

ROUND VALLEY INDIAN TRIBES

A Sovereign Nation of Confederated Tribes

TRIBAL COUNCIL OFFICE
77826 COVELO ROAD
COVELO, CALIFORNIA 95428
PHONE: 707-983-6126
FAX: 707-983-6128



LOCATION: ON STATE HWY 162
ONE MILE NORTH OF COVELO
IN ROUND VALLEY
TRIBAL TERRITORY SINCE TIME BEGAN

ROUND VALLEY RESERVATION ESTABLISHED 1856

MINUTES April 25, 2019

The special meeting of the Round Valley Tribal Council was called to order by President James Russ on April 25, 2019 at 1:17 p.m. in the Buffalo Room within the Tribal Administrative Building on the Round Valley Indian Reservation.

Roll call and the following Council Members present: Mr. Russ, Mr. Bettega, Mr. Lewis Whipple, Mr. Robert Whipple, Mr. Rabano Jr., Ms. Cordova and Ms. Willits.

Also present: Kimberly Stillwell, Lorn Elk Robe, Steve Brown, Arlence Cantrell, Michelle Downey, Eugene Lincoln Jr., Amber Leedy, Toni Bettega, Jessica Goodrwo

Opening prayer by Alberta J. Azbill

Item No. 2: Agenda/approval - **Action Item – 2019-04-25-01:**

MOTION NO. 1:

Mr. Bettega made a motion to approve the agenda.

Ms. Willits seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

Item No. 3: Unfinished Business - None

Item No. 4: New Business:

a. Steve Brown – RE: Two items - **Action Item – 2019-04-25-02:** Mr. Brown was present.

i) Appointment to Judicial Committee

MOTION NO. 2:

Mr. Bettega made a motion to approve to appoint Mr. Brown to the Judicial Committee.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

ii) Council request meeting with Mendocino County Board of Supervisors

Mr. Brown was present and stated that it was brought to his attention that Allman plans to come in and raid the reservation. He sees this as an attack on the Tribe's sovereignty and that he is

MINUTES – April 25, 2019

Page 2

over stepping his authority as he was elected to uphold the County laws. Are we going to set back and let this guy come in and assert his will; etc. The Council is elected to protect the members and our sovereignty, we have guarantees and that the Tribe needs to send him the message that he cannot come and do what he wants. Also that the ordinance is still for medical use and it hasn't been amended as now its recreational use.

Lengthy discussion followed and President Russ informed Mr. Brown that the Council at their last meeting directed Ms. Willits to contact Sheriff Allman and set up a meeting with him and the Council and he has been in contact with John Haschak, 3rd District Supervisor, so the Council is working on this matter and a meeting will be set with Sherrif Allman.

Mr. Lorn Elk Robe informed the Council that he is in contact with attorney's that work with a tribe in Michigan (who was a 280 state) – retrocede from 280 and there is a check list of how you would go about this. He has placed them on the May 23rd agenda to do a presentation to the Council. Discussion followed.

MOTION NO. 3:

Mr. Bettega made a motion to accept as informational.

Mr. Lewis Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

b. Cambria Whipple – RE: Cultural funding also – Matyan Whipple-Eagle – 15th annual Women in Shasta Lake, CA. May 2/5th - **Action Item – 2019-04-25-03:** Information reviewed.

MOTION NO. 4:

Mr. Lewis Whipple made a motion to approve \$250.00 for the adult.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

c. Colleen Downey – RE: Cultural funding, also for Layias Bowes – 15th annual women in Shasta Lake, CA, - May 2/5th - **Action Item – 2019-04-25-04:**

MOTION NO. 5:

Mr. Rabano Jr., made a motion to approve \$250.00 for the adult.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

d. Toni Bettega, NRD – RE: Lease McKay Ranch - **Action Item – 2019-094-25-05:** Ms. Bettega was present and informed the Council that a non-tribal member is looking for a place to live and want to lease the McKay Ranch. Discussion followed.

MOTION NO. 6

Ms. Willits made a motion to deny the request.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

MINUTES – April 25, 2019

Page 3

e. Trina Fitzgerral, Tribal Business Administrator – RE: Various - **Action Item – 2019-04-25-06:**

i) Admin (Ex. Sec.) – RE: Minutes - **Action Item – 2019-04-18-04-i:**

MOTION NO. 7:

Mr. Bettega made a motion to table this item.

Ms. Cordova seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Cordova & Willits Nays: 0
Abstentions: Rabano Jr., Motion carried.

f. Tribal Council – RE: Various - **Action Item – 2019-04-25-07:**

i) Prop 64 – California Water Control Board

President Russ informed the Council that he received a call from Stormer Feiler who informed him that they are having trouble figuring out the month by month approval and requested to know if the Council could consider approving the letter of authorization for a year.

Lengthy discussion followed about the state and county both having their own standards they go by; of the requirements that the green houses have to have to comply with the laws; of the green houses that are being put up close to creeks and the effects this could have; Ms. Downey informed the Council that on their testing the creeks have high levels of fecal; of tribal and gardens on the homesites; of Judge Wiseman comment regarding children placed in homes – (placement and gardens could be a risk to child – as non-members have access to); of a member who had to run a non-member off her land who was trying to tap into spring; etc.
CONSENSUS: It was the consensus of the Council for President Russ to contact Mr. Feiler and invite him to meet with the Council.

ii) Meeting – Sonoma County Water Board – discussed, there is a need to touch bases with.

iii) Michelle Downey – RE: Out of state travel to Duluth, Minnesota – Strategic Planning for Waste Diversion on May 21/23rd. Ms. Downey was present and informed the Council that the Tribe would be reimbursed for lodging, airline cost, mileage/parking and per diem

MOTION NO. 8:

Mr. Lewis Whipple made a motion to approve the out of state travel as requested.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits
Nays: 0 Abstentions: 0 Motion carried.

Item No. 5: Executive Session - **Action Item – 2019-04-25-08:**

a. Crystal Fogelsanger – RE: Housing options for elder

b. Jessica Goodrow – RE: Various

i) ICWA

ii) OVC Mandatory Training – New Mexico – May 13/17th

c. Bernadine Whipple, HR – RE: Various

i) Surveillance Policy

ii) Employee Records

MINUTES – April 25, 2019

Page 4

- iii) Fiscal Policy – Travel Time
- iv) Personnel Recommendation Permanent Status NRD Admin Assist., & Wage increase
- v) Request Council Rep. for upcoming job interviews
- vi) Tribal Police – Step 4 Wage Increases #1 & #2,
- vii) Tribal Police – Wage Steps - review
- viii) Job Description - HR
- d. Sergeant Vincent Cordova, Tribal Police Dept. – RE: Update
- e. Darlene Crabtree, Tribal Controller – RE: Various – financial
- f. TRED – RE: Various – Land
 - i) Henderson Subdivision
 - ii) Land Sale Offer – Franci Cellan Summers
 - iii) Homesite issues
 - iv) Land Sale (Mr. Tyler)
 - v) Henderson Subdivision – revoke homesite
 - vi) Russ Subdivision – revoke homesite
- g. Tribal Council – RE: Various
 - i) Carlos Rabano Jr. – RE: Personnel C-Store
 - ii) Riffe Road (TANF building)

MOTION NO. 9:

Ms. Willits made a motion to go into executive session at 2:35 p.m.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

Item No. 6: Regular Session - Action Item – 2019-04-25-09:

MOTION NO. 10:

Ms. Willits made a motion to reconvene into regular session at 6:46 p.m.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

Decisions from executive session:

- a. Crystal Fogelsanger – RE: Housing options for elder - **Action Item – 2019-04-25-010:** Ms. Fogelsanger, Steven White & Edwina Lincoln were present.

MOTION NO. 11:

Mr. Bettega made a motion to refer this matter to the Housing Authority.

Mr. Lewis Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

- b. Jessica Goodrow, ICWA/DV Legal – RE: Various - **Action Item – 2019-04-25-011 –**

- i) ICWA - **Action Item – 2019-04-18-09-ii:**

MOTION NO. 12:

MINUTES – April 25, 2019

Page 5

Mr. Lewis Whipple made a motion to approve.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

ii) OVC Mandatory Training – New Mexico – May 13/17th

MOTION NO. 13:

Mr. Robert Whipple made a motion to approve the out of state travel as requested plus two slots (Council or Tribal Police)

Mr. Lewis Whipple seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

c. Bernadine Whipple, HR - – RE: Various - **Action Item – 2019-04-25-012:**

i) Surveillance Policy - **Action Item – 2019-03-07-014-i:**

MOTION NO. 14:

Mr. Lewis Whipple made a motion to table this item.

Ms. Willits seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

ii) Employee Records - **Action Item – 2018-10-25-016-iv:**

MOTION NO. 15:

Ms. Willits made a motion to table this item.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

iii) Fiscal Policy – Travel Time - **Action Item 2019-04-18-012-iv:**

MOTION NO. 16:

Mr. Lewis Whipple made a motion to table this item.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

iv) Personnel Recommendation Permanent Status NRD Admin. Assist. & Wage increase

MOTION NO. 17:

Mr. Lewis Whipple made a motion to approve permanent status and wage increase.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Bettega, L. Whipple, Rabano Jr., Cordova & Willits

Nays: 0

Abstentions: R. Whipple & Russ (out of the room) Motion carried.

MINUTES – April 25, 2019

Page 6

v) Request Council Rep. for upcoming job interviews
EPA 1-6 Water Tech – May 13th @ 9:00 a.m. – Ms. Willits
Safe Exchange/Court Advocate & Lead Advocate– May 17th - Ms. Willits
Tribal Police Chief – May 2nd – Ms. Willits
Personnel Director (HR) – May 23rd @ 12:00 p.m. – Council will interview
NADV&SAP Court Advocate I – May 13th

vi) Tribal Police – Step 4 Wage Increases #1 & #2 - **Action Item – 2019-02-14-08-ii-iii:**
#1 – Mr. Bettega Jr.

MOTION NO. 18:

Mr. Rabano Jr., made a motion to approve a Step 4 wage increase retro., back to January 30, 2019.

Ms. Willits seconded the motion.

Question: Ayes: Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: Russ (out of the room) Motion carried.

#2 – Coleman Britton

MOTION NO. 19:

Mr. Rabano Jr., made a motion to approve a Step 4 wage increase retro., back to January 23, 2019.

Ms. Willits seconded the motion.

Question: Ayes: Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits Nays: 0

Abstentions: Russ (out of the room) Motion carried.

vii) Tribal Police – Wage Steps – review

MOTION NO. 20:

Mr. Robert Whipple made a motion to approve the wage steps.

Ms. Willits seconded the motion

Question: Ayes: L. Whipple, R. Whipple, Cordova & Willits Nays: 0

Abstentions: Rabano Jr., Bettega (out of the room) Russ (out of the room) Motion carried.

viii) Job Description - HR

MOTION NO. 21:

Mr. Lewis Whipple made a motion to table for review.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits Nays: 0

Abstentions: Russ (out of the room) Motion carried.

d. Sergeant Vincent Cordova, Tribal Police Dept – RE: Update - **Action Item – 2019-04-25-013:** Sergeant Cordova was present and requesting out of state travel for Rosento Cordova – Columbia, South Dakota.

MOTION NO. 22:

Mr. Rabano Jr., made a motion to approve, pending sign off from fiscal.

Mr. Robert Whipple seconded the motion.

MINUTES – April 25, 2019

Page 7

Question: Ayes: Russ, Bettega, L.Whipple, R.Whipple, Rabano Jr., Cordova & Willits
Nays: 0 Abstentions: 0 Motion carried.

e. Darlene Crabtree, Tribal Controller – RE: Various – financial - **Action Item – 2019-04-25-014:** Not present.

f. TRED – RE: Various - **Action Item – 2019-04-25-015:**

i) Henderson Subdivision

CONSENSUS: It was the consensus of the Council that they were still giving out homesites in the Henderson Subdivision.

ii) Land Sale offer – Franci Cellan Summers

CONSENSUS: It was the consensus of the Council to inform Ms. Summers that the Council is still interested.

iii) Homesite issues – discussed was problem areas – non-members moving on tribal land; water usage; course of action – Tribal Police to take down names; take photos, give our warnings

iv) Land Sale (Mr. Tyler) - **Action Item - 2019-01-31-07:**

CONSENSUS: It was the consensus of the Council to make a counter offer of \$ 18,000.

v) Henderson Subdivision – revoke homesite (Frances Hoaglen)

MOTION NO. 23:

Mr. Rabano Jr., made a motion to revoke the homesite by resolution.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, L.Whipple, R.Whipple, Rabano Jr., Cordova & Willits
Nays: 0 Abstentions: 0 Motion carried.

g. Tribal Council – RE: Various - **Action Item – 2019-04-25-016:**

i) Carlos Rabano Jr. – RE: Personnel C-Store

ii) Riffe Road (TANF building) – update:

MOTION NO. 24:

Mr. Bettega made a motion to accept as informational items i and ii.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Russ, Bettega, L.Whipple, R.Whipple, Rabano Jr., Cordova & Willits
Nays: 0 Abstentions: 0 Motion carried.

Item No. 7: Set agenda, date and time for next meeting:

a. May 2, 2019 @ 1:00 p.m. - Special Meeting

May 2, 2019 – 11:00 a.m. – Conference call – Curtis Berkey

May 2, 2019 – 12:00/12:30 p.m. Interviews – Tribal Police Chief

May 2, 2019 – 5:00 p.m. – Meeting – Municipal Advisory Committee – Mr. Russ & Mr. Rabano Jr., will attend

MINUTES – April 25, 2019

Page 9

May 31, 2019 – Training – Updating constitutions – Mr. Russ & Mr. Bettega wants to go.

Item No. 8: Closing prayer by President Russ

Item No. 9: Adjournment - **Action Item – 2019-04-25-017:**

MOTION NO. 25:

Mr. Bettega made a motion to adjourn the meeting at 7:00 p.m.

Ms. Willits seconded the motion.

Question: Ayes: Russ, Bettega, L. Whipple, R. Whipple, Rabano Jr., Cordova & Willits

Nays: 0 Abstentions: 0 Motion carried.

Minutes taken and typed by Alberta J. Azbill, Executive Secretary, Round Valley Tribal Council.

Submitted by:



Executive Secretary, Round Valley
Tribal Council