

# ROUND VALLEY INDIAN TRIBES

*A Sovereign Nation of Confederated Tribes*

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

**ROUND VALLEY RESERVATION ESTABLISHED 1856**

## MINUTES

**October 25, 2018**

The special meeting of the Round Valley Tribal Council was called to order by President James Russ on October 25, 2018 at 2:19 p.m. in the Buffalo Room within the Tribal Administrative Building located on the Round Valley Indian Reservation.

Roll call and the following Council Members were present: Mr. Russ, Mr. Bettega, Mr. Hutt, Mr. Rabano Jr., & Mr. Robert Whipple

Also present: Kandi de la Pena, Trina Fitzgerral, Cheryl Bettega, Toni Bettega, Teresa Bettega, Patricia Rabano

Opening prayer by Alberta J. Azbill

Item No. 2: Agenda/approval - **Action Item – 2018-10-25-01:**

**MOTION NO. 1:**

Mr. Bettega made a motion to approve the agenda.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple

Nays: 0

Abstentions: 0 Motion carried.

Item No. 3: Unfinished Business:

a. TRED – RE: Dave Freeman (tabled, the Council requested Mr. Freeman & Ms. de la Pena to come to meeting – Ms. De la Pena did not make the 10-11-18 mtg. request to be on this meeting agenda - **Action Item – 2018-10-04-04:** Ms. de la Pena was present and informed the Council that it was ok with her that Mike Goodrow's trailer be parked up there. Also, she talked to Cheryl Bettega at the Roads Dept., and she said it was ok with her if the Council said they could go up and clean up the burnt trailer. Short discussion followed about where they would dump the stuff.

CONSENSUS: It was the consensus of the Council to Mrs. Fitzgerral to follow-up with this with the Roads Dept. and EPA

Item No. 4.: New Business:

a. Toni Bettega, NRD – RE: Integrated Resource Management Plan - **Action Item – 2018-10-25-02:** Ms. Bettega informed the Council that she has been in contact with the BIA regarding

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the updating of the IRMP, they are willing to pay for the forestry portion. Round Valley is one of the few Tribes that have an IRMP.

Discussion followed about funding to update the IRMP – suggested that each Program pay for their portion that is in the IRMP; etc.

Also discussed was the trailer that was fixed up for the Forester and Ms. Bettega asked for permission to have Mr. Gabe Merrifield move it behind the Roads Dept., and have T&T set it up – Suggested was doing a basic plan for this item.

**MOTION NO. 2:**

Mr. Bettega made a motion to accept as informational.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions: 0 Motion carried.

b. Monica Sayad, Head Start – RE: Fiscal Training & Travel – NIHSDA Annual Mtg. Nov. 26/Dec. 2, Albuquerque, NM - **Action Item – 2018-10-25-03:**

**MOTION NO. 3:**

Mr. Hutt made a motion to approve out of state travel for two staff and one Council Member.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions: 0 Motion carried.

c. Patricia Rabano, THPO – RE: Cultural Resource Advisory Board - **Action Item – 2018-10-25-04:** Ms. Rabano was present and stated that she got here in August and that she was seeking advice on the Cultural Resource Advisory Board and has been getting information on the past history. She wants to reactivate the Board.

Discussion followed about the number on the Board; a list of the individuals that were on the Board - that Kelda Britton and Kat Willits were appointed by the Council; of the function of the Board; etc.

**MOTION NO. 4:**

Mr. Bettega made a motion to accept as informational.

Mr. Robert Whipple seconded the motion.

Question: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions: 0 Motion carried.

d. Jessica Goodrow – RE: Approve Guardianship Code - **Action Item – 2018-10-25-05:**

Ms. Goodrow was present and informed the Council that she would like for the Council to approve this code as currently it is not in the Code. It only references permanent and temporary. Also, that the Judge made it clear he would never terminate parental rights. If this was in the Code a person could petition for guardianship – in this the parent would have a right to a hearing. Discussion followed about the Tribe losing our children in State Court; Indian custodian; motion of release; Chapter 22 – Termination – 23 days; the process of removing children from homes – if this is done where would they move the child(ren) as there is no foster homes; of health and safety standards – no definition; of Tribal Customary Adoption – parent can only see child once

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a year; not enough staff or funding; of possible place for two children – (Southern California YRTC, Red Rock, ROP); of scheduling a work session for one of the cases; etc.

ii) Pala Band

CONSENSUS: It was the consensus of the Council to set up a work session for October 30, at 9:00 a.m. Also, to set up a work session with Judge Wiseman for Nov. 12<sup>th</sup> to work on the codes.

i) Baily Zydek

**MOTION NO. 5:**

Mr. Hutt made a motion to approve change in status of the case.

Mr. Robert Whipple seconded the motion.

Question: Ayes: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions: 0 Motion carried.

iii) Grant – Native American Court Advocate

**MOTION NO. 6:**

Mr. Hutt made a motion to approve the grant.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions: 0 Motion carried.

Discussed was the bi-annual meeting; of Indian laws coming under attack; restructuring the organizational chart; of establishing a Social Service Dept.; etc.

f. Trina Fitzgerral, Tribal Business Administrator – RE: Various - **Action Item – 2018-10-25-07:**

i) 2020 Census Consultation – update on participating in the census and the affects it has on funding.

ii) Trac Fone Services on tribal lands – FYI – free phones

iii) CA. Tribal Energy Summit Nov. 26/28 @ Pechanga Resort – FYI no agenda yet

iv) Request for meat donation – bi-annual meeting and also for a FGP dinner to recruit for volunteers as the funding agency is coming out in November. Consensus - approved

v) Approve 2019 LIHEAP Application

**MOTION NO. 7:**

Mr. Hutt made a motion to approve the 2019 LIHEAP application.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Russ, Hutt, Rabano Jr., & R. Whipple Nays: 0

Abstentions; Bettega (out of the room) Motion carried.

vi) Office closure for funerals – discussed – decision of Council if at Methodist Church than Admin/fiscal and Seniors are closed. No matter what, the Programs are doing whatever they want; etc.

CONSENSUS: It was the consensus of Council FYI on i, ii, iii, iv, and vi.

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e. Kaitlyn Leedy – RE: Weekly discounts/monthly discounts - **Action Item – 2018-10-25-06:**  
Ms. Leedy was present and informed the Council that a couple of construction crews are coming in and wanted to know if they could get a discount on the rooms as they will be here until March 2019 and they would rather stay at the motel than drive in from every day. Discussion followed.

**MOTION NO. 8:**

Mr. Rabano Jr., made a motion to approve a 10% discount.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Hutt, Rabano Jr., & R. Whipple Nays: 0

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

g. Michelle Downey – RE: Out of state travel National Non-Point Source workshop - **Action Item – 2018-10-25-08:**

**MOTION NO. 9:**

Mr. Rabano Jr., made a motion to approve the out of state travel.

Mr. Hutt seconded the motion.

Question: Ayes: Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

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

d. Trina Fitzgerral - Executive session item:

i) Mr. Bettega – RE: Land Buy Back

**MOTION NO. 10:**

Mr. Rabano Jr., made a motion for Mrs. Fitzgerral get all information on the Land Buy Back Program – BIA, OST.

Mr. Hutt seconded the motion.

Question: Ayes: Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

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

h. Tribal Council – RE: Various - **Action Item – 2018-10-25-09:**

i) Set agenda for community meeting – President Russ was out of the room will discuss when he return.

ii) Employee staff development/Mendo College Classes – discussed – past practice to allow staff time off to go to college classes if they were working on a degree for their position; etc.

**MOTION NO. 11:**

Mr. Hutt made a motion to table this item.

Mr. Rabano Jr., seconded the motion.

Question: Ayes: Bettega, Hutt, Rabano Jr., & R. Whipple Nays: 0

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

iii) Eel River up-dates – Mr. Bettega and Mr. Hutt updating.

**MOTION NO. 12:**

Mr. Bettega made a motion to accept as informational.

Mr. Hutt seconded the motion.

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Question: Ayes: Bettega, Hutt, Rabano Jr., & R. Whipple  
Abstentions: Russ (out of the room)                      Motion carried.                      Nays: 0

i) Set agenda for community – President Russ back at the meeting – draft agenda reviewed and discussed – 11:00 a.m. – Water Attorney and 1:00 p.m. Pat Higgins

iv) Cheryl Bettega – RE: Hopper Lane update

**MOTION NO. 13:**

Mr. Hutt made a motion to approve for the Tribal Business Administrator and President to handle internally.

Mr. Bettega seconded the motion.

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

**Item No. 5: Executive Session - Action Item – 2018-10-25-010:**

- a. Mr. Randy Wolfen, Casino – RE: Update
- b. Sergeant Vincent Cordova, Tribal Police Dept. – RE: Update
- c. Darlene Crabtree, Tribal Controller – RE: Various – financial
  - i) Acct. Temp position
- d. Trina Fitzgerral, Tribal Business Administrator – RE: Various
  - i) Mr. Bettega – RE: Land Buy Back
- e. Bernadine Whipple, HR – RE: Various
  - i) TANF Director – Follow up
  - ii) Personnel – Recommendation to hire EPA Assistant Secretary
  - iii) Personnel – Recommendation to hire – Programs Manager
  - iv) Policies & Procedures – Employment Records
  - v) Motel – RE: Lease/Rental Agreement
- f. Jessica Goodrow, ICWA – RE: Various
  - i) Baily Zydek
  - ii) Pala Band
  - iii) Grant – Native American Court Advocate
- g. TRED – RE: Various
  - i) Request for consent on 540 567
  - ii) Request for homesite
- h. Tribal Council – RE: Various
  - i) Investigation update

**MOTION NO. 14:**

Mr. Hutt made a motion to go into executive session at 7:13 p.m.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple                      Nays: 0                      Abstentions: 0  
Motion carried.

**Item No. 6: Regular Session - Action Item – 2018-10-25-011:**

**MOTION NO. 15:**

Mr. Bettega made a motion to reconvene into regular session at 8:18 p.m.

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Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

Decisions from executive session:

c. Darlene Crabtree, Tribal Controller – RE: Various – financial – **Action Item – 2018-10-25-014**: Ms. Crabtree was present.

i) Acct. Temp pool

**MOTION NO. 16:**

Mr. Bettega made a motion to approve a contract with Acct. Temp., Santa Rosa at \$12,000.00.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

a. Mr. Randy Wolfin, Casino – RE: Update - **Action Item – 2018-10-25-012**: Mr. Wolfin was excused from the meeting.

b. Sergeant Vincent Cordova, Tribal Police Dept – RE: Update - **Action Item – 2018-10-25-013**: Not present

d. Trina Fitzgerral, Tribal Business Administrator – RE: Various - **Action Item – 2018-10-25-015**: No business items.

e. Bernadine Whipple, HR – RE: Various - **Action Item – 2018-10-25-016**:

i) TANF Director – follow up – FYI only

ii) Personnel – Recommendation to hire – EPA Assistant Secretary

**MOTION NO. 17:**

Mr. Bettega made a motion to accept the recommendation and hire Lauren Whipple at \$13.00/hr.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

iii) Personnel – Recommendation to hire – Programs Manager

**MOTION NO. 18:**

Mr. Bettega made a motion to advertise three more weeks.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

iv) Policies & Procedures – Employment Records

**MOTION NO. 19:**

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Mr. Bettega made a motion to table this item, for further review by the Council.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

v) FYI – Motel – Lease vs. Rental Agreement

f. Jessica Goodrow, ICWA – RE: Various - **Action Item - 2018-10-25-017 –**

i) Baily Zydek; ii) Pala Band; & iii) Native American Court Advocate grant  
Addressed – see Motion 5, 6 & 7:

g. TRED RE: Various - **Action Item – 2018-10-25-018:**

i) Request for consent on 540 567      ii) Request for homesite

**MOTION NO. 20:**

Mr. Hutt made a motion to table 6-a and b, and all of 6-g.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

h. Tribal Council – RE: Various - **Action Item – 2018-10-25-019:**

i) Investigation update

**MOTION NO. 21:**

Mr. Bettega made a motion to accept as informational.

Mr. Hutt seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

Motion carried.

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

a. Saturday, October 27, 2018 @ 9:00 a.m. – Bi-Annual Meeting

Mr. Hutt informed the Council that he would not be at the meeting.

Item No. 8: Closing prayer by President Russ.

Item No. 9: Adjournment - **Action Item – 2018-10-25-020:**

**MOTION NO. 22:**

Mr. Hutt made a motion to adjourn the meeting at 8:19 p.m.

Mr. Bettega seconded the motion.

Question: Ayes: Russ, Bettega, Hutt & R. Whipple      Nays: 0      Abstentions: 0

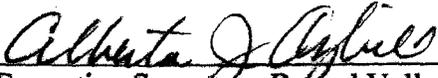
Motion carried.

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

Submitted by:

  
Executive Secretary, Round Valley  
Tribal Council