

ACTION SHEET  
HOOPA VALLEY TRIBAL COUNCIL  
REGULAR MEETING  
TRIBAL COUNCIL CHAMBERS  
September 7, 2023

**"THE ACTION SUMMARIES ARE SUBJECT TO CHANGE UPON THE FINAL APPROVAL OF MINUTES"**

**MEMBERS PRESENT: JOE DAVIS, CHAIRMAN, EVERETT COLEGROVE JR., JILL SHERMAN-WARNE, LIZ TURNER, ISAAC BUSSELL, JORDAN HAILEY, DANIEL JORDAN, BEN BRANHAM JR. (VIA ZOOM), AND SGT. AT ARMS, RICK HALL JR.**

THE EXECUTIVE SESSION PORTION OF THE REGULAR COUNCIL MEETING CONVENED AT 2:45 P.M. AND ADJOURN AT 5:03 P.M.

**MEMBERS PRESENT: JOE DAVIS, CHAIRMAN, EVERETT COLEGROVE JR., JILL SHERMAN-WARNE, LIZ TURNER, ISAAC BUSSELL, JORDAN HAILEY, DANIEL JORDAN, BEN BRANHAM JR. (VIA ZOOM), AND SGT. AT ARMS, RICK HALL JR.**

THE OPEN SESSION PORTION OF THE REGULAR COUNCIL MEETING CONVENED AT 5:32 P.M. AND ADJOURNED AT 8:36 P.M.

MOTION #1 TO APPROVE THE AGENDA WITH CHANGES: TABLE EXECUTIVE SESSION ITEM #2. - Wage Dispute. – Kevin Orcutt. ADD EXECUTIVE SESSION ITEM #8. – H.R. Item – Council Member Turner. REMOVE CONTINUING BUSINESS ITEM #6. - Motion to approve to ratify the resolution by Hoopa Valley Tribal Council declaring the Hoopa Valley Indian Reservation in a State of Emergency due to the 2023 Wildland Fire Events. – Greg Moon. REMOVE NEW BUSINESS ITEM #1. – Motion to approve the Hoopa Valley Tribe shall regulate commercial cannabis businesses under the Tribe's Business Ordinances, Titles 50, 53-57, whose said business is for the exclusive purpose of producing cannabis and cannabis products for sale to licensed Tribal dispensaries in California with Titles 50, 53-57. The Tribal Environmental Protection Agency (TEPA) shall regulate cannabis under all applicable codes that apply to agriculture and land use, including, but not limited to Title 15, The Conservation and Trespass Ordinance, Title 37, Pollutant Discharge Ordinance, Title 49, Solid Waste Ordinance. – Clifford Lyle Marshall. REMOVE NEW BUSINESS ITEM #20 FOR A WORKING MEETING. – Motion to approve to direct K'ima:w Chief Executive Officer and Administrative staff to include PUD in negotiations of M&I funds for water sanitization needs. – Council Member Sherman-Warne. MSC: HAILEY/SHERMAN-WARNE. MOTION CARRIED.

MOTION #2 TO APPROVE THE CONSENT CALENDAR AS FOLLOWS:  
**CONTINUING BUSINESS:**

1. Motion to reaffirm Council Polling Sheet for OTA. Motion to approve the Resolution of the Tribal Customary Adoption Order of the Hoopa Valley Tribe. - Chairman
2. Motion to reaffirm Council Polling Sheet for TANF. Motion to approve out of region travel for Executive Director and one Administrative Staff to attend 2023 Eaglesun TAS Conference August 27-September 1, 2023 in Tulsa, Oklahoma, account #5706-98009-0891, 5706-98009-0890, 5706-97100-0890 not to exceed \$8,000.00. - Chairman
3. Motion to reaffirm Council Polling Sheet for TEPA/Land Management. Motion to approve Independent Contract Agreement between HVT and Shawn Turner Construction in the amount of \$24,777.43. \$9,000.00 from account 3681-85000-0115 and \$15,777.43 from account 3751-85000-0115. – Chairman

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4. Motion to reaffirm Council Polling Sheet for TEPA/Land Management. Motion to approve Service Agreement for Innovate! Inc. to provide IT Support to the Hoopa Land Management; Agreement term start January 15, 2023 ends September 31, 2023. The work is completed remotely only, from account 3662-85000-0115 not to exceed \$9,500.00. – Chairman

**NEW BUSINESS:**

8. Motion to approve the following agenda request to add \$552 to 3368-1159; and to budget \$3548 that was accepted by council on 7/6/23, and modify 3368 balances to Capital Asset to assist with purchase of generator. – Angel Korb (sponsored by: Hailey)
11. Motion to approve the purchase of a Kubota RTV-Z1140R-a side by side (2 bids attached) from Nor Cal Tractor in the amount of \$22,252.04 funds from 2821-82060-3517. – Mike Orcutt (sponsored by: Colegrove)
12. Motion to accept Dollar a Day Grant of \$1,000.00 and approve the budget. – Mike Orcutt (sponsored by: Bussell)
14. Motion to approve Hupa Family Resource Center to apply for Humboldt Area Foundation Holiday Funding Partnership Grant and if funded approve attached budget in the amount of \$2,000.00. All funds to be used for Thanksgiving, Christmas, and New Year food assistance. Must live on the Hoopa Reservation 250% of FPG, priority given to families with Children and 5 elders – 65 or older will be served. – Karen Kyle (sponsored by: Hailey)
22. Motion to approve to hold the General Meeting on October 7, 2023 with the single subject of the FY2024 Budget, notice to be sent out immediately. – Council Member Sherman-Warne

**MSC: SHERMAN-WARNE/BUSSELL. ABST: TURNER. MOTION CARRIED.**

MOTION #3 TO APPROVE TO AMEND THE RESOLUTION WHICH OUTLINES PROCEDURES FOR FISHERIES LITIGATION. MSC: SHERMAN-WARNE/COLEGROVE. MOTION CARRIED.

MOTION #4 TO APPROVE THE SUB-GRANT AGREEMENT BETWEEN THE HOOPA VALLEY TRIBE AND THE CONSERVATION FUND FOR THE AMOUNT OF \$3,155,000.00 FOR THE PINE CREEK LAND ACQUISITION. MSC: TURNER/HAILEY. MOTION CARRIED.

MOTION #5 TO APPROVE THE DOJ COORDINATED TRIBAL ASSISTANCE RESOLUTION. MSC: SHERMAN-WARNE/BUSSELL. MOTION CARRIED.

MOTION #6 TO APPROVE EXTENSION OF VERDENA PARKER'S CONTRACT AND HONORARIUM INCREASE FOR MUSEUM, IMLS GRANT. MSC: BUSSELL/SHERMAN-WARNE. MOTION CARRIED.

MOTION #7 TO APPROVE OUT OF REGION TRAVEL FOR KEN NORTON TO TESTIFY AT THE SENATE ENVIRONMENTAL AND PUBLIC WORKS, SUBCOMMITTEE ON EPA DRINKING WATER AND WASTEWATER IN TRIBAL COMMUNITIES HELD IN WASHINGTON D.C. ON SEPTEMBER 20, 2023, FROM ACCOUNT #3751-98009-0110. MSC: BUSSELL/SHERMAN-WARNE. MOTION CARRIED.

MOTION #8 TO APPROVE THE UPDATED K'IMA:W MEDICAL CENTER GOVERNING BOARD BY-LAWS AND CHARTER AS APPROVED BY THE KMC GOVERNING BOARD OF DIRECTORS ON AUGUST 1, 2023 AND TO BE ROUTED UNDER THE LPA PROCESS. MSC: TURNER/HAILEY. MOTION CARRIED.

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- MOTION #9 TO APPROVE TO TRANSFER \$1,470,663.00 TO THE K'IMA:W MEDICAL CENTER UNDER FY23 IHS AMENDMENT #9. MSC: BUSSELL/TURNER. MOTION CARRIED.
- MOTION #10 TO APPROVE SOLE SOURCE CONTRACT WITH ROBERT WEST CONSTRUCTION OF WILLOW CREEK, CA BUILDING RENOVATION BY CONTRACTOR, FUNDS TO COME FROM ACCOUNT 5191-82030-0900 FUNDS IDENTIFIED BY DEPARTMENT OF USDA, ADDITIONAL FUNDS FROM CARES ACT FUND IN THE AMOUNT OF \$26,000.00. MSC: SHERMAN-WARNE/HAILEY. MOTION CARRIED.
- MOTION #11 TO ACCEPT YEAR 3 OF 5 DHHS HEAD START CONTRACT 90C1010093 FOR THE PERIOD OF 8/1/23-7/31/24 IN THE AMOUNT OF \$1,737,590; EARLY HEAD START PORTION \$955,507., HEAD START PORTION \$782,803. MSC: TURNER/SHERMAN-WARNE. MOTION CARRIED.
- MOTION #12 TO ACCEPT CDSS CONTRACT CCTR3057 FOR CHILD DEVELOPMENT FOR THE PERIOD OF 7/1/23-6/30/24 IN THE AMOUNT OF \$120,727. MSC: TURNER/SHERMAN-WARNE. MOTION CARRIED.
- MOTION #13 TO APPROVE HCATEP TO MODIFY THE BUDGET BY MOVING FUNDS FROM NACTEP GRANT FUNDS 2102-WAGES AND FRINGE INTO OUR TRAVEL ACCOUNT TO PAY FOR LEM TRAINING EXPENSES. MSC: HAILEY/TURNER. MOTION CARRIED.
- MOTION #14 TO APPROVE THE CONTRACT WITH SUZANNE BURCELL TO SERVE AS PROJECT EVALUATOR AND WRITE THE FINAL LOCAL EVALUATION REPORT FOR THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) TRIBAL YOUTH DIVERSION GRANT. THE COST OF HER SERVICES WILL BE \$10,000 AND WILL BE PAID WITH BSCC FUNDING, ACCOUNT #3561-8500-1150. MSC: HAILEY/TURNER. MOTION CARRIED.
- MOTION #15 TO APPROVE MOD. II TO MCBAIN ASSOCIATES FY2022 CONTRACT; ADD \$831,483.00 TO INCREASE TOTAL CONTRACT TO \$1,010,532.00 (SOLE SOURCE), VARIOUS FUNDS (2823, CDFW GRANT, PCSRF, AND 11<sup>TH</sup> HOUR GRANT) WITH THE STIPULATION THE NEW TERO TAX PROVISIONS WILL BE FOLLOWED. SHERMAN-WARNE/BUSSELL. MOTION CARRIED.
- MOTION #16 TO APPROVE AND ACCEPT NEW FUNDING AND THE ATTACHED BUDGET IN THE AMOUNT OF \$250K FOR NOXIOUS WEED ERADICATION FOR BARRED OWL RESEARCH AND SUPPORT. MSC: SHERMAN-WARNE/TURNER. MOTION CARRIED.
- MOTION #17 TO APPROVE AND ACCEPT NEW FUNDING AND THE ATTACHED BUDGET FOR TIMBER HARVEST INITIATIVE FOR GEOLOGICAL & ARCHAEOLOGICAL SURVEY IN THE AMOUNT OF \$100,000.00 & FORESTRY INVENTORIES AND PLAN IN THE AMOUNT OF \$57,019.00. MSC: HAILEY/TURNER. MOTION CARRIED.

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- MOTION #18 TO APPROVE RESOLUTION AND EXPENDITURE FOR FMD PLAN PREVIOUSLY APPROVED BY COUNCIL IN THE 2023 BUDGET. MSC: BUSSELL/JORDAN. MOTION CARRIED.
- MOTION #19 TO APPROVE THE RESOLUTION FOR THE INDIAN HEALTH SERVICE TITLE V AGREEMENT (TVA) FOR INDIVIDUAL WATER AND SEWER SERVICE IN INDIAN HOMES AND/OR SOLID WASTE FACILITIES. MSC: BUSSELL/HAILEY. MOTION CARRIED.
- MOTION #20 TO APPROVE USE OF ZOOM FOR COUNCIL MEMBERS TO ATTEND EXECUTIVE SESSION AS NECESSARY FOR THE APPROPRIATE ENGAGEMENT OF COUNCIL MEMBERS. COUNCIL MEMBERS WILL BE EXPECTED TO VERBALLY CONFIRM CONFIDENTIALITY WILL BE ADHERED AND ONLY WHILE ON TRAVEL FOR THE TRIBE. MSC: BUSSELL/COLEGROVE. MOTION CARRIED.
- MOTION #21 TO APPROVE TO RESCIND APPROVAL OF JUNE 19<sup>TH</sup> MEETING MOTION TO CREATE INTERFUND RECEIVABLE ON MINI MART BOOKS FOR ENTERPRISE SHORTFALL. TO AMEND MOTION TO INCLUDE THE COUNCIL WILL NOT TAKE MONEY FROM THE ENTERPRISES FROM THIS POINT FORWARD. MSC: SHERMAN-WARNE/HAILEY. MOTION CARRIED.
- MOTION #22 TO APPROVE PROPOSED AMENDMENTS TO TITLE 13, TRIBAL EMPLOYMENT RIGHTS ORDINANCE TO BE ROUTED UNDER THE EMERGENCY LPA PROCESS. MSC: TURNER/SHERMAN-WARNE. MOTION CARRIED.
- MOTION #23 TO APPROVE EQUIPMENT PURCHASE OF FELLER-BUNCHER, ADDITIONAL MASTICATION-HEAD, AND RUBBER TIRE SKIDDER FROM BEJAC UTILIZING ARPA FUNDING, ACCOUNT #0702-82060-0011. SOLE SOURCE REQUESTED DUE TO DEALERS NOT COMPETING WITH EACH OTHER, UNABLE TO OBTAIN ADDITIONAL QUOTES. COST OF EQUIPMENT, WARRANTY, AND DELIVERY \$1,333,000 WITH A 2% DISCOUNT TOTALING \$1,306,340. **MSC: BUSSELL/COLEGROVE. NOES: BRANHAM. MOTION CARRIED.**
- MOTION #24 TO APPROVE TO TABLE TO ROUTE FY-2024 BUDGET THROUGH THE LPA PROCESS. MSC: SHERMAN-WARNE/COLEGROVE. MOTION CARRIED.
- MOTION #25 TO ADJOURN THE MEETING AT 8:36 P.M. MSC: SHERMAN-WARNE/BUSSELL. MOTION CARRIED.