



**COLORADO**

**Lt. Gov. Dianne Primavera**



## **Minutes**

**Colorado Commission of Indian Affairs 1st Quarterly Meeting**

**Date: September 23, 2021**

**Location: Zoom**

**In Person Location: History Colorado**

**CCIA Members Present:** Lt. Governor Dianne Primavera; Chairman Manuel Heart (UMUT); Treasurer Alston Turtle (UMUT); Councilwoman Majorie Barry (SUIT); Crystal LoudHawk-Hedgepeth (At-Large); Lucille Echohawk (At-Large); Dionne Williams on behalf of Patrick Rondinelli (DOLA); Dan Gibbs (DNR); Rachel Bryan-Auker (CDPHE); Nicole Miera on behalf of Michelle Barnes (CDHS)

**CCIA Ex-Officio Members Present:** Kathryn Redhorse (CCIA); Brooke Greenky (HCPF); Matthew Baca (AG); Dawn DiPrince (HC); Georgina Owen (CDE); Julie Constan (CDOT), Jason Benally (CDOT); Patty Salazar (DORA); Marsha Porter-Norton (La Plata County Commissioner); Chris deKay (Ignacio School District); Risha VanderWey (Montezuma-Cortez School District)

<b><i>Agenda Topic/Narrative</i></b>
<b>Meeting Convened:</b> Lt. Governor Primavera convened the meeting at 9:12 AM. Chairman Heart provided the invocation.
<b>Quorum Established:</b> Lt. Governor Primavera established a quorum at 9:17 AM and reviewed meeting materials.
<b>Approval of Agenda/Minutes:</b> Lucille Echohawk made the motion to approve the agenda. Treasurer Turtle seconded the motion. Approval of agenda at 9:18 AM. Chairman Heart motioned to approve the minutes; Nicole Miera seconded the motion. Approval of minutes at 9:19 AM.
<b>CCIA Executive Director Report:</b> Kathryn provided the Executive Director Report at 9:20 AM.

## Commissioner/Ex-officio updates:

### **Ute Mountain Ute Tribe:**

The UMUT Tribal Council is currently finalizing their budget for FY 22, with a goal to finish by September 30.

On September 27, Secretary of State Jena Griswold will be visiting UMUT. Colorado Senator Donovan will be visiting on October 7, specifically to meet with UMUT about water, and to tour the UMUT farm and ranch. Additionally, CDHS will also be visiting on October 7. UMUT would like to be updated on the process of HB21-1289 and would like to have an idea of when they will receive funds for broadband deployment.

UMUT provided the following updates regarding COVID-19.

As of 09/23/21, 2 students in elementary school and 4 in high school in the Montezuma-Cortez School District have tested positive for the virus. 11 UMUT students are quarantined, with no positive cases among Tribal members.

The Tribe has been following the next steps for vaccinations for children 5-11, as well as the Pfizer booster shot for those 65 and older. UMUT is working with IHS to get those booster shots, as well as working with the State to hold a testing event. All UMUT employees must be vaccinated, and submit their vaccination cards by 10/08/21; if not, they will be dismissed from their employment.

UMUT is holding their election for 2 Tribal Council seats. Treasurer Alston Turtle and Vice-Chair Selwyn Whiteskunk are up for reelection. Elections are held the first week in October, and the Council Members will be sworn in in November.

On 09/18/21, Chairman Heart met with Senator Mitt Romney and Senator Michael Bennet in Utah to discuss climate change, its impacts on the Colorado River, and the impacts on the southwestern states. 10 Tribes previously held 20% of the water rights on the Colorado River, but there are 30 Tribes in the Colorado River Basin. Due to droughts, the river basin is holding 80-90 feet of water. Tribes own a seat in water rights and have not been included in discussions around the river basin.

Chairman Heart mentioned wanting to gain more funding through appropriations through the Bureau of Land Management (BLM) office.

The Montrose School District has been calling UMUT about partnering with the Tribe in order to attempt to keep their mascot. Chairman Heart advised them that they would need to consult with all 574 Tribes in order to keep their mascot name, "The Indians". They have not been invited to the Tribal Council as of yet, and Senator Coram emailed Chairman Heart to get something scheduled.

UMUT has identified the following top-level priorities for the Tribe:

- Water, and how it has been affected by global warming and climate change. The Tribe would to begin a compact on how Tribes should be involved,
- COVID-19 in terms of how the Tribe can keep moving forward. The Tribe commends the state's support throughout the pandemic and their continued support.
- UMUT healthcare, housing, and education were also highlighted as priorities for the Tribe.

UMUT has been in budget hearings for the past month to discuss Tribal operations, such as Tribal grants, and has been listening to their various departments.

UMUT is on schedule to pass the budget by 09/30/2021. This is a priority of the Tribe to ensure the proper functioning of the Tribe and Tribal operations.

The Tribe has been in discussions with the Pinon Project, and how the groups can create a partnership to offer services to Tribal members and other Native Americans within the Southwest.

Education continues to be a huge concern for the Tribe, as there have been outbreaks in different schools. Specifically, children 12 and under are a major concern, but UMUT continues to stay optimistic about vaccinations for younger kids. There have been various outbreaks in the elementary and high schools, and the lack of communication that the Tribe has received from the board in past years has continued to be a huge obstacle. The Tribe has not developed relationships with county commissioners or the school board. UMUT was not notified until the following day that there was exposure in one of the schools. This communication is incredibly important, and parents are finding out too late.

UMUT has experienced a large loss of Tribal members, which has had a major effect on the Tribe, including members and Tribal operations. The Tribe has continued to pull together as a community to support each other.

Treasurer Turtle was able to attend the Executive Order signing ceremony in August. He remarked that he saw it as a huge step and wishes that more states would have that type of relationship with their Tribal governments. He commended CCIA and the state for fostering a strong relationship with the Tribe.

### **Southern Ute Indian Tribe:**

SUIT remains open under Phase 2 Level 1 'Safer at Home' guidelines. A mask mandate in public areas and in Tribal government places are still in effect. SUIT is hosting a vaccination clinic on 09/29/21 for community members.

Overall COVID-19 numbers for the SUIT stand at 113 positive with 3 deaths due to COVID.

Tribal Council mandated staff to be vaccinated or to undergo regular testing twice a week, according to federal guidelines.

Sky Ute Casino maintains their operations with the Phase 2 Level 1 guidelines.

On 09/25/21, Tribal Council had a general membership (in person) meeting, as they have not had one in months, with strict, mandatory safety protocols in place.

Chairman Baker attended the Fort Lewis College plate-removing ceremony and remarked that this was a step in the right direction to heal from the past.

The Tribal Historic Preservation Office has been established for SUIT.

The Tribal Council continues to tour the areas of the reservations, including the Pine River Project structures.

Tribal Council will be hosting a 'Meet the candidates' event on 10/12/21 in preparation for their 11/05/21 election.

Tribal Council has been discussing the projects they have been working on. Every year they replace two Councilmembers but want to be able to continue these projects into the next administration.

The Tribe is in Phase 1 of the broadband project. They are awaiting funds, but have determined the phases of the project and a timeline of completion. Specifically, the Tribe has been analyzing how to get that fiber in place and using legal documents to encourage that work.

The Tribe has lost two Elder leaders, including one Tribal and one Spiritual Leader, as well as a highly respected military veteran. Members of the Tribal Council are attending those services.

### **Colorado Department of Human Services (CDHS)**

As a reminder, CDHS and the OBH Executive Committee are looking forward to working with Tribal partners in creating a Behavioral Health Administration by July 2022. CDHS is still in the process of what this will look like, and how CDHS can best support the Tribal communities.

The Family First program within CDHS is working with both Tribes' Social Services and behavioral health programs to give another overview on what the changes will look like statewide, and what Tribal partners

would like to see in the Family First plan in the future.

The Family First American Indian/Alaska Native (AI/AN) workgroup has transitioned into a group that will work beyond Family First, and are continuing to discuss what their focus will be.

Colorado is creating a new state department for early childhood programs, including an all-day preschool program, and as the state moves forward in this creation, they look forward to working with their Tribal partners.

#### **Department of Natural Resources (DNR)**

The Colorado Geographical Naming Advisory Board met last week and made the recommendation to rename Squaw Mountain to Mestaa'ehehe Mountain, and will recommend it to the Governor on 9/24/21. After that, the recommendation will be brought before the United States Geographical Naming Board. The Wilson-Mesa consultation was held on 09/15/21 and a follow-up meeting was scheduled.

DNR is interested in funding sports betting in the state, as revenues are coming in 5x the amount of what was initially projected. These funds will be moved to fund the Colorado Water Plan project.

#### **Colorado Department of Public Health and Environment (CDPHE)**

CDPHE is working to implement HB 21-1266 Environmental Justice Disproportionate Impacted Community, which created the Environmental Justice Action Task Force, which is currently recruiting people, with two seats for the Tribes. This Task Force will meet 6 times throughout 2022 to assist in climate plans. There was also the creation of the Environmental Justice Advisory Board, and CDPHE is very interested in the inclusion of Native voices on that board.

#### **Department of Local Affairs (DOLA)**

If any attendees are interested in housing through the division of housing or other opportunities in economic development, including broadband and clean energy, please reach out to Patrick Rondinelli.

#### **Commissioner Lucille Echohawk**

Commissioner Echohawk has continued to be involved in community activity in Denver, primarily with a 7-county focus needs assessment for AI/AN communities and their housing needs, and continues to encourage individuals to complete the survey. There are 105,000 Native people in greater Denver, therefore it is crucial that there is more participation in this survey. As of 09/23/21, the group has collected 500-600 return surveys, but is aiming for 1,000. There is a survey for the unhoused community and a longer one for everyone else who wants to complete this survey.

Commissioner Echohawk continues to serve on the Family First AI/AN workgroup, as well as advocating for space in Tribal involvement in Family First, and ensuring that counties are reaching out to their AI/AN residents to ensure they are included.

Commissioner Echohawk joined the committee advisory board for the CDPHE to address needs for the urban AI/AN population. She was told by Seattle health board researchers that they are reaching out to Colorado to receive more data to better inform the national data.

#### **Commissioner Crystal Loudhawk-Hedgpeeth**

Commissioner Loudhawk-Hedgpeeth has been involved in the national effort for the National Institute of Health in partnering with communities to address COVID-19 in Colorado. The Colorado Community Engagement Alliance (CO-CEAL), has reached out to the community to get some feedback around the

vaccine, and to develop information about vaccines. CO-CEAL had its second meeting on 10/22/21 with a MedCore expert. CO-CEAL is looking at community feedback in a timely manner, with a timeline of 6-8 months for their projects. CO-CEAL additionally partners with the Denver Indian Family Resource Center to gather community feedback and insight in the area, and Tribal communities as well.

### **Colorado Department of Transportation (CDOT)**

The connection of US highway 160 and US highway 550 continues. CDOT is in the process of moving dirt and will install new asphalt by the end of the fall. CDOT is working on a signal in Ignacio, and will complete the project this fall.

Next summer, CDOT will begin the large resurfacing project from Aztec Creek, south to the four corners and into New Mexico. CDOT is scheduled to meet with UMUT on 10/01/21 for their yearly meeting, and will be listening to concerns about signage entering UMUT Tribal lands.

### **Attorney General (AG)**

Matthew Baca highlighted several priorities of the AG's office;

- Addressing the opioid epidemic: the AG's office has reached a joint framework with local governments to distribute opioid settlement dollars throughout Colorado.
- Protect our land: The AG and the Governor have made some recommendations to the US Environmental Protection Agency around the Waters of the United States Rules and are recommending a revised definition that is consistent with the needs of the community.
- Criminal justice system: The AG's office is currently examining peace officer standards and training and looking for a job task analysis through an RFP to look at what policing looks like today. Looking for a partner to help them undertake statewide training to ensure officers can make the right decisions regardless of the situation.
- Colorado consumer: StubHub will be refunding Coloradoans around \$3 million.
- Defending the rule of law: The AG's office has released an initiative around civic engagement. The office will be convening one on one conversations across the state because our democracy depends on our ability to have civil/civic engagement and discussions.
  - If anyone is interested, reach out to Matthew Baca.

### **Healthcare Policy and Financing (HCPF)**

On 08/19/21, HCPF hosted a Tribal cabinet.

Both the Centers for Medicare and Medicaid Services (CMS) and the Joint Budget Committee (JBC) approved HCPF's American Rescue Plan Act (ARPA) funding plan, which outlines different improvements in community development.

HCPF released its maternity report: HCPF is excited about how it can aid in improving maternal health outcomes. The report outlines different groups and ethnicities and a focus on Indigenous communities.

### **Colorado Department of Corrections (DOC)**

CDOC remains a resource and continues to advocate for working together on how to better battle this pandemic.

CDOC is focused on making the correctional system more just and humane, especially for people of color, and ensuring that their work and efforts are considered at all levels. Since the last CCIA quarterly meeting in June, CDOC now has opened all ceremonies for AI/AN inmates, such as sweat lodges, and other ceremonial

activities.

### **Colorado Department of Education (CDE)**

CDE has announced a back to school toolkit, filled with mitigation resources, and guides for going back to school safely. CDE is also providing all K-12 schools with a voluntary COVID-19 screening throughout the school year to prevent outbreaks, as the goal is to keep schools open, in person, and safe. CDE will be holding a Tribal consultation with SUIT on October 8.

### **History Colorado (HC)**

HC is continuing its consultation work regarding the Sand Creek Massacre exhibit, which is expected to open in November 2022. HC was honored to welcome the Sand Creek Tribal Representatives for a two-day consultation in Denver. HC is committed to ensuring that this history is never forgotten. The Sand Creek Exhibit teams have presented and met with the Tribal Councils, and elders, have visited historic sites and attended ceremonies.

### **Montezuma-Cortez School District:**

Since school has started, there have been COVID outbreaks, bomb threats, and gunman threats. Superintendent VanderWey noted that communication has been lacking with the Tribes, but the leadership of UMUT is now on the tree of communication, with better communications and receptors to the UMUT. The school district serves 800 Native American students, with 300 from Towaoc. One goal of the district is to not only work with UMUT but to establish a better relationship with Navajo Nation on the Colorado side.

### **Ignacio School District:**

The school district is continuing to work through the pandemic in a cautious and meaningful way. The district has a focus on addressing the loss of learning, as students who participated in remote learning lost the opportunity to improve, and lost credits in some cases. Tutoring is offered after school for all students to support their education. The district's education roadmap performed fairly highly last year and the district continues to ensure the door is open for students to come in and work with teachers. The district is committed to maintaining a meaningful partnership with SUIT, and is hosting meetings between Tribal Council and the school board, and are working on problems in the community together. The district is rolling out a strategic plan this year with a survey coming out in November. Next January, the district plans on having meetings where stakeholders are present to work on a strategic matrix and mission statement for addressing important educational issues.

### **La Plata County:**

The county received ARPA funds of \$10 million, and has done some community forums on how to spend this money, as the county commissioners want to use the funds to better the community. The county understands that the Tribes are working on Broadband development, and would like to know if they have any ways to partner in those efforts. The county would like to find what role they would play in broadband development, because everything including telehealth and mental health counseling can be done, and broadband access is a high priority for the county. Housing continues to be a concern throughout the community. The county is holding a meeting with the AG's office regarding the opioid settlement. A regional study will be done across the 5 counties, to see if any type of in-patient treatment center is of need for the region. This would be a way to bring this resource to the region, and the county is researching how it would be funded and other logistics in

making this happen. County has reached out to both of the Tribes regarding this regional center and is looking forward to getting this process started.

**Department of Regulatory Agencies (DORA)**

No updates for today.

**Office of Economic Development and International Trade (OEDIT)**

The Colorado Office of Film, Media, and Television has been engaging in conversations regarding outreach with the Colorado Film school. The school features a program with 3 filmmakers for 3 weeks to teach high school-aged students how to make films, which UMUT participated in to teach students how to interview and record elders to record oral history and stories. COVID has limited the opportunities for the past two years, but the office is now engaging with Fort Lewis College and Rocky Mountain PBS to extend this program to the SUIT. Commissioner Lucille Echohawk inquired about an opportunity to connect this group with urban AI/AN youth, and scheduled a follow-up meeting to discuss this opportunity with the office. There are potential grant opportunities through stimulus funding that may be of interest.

**Department of Agriculture (CDA)**

CDA presented a funding opportunity for drought issues, as well as a \$30 million grant and loan program that will be available and forthcoming.

**COMMITTEE UPDATES:**

**Health and Wellness Committee (H&W):**

The last H&W meeting was in May, with focused priorities on data. The committee is looking to identify some more specific goals. There are data concerns, especially in regard to COVID-19, therefore focusing it down to what is most beneficial. Other priorities include food sovereignty and food justice. The committee would like to bring all state-wide projects together to talk about it. The committee continues to support communication, and encourage different agencies to connect and share more during the next H&W meeting on 09/30/21 from 10:00 am to 12:00 pm.

**Teller Institute Updates:**

Anne-Marie Braga, Deputy Executive Director of Community Partnerships AT CDHS, is conducting one-on-one phone calls with each of the Task Force members to understand their perspective on what is working, what is not working, and what could be better in the Task Force. Anne-Marie was able to have conversations with the first few members, and will connect with the rest over the next week. The task force is still in the process of hiring a third-party facilitator, and the second round has had a robust job of recruitment. The application deadline has been extended until 09/27/21. Chairman Heart inquired about the sale of the land that the Teller Institute was located on. Braga indicated that it is still up in the air as to what will happen to the land.

**Priorities discussion**

CCIA conducted live voting through Google form to identify three priorities the Commission would like to focus on as a Commission.

Three priorities were identified:

- Behavioral Health/Substance Use

- Housing
- Health Care

CCIA staff facilitated a brainstorming activity using Jamboard to identify some more focused topics within the area of the three identified priorities.

Housing:

- Accessible, affordable
- Identifying specific groups to focus on
- Native American Housing Circle to create as a non-profit org
- Lucille Echohawk, Crystal LoudHawk-Hedgepeth to take lead

Behavioral Health/Substance Abuse:

- Nicole Miera, Rachel Bryan-Auker to take lead

Health Care:

- Culturally responsive/competent care
- Active listening
- Increasing insurance, SNAP benefits, telehealth access; more beds

Workgroups with two or more voting members will be subject to the Open Meetings Law.

**SB21-116 Prohibit American Indian Mascots**

The CCIA Chair opened the discussion to ratify the school list for SB21-116.

Tim Mauck made an inquiry regarding the Yuma school district, specifically Little Indians Preschool, as the bill language only includes K-12 schools.

- The commissioners determined that the preschool does not belong on the list.
  - Motion to remove Little Indians Preschool- moved by Tim Mauck, seconded by Lucille Echohawk. Motion passed to remove Little Indians Preschool at 12:43 pm.
- Motion to ratify the amended list by Lucille Echohawk, seconded by Crystal Loudhawk-Hedgepeth. Motion was approved at 12:45 pm.

The CCIA Chair opened to approve the Implementation process document.

- Motion to approve the process by SUIT Councilwoman Barry, seconded by UMUT Chairman Heart. Motion approved at 12:48 pm.

Lucille Echohawk suggested the commission reach out to schools who have already made the change to use as a resource for other schools that now need to make the change. Chairman Heart agreed that this is an education process, not meant to hurt/harm schools, but to educate about the past. Councilwoman Barry agreed with Lucille’s comment, and mentioned that the term “savage” or “savages” is a very harsh term. Fort Lewis College changed their mascot and did so without hesitation. Schools and the commission can work together to get this done.

**Public Comment:**

Jay Chamberlain, Lamar Board of Education, and Chad Krug, Superintendent of Lamar School District RE2,

- Jake Chamberlain’s comment stated that their community identity is formed around their mascot, “Savages” that they have used for over 100 years. He stated that the term refers to their community members that are brave, fierce, and strong competitors.
- The school district is currently investigating updates to their logo and has asked the commission to consider a special hearing on their plan to continue to use the term “Savage” with a new logo. They are requesting an October meeting with the Commission to discuss their changes.

- They also ask that the commission consider their request expeditiously as the expenses of a new mascot will be timely and costly.

Kevin Killer, President of Oglala Sioux Tribe

- President Kevin Killer wanted to attend some of the CCIA quarterly meetings to look at what CCIA/Colorado does in comparison to the state of South Dakota.
- He is fully supportive of the mascot bill and is interested in how CCIA will be implementing SB21-116.
- The Oglala Sioux Tribe has historic ties to Colorado and he finds it very important to visit the area and partner with Colorado
- He also has been contacted about oil leases and would like to investigate this further.
- The housing situation here in Colorado has similar considerations to the urban Native population in South Dakota and there are Oglala Sioux members here in Denver. The Tribes would like to work with every state where their members are. Mental health is an important aspect to combine with housing.

Lucille Echohawk

- Commended President Killer for supporting a proposal by the Denver Indian Family Resource Center (DIFRC) to receive DOI housing funding for urban areas, usually only provided to Tribes. DIFRC received \$200,000.

**Next Meeting Date:** December 9, 2021

**Adjournment:**

Motion to adjourn by Chairman Heart, second by Chairman Baker. The meeting was adjourned at 1:10 PM.