able to learn from DNR and be included in their work, which really helped in her class. The youth program has a direct effect on the youth in a positive way. Buster asked that April tell her daughter "yootva"

5) Sara Spence, KTHA ED:

Sara is present to review her report. She noted that the Tax Credit project is going to be under review by the State in December. Travois will come out the day before for a pre-inspection. Also, other staff will be doing more inspections to prepare. Renee asked if the homes are inspected. Sara noted that they would previously do a sampling so they will be inspecting half of the units picked randomly.

She pointed out that Scot Steinbring will be onsite Monday and they will go out to review the projects. The goal is to have a substantive report at the upcoming DNR Meeting.

Arch asked if Scot could take the main part of the project or if they could just do some clean up and easier to contract with someone else. Sara noted that they will discuss the different types of fuels reduction options and come up with a plan. Sara noted that either way fuels reduction will be done in Spring.

Verna Reece moved and Renee Stauffer seconded to approve Sara's report, 6 haa, 0 puuhara, 0 pupitihara.

6) Karen Derry, KCDC ED:

Karen submitted her report and she is on travel. Buster reported that during his TBIC meeting it was noted that they are hoping to get wood pellet businesses or other similar projects up and running.

Renee asked for an update on solar. Michael reported that Karen is on travel for an energy project right now. Buster then reported that he provided contact information to Karen Derry from some networking that he made at the TNGF meeting. Robert asked if Sara provided solar information to Karen regarding the Wellness Center solar. Buster noted that last month there was a notation of a call back and that is in this month's report as well. Buster will work with Karen to stay in contact and not wait for a phone call or perhaps assist her in reaching out to the person's supervisor. Michael noted that the Board set aside time for follow up items.

Renee Stauffer moved and Arch Super seconded to approve Karen's report, 6 haa, 0 puuhara, 0 pupitihara.

7) Dion Wood, TERO/Childcare:

Dion is present to seek approval to submit the draft KRRC PLA with the Yurok Tribe and Karuk Tribe with Kiewit Infrastructure West Co., Dion reported that this is quite equitable for the Karuk Tribe. This draft will have to be submitted to Yurok and KRRC. Josh asked about the Tribes WPA Indian preference. It is in the context that the WPA provides guidance to determine a Karuk eligible worker. Josh's other comment is discussions from Loretta. Buster asked if the issue with Kiewit and a different construction company was resolved. Dion discussed working with KRRC incorporating the PLA and it will likely not be accepted by the unions but it shows Tribal unity with the Karuk and Yurok Tribes and enforces the Tribal laws.

Consensus: to submit the draft PTLA into negotiations.

Josh will be a part of the negotiations on the PLA for dam removal. Dion did report that the Yurok Tribe was not pleased with their KRRC representation and have removed their representation and selected another Board Member. Dion reported that possibly that is an option for the Karuk Tribe. Josh asked who the Yurok's put on the board. Dion wasn't sure it was just reported that the Yurok Tribe provided a seat to someone else who represented them better.

He thanked the Council for appointing Barry Hockaday to the TERO Commission.

The two MOU's for Caltrans are approved and he thanked them for those to move forward.

He received comments on the Childcare Plan that he submitted and he will be making some changes and re-submitting to the Federal Government. He attended the Planning Commission Meeting for the re-zoned childcare application.

It was reported that the Education Coordinator resigned and he will be advertising that position. There are issues with paying tutors and at the TERO Commission Meeting they are compensating for ineligible students, one time, until this is resolved.

The Youth Council is up and running and there are some strong advisors.

The Orleans Karuk Youth Leadership Council wants to do a movie night at the Orleans Elementary School for three nights of movie nights.

Robert Super moved and Verna Reece seconded to provide insurance for Orleans Elementary School for the Youth Council to have movie night, 6 haa, 0 puuhara, 0 pupitihara.

Arch asked about what an outdoor classroom is. Dion explained that it is not a playground but classified as an outdoor classroom for learning and different types of classification encouraging kids to learn and explore, not just 'play'.

Robert asked if Dion has a timeline for the number of students that aren't being covered then what is going to be done regarding that. Robert asked that Arch and Kristen follow up to determine with TANF who is eligible and find out how this will work moving forward so the Tribe knows who is covered and who is not or what the eligibility requirements are. Dion noted that he is told that there are only five eligible students in Orleans. Laura noted that this is an issue that has been ongoing for years. Eligibility has to be determined first and foremost before services. Dion noted that they attempted to do the paperwork earlier and upfront with students.

Arch Super moved and Renee Stauffer seconded to approve Dion's report, 6 haa, 0 puuhara, 0 pupitihara.

8) Laura Mayton, CFO:

Laura is present to review her report. She has one action item. It is a revised conflict of interest policy and an addendum to the Tribes Fiscal policy. HRSA is requiring updated information on the conflict of interest. She would like to ask the Council to approve the updated addendum to the conflict of interest. This revision allows a process on how to disclose a conflict and how to deal with them if one was disclosed. Josh asked about a section that notes civil or criminal penalties may also apply for Federal and State laws are broken.

Renee Stauffer moved and Robert Super seconded to approve addendum to fiscal policy, conflict of interest code of conduct to the Tribes fiscal policy, 6 haa, 0 puuhara, 0 pupitihara.

She then reported that the pik interest of Poarch Creek has been resolved, and asked that the Council begin thinking of how to specifically thank them. They have a big celebration around Thanksgiving which won't really work out well due to timing, but there needs to be time spent on

developing a special thanks to their Tribe. Laura feels that they have been beyond generous to the Karuk Tribe.

Arch Super moved and Michael Thom seconded to approve Laura's report, 6 haa, 0 puuhara, 0 pupitihara.

9) Josh Saxon, ED:

Josh is present to review his report. He first congratulated the recently elected Council Members. As a previous Council Member, he knows what it's like and a lot of times it is rewarding and also stressful. There is a solid Council seated and stability in Tribal Council's is so important and so rare, and the Karuk Tribe is blessed to have a dedicated Tribal Council.

Eric and Josh returned from the Tribal Net Conference in Nashville. He attended an Executive Track and he was able to network with other Executives. It was good for a refresher but not new information but he was happy to meet other CEO's and Executive Directors. Josh and Sara are excited to make these connections and be added to the online forum so they can have support.

In terms of the look ahead, employee evaluations are coming up. He judges staff the most on if they have done their staffs evaluations. Josh advised that he is open to advice and encouragement as he finishes his second year as the Tribes Executive Director.

Arch noted that the safest way to review the weather and Josh will provide information and reminders to staff to slow down and to be safe along the river corridor especially during weather conditions. Road safety is a large issue and also a priority.

Buster thanked Eric for putting in a lot of work for tele-conferencing so he hopes that it will be used more and more.

Eric noted that he has been attending some conferences with the FCC as well as others. He noted that spectrum is monitored by the FCC. There is a frequency for education and large sections that don't have licensing and next year it will be auctioned off to corporations however prior to that the Tribes will be allowed to access this frequency by application and could possibly be provided. Eric believes that this is a movement in the Country and to get there and Tribes need to show an interest in licensing frequencies. It will be useful to Aan Chuuphan. This particular frequency can be used for cell service. If the Tribe wanted to look at adding cell phones on the river corridor, this would be it. The FCC is only getting the license for trust land. Eric would like to provide an updated map to the FCC to accept updated lands of the Tribes and to submit a waiver to include the Tribes service area. This would include all of Yreka, Orleans, and Happy Camp. Waivers can go any direction and have to go all the way to the FCC Commissioners. Other Tribes have had this waiver approved. Eric asked if he could release a map to the FCC.

Consensus: to move forward with an updated map.

Eric also reported that California has passed a new privacy law which goes into effect in January. It should apply to the Karuk Tribe directly but it is something that should be considered. If the Tribe wants to come up with a privacy policy and how to protect the data of the Tribes Membership and clients, electronically and if a breach occurs how to resolve the matter. It is expected that the privacy changes are getting more and more difficult.

Eric noted that the FCC license cannot go over other Tribal lands and will be a hard waiver to obtain. Scott recommends going after the Tribes service area.

Buster asked about Carlson Wireless and the struggles the Tribe is having. Eric is considering going with a different vendor who may be more responsive.

Robert asked about the radios that are going to be purchased again, how they would be secured again. Eric also followed up on river corridor safety is to cover highways between the communities to allow cell service along the river.

Renee noted that Eric has done a good job.

Arch Super moved and Renee Stauffer seconded to approve Josh's report, 6 haa, 0 puuhara, 0 pupitihara.

April took a minute to seek approval of procurement for a second vehicle that was written into a grant. It is for the victim services program with Mid-City Motor World in Eureka who was the lowest bid.

Arch Super moved and Sonny Davis seconded to approve procurement and allow a vehicle purchase from Mid-City Motor World, 6 haa, 0 puuhara, 0 pupitihara.

Phone Votes:

None

Closed Session:

Informational: the TANF Director and TERO Director shall meet to identify assistance to the tutoring program and obtaining efficiencies. Tutoring training will be scheduled during the Holiday break when kids are out of school and Buster will attend the next ACF meeting with Lester to discuss the ongoing issues of providing service.

Robert Super moved and Sonny Davis seconded to deny the request to overturn disciplinary action #NS, 2 haa, 2 puuhara (Verna Reece/Arch Super), 2 pupitihara (Michael Thom/Renee Stauffer). Tie. Yes.

Consensus: to hold Self-Governance interview for candidate.

Michael Thom moved and Renee Stauffer seconded to approve burial assistance for #X01081, 6 haa, 0 puuhara, 0 pupitihara.

Buster excused himself from the meeting.

Arch Super moved and Renee Stauffer seconded to approve agreement 20-A-020, 5 haa, 0 puuhara, 0 pupitihara (Robert Chairing the meeting).

Buster returned to the meeting.

Consensus: to move forward with gift deed of property from Frazier including \$500 title costs.

Renee Stauffer moved and Robert Super seconded to approve procurement and allow the purchase of procurement of DNR workstations in the amount of \$8,016.96, 6 haa, 0 puuhara, 0 pupitihara.

Verna Reece moved and Sonny Davis seconded to approve resolution 19-R-142, 6 haa, 0 puuhara, 0 pupitihara.

Renee Stauffer moved and Robert Super seconded to approve resolution 19-R-143, 6 haa, 0 puuhara, 0 pupitihara.

Michael Thom moved and Robert Super seconded to approve the Karuk Tribe application, 6 haa, 0 puuhara, 0 pupitihara.

Robert Super moved and Michael Thom seconded to approve seating Verna Reece to the NCIDC Board and Renee as an alternate, 4 haa, 0 puuhara, 2 pupitihara (Verna/Renee).

Consensus: to have an RFP developed and distributed for RRC hotel design.

Consensus: to approve and release the Employee survey for RRC.

Employee Drawn: Grant Johnson

Renee Stauffer moved Robert Super seconded to authorize General Counsel to reach out to attorney's using trust funds received for the costs, 4 haa, 1 puuhara (Michael Thom), 1 pupitihara (Verna).

Verna Reece moved and Renee Stauffer seconded to approve resolution 19-R-146, 6 haa, 0 puuhara, 0 pupitihara.

Informational: Tribal Member was present to address the Council inquiring about housing assistance and health concerns.

Robert Super moved and Verna Reece seconded to approve agreement 20-A-026, 5 haa, 0 puuhara, 0 pupitihara (Arch absent for vote).

Robert Super moved and Renee Stauffer seconded to clarify previous approval of modification (1) to 20-A-023, 5 haa, 0 puuhara, 1 pupitihara (Arch Super).

Consensus: to expand terms for the General Counsel position another 3 months.

Informational: a list of priority projects shall be provided to the Council from the ED.

Renee Stauffer moved and Arch Super seconded to approve seating Dion Wood to KRAB, 6 haa, 0 puuhara, 0 pupitihara.

Informational: report of a missed grant opportunity and the information in determining a reason should be clarified at a later time.

Informational: discussion of the possibility to increase 3% tax to 5% will be held at a later time.

Next Meeting Date: January 23, 2020 at 10am in Yreka.

Renee Stauffer moved and Verna Reece seconded to adjourn at 5:06pm.

Respectfully Submitted,

Russell “Buster” Attebery, Chairman

Recording Secretary, Barbara Snider

